

THE EXPERIENCE OF FOREIGN COUNTRIES IN PREVENTING EXISTING CORRUPTION RISKS IN THE MANAGEMENT PROCESS OF THE HIGHER EDUCATION SECTOR

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Abstract

Establishing proper and effective management in the field of higher education is one of the most important measures to prevent corruption risks in this system.

The organization of management of national higher education on the basis of international standards is becoming relevant in the context of the development of international relations and the global integration process.

At this stage, it will be useful to study best practices aimed at organizing management in the field of higher education in developed foreign countries and preventing corruption risks in this process.

The study specifically examines issues such as the management of higher education institutions, their independence and financial support, as well as the role of government agencies in the management of this area.

Keywords "public administration in the field of higher education", "management in higher educational institutions", "independence in management", "legal basis of powers", "financial support".

INTRODUCTION

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The scientific exploration of education quality and its management commenced abroad in the 1920s. Predominantly, these inquiries centered on the higher education system and the educational institutions therein, serving as exemplars for analysis .

Upon examining the practices of foreign nations in higher education management, it became evident that two primary types of state management bodies emerged: general and specialized entities.

In the general management system, a singular state body oversees all educational domains,

encompassing preschool, general secondary, and higher education. Conversely, in the specialized management system, distinct state bodies are responsible for each educational sector. As an illustration, Japan's Ministry of Education, Culture, Science and Technology exercises authority over all educational realms, housing specialized structures like the "Bureau of Education Policy," "Bureau of Primary and Secondary Education," and "Bureau of Higher Education" within its framework.

In addition, the Ministry of Education of the Republic of Korea has the Department of "Higher Education Policy" and the Department of "Supporting School Innovations", forming a unified educational administration .

Similarly, a single education management system exists in the Federal Republic of Germany (German

Federal Ministry of Education and Research) , the French Republic (Ministry of Youth Education and Sports) , and the United Kingdom (Department of Education) .

In the Russian Federation, a specialized management system has been established, wherein the Ministry of Education of the Russian Federation oversees general and secondary specialized education, while the Ministry of Science and Higher Education of the Russian Federation is responsible for managing the higher education system .

Similarly, in Spain, a similar model is observed, with the Ministry of Education and Vocational Education managing general and vocational education, while the Ministry of Universities is tasked with overseeing the higher education system .

Similarly, Denmark maintains a specialized education system overseen by the Ministry of Higher Education and Science , mirroring practices observed in various other foreign countries.

In nations such as Ukraine, Georgia, and Serbia, the regulation of higher education operates under distinct legal frameworks, with delineated powers for governing bodies. For instance, Chapter 2 of Georgia's "Law on Higher Education," dated December 21, 2004, titled "Management in the Higher Education System, Article 5 refers to the Parliament of Georgia, Article 6 to the Government of Georgia, Article 7 to the Ministry of Education and Science of Georgia, and another the powers of a number of ministries are clearly indicated .

Also, Chapter 4 of the Law "On Higher Education of Ukraine" dated July 1, 2014 is called "Management in the Higher Education System", and Article 12 lists 8 state bodies with management authority in the field of higher education and their powers .

The administration of Higher Education Institutions (HEIs) possesses distinct characteristics that set it apart from the management conducted by state bodies. Among these distinctions, the appointment and dismissal of managerial personnel emerge as particularly significant practices within the HEI management framework.

Upon scrutinizing the practices of foreign nations

concerning this aspect, it becomes evident that a prevalent approach involves entrusting the appointment and dismissal of HEI leaders to collegial bodies, typically through electoral processes. This method underscores a commitment to democratic principles and institutional autonomy, allowing stakeholders within the academic community to play a role in selecting their leadership. Such a practice reflects a broader global trend toward fostering transparency, accountability, and stakeholder engagement within the governance structures of higher education.

In the Republic of Georgia, candidates vying for the position of rector at Higher Education Institutions undergo a selection process through open competition. They are subsequently elected and dismissed by the Academic Council. Furthermore, individuals are typically restricted from serving as rector for more than two terms within the same institution. Prior to the election, the Academic Council evaluates the action plan proposed by each candidate, ensuring a thorough assessment of their vision and agenda for the institution .

Similarly, in the Republic of Ukraine, the head of a higher education institution is elected to a five-year term through a secret ballot process. Dismissal from the position can occur by addressing the individual holding the title of rector, president, director, or equivalent position. These procedures highlight the commitment to democratic principles and institutional governance, promoting transparency, accountability, and the engagement of academic stakeholders in the leadership selection process .

In the United States, the Massachusetts Institute of Technology (MIT) operates under a governance structure where a president leads the institution and is a member of the Institute's corporation. The president of MIT is elected and can be removed from office by the corporation (Harvard and Stanford universities, have similar corporate governance also at the California Institute of Technology).

In the United Kingdom, universities often adopt a parliamentary system of governance, emphasizing the significance of appointing university heads.

For instance, at the University of Cambridge, this parliamentary governance model is evident, with the chancellor serving as the constitutional head. The chancellor is elected for life by the Senate, composed of all graduate representatives of the university. This approach ensures representation across various academic sectors within the university community and highlights a dedication to democratic principles in university governance.

The deputy rector assumes the primary role of academic and administrative leadership within the university. They are appointed by the university council for a term typically spanning seven years. This governance structure mirrors that of Oxford University, which also operates under a parliamentary administration model.

A comparable approach has been established in Germany, as seen in institutions such as Ludwig Maximilian University of Munich and Technical University of Munich. Similarly, universities in Finland, including Helsinki University, have adopted analogous practices.

Upon studying the experiences of foreign countries, it became apparent that collegial bodies play a crucial role in the management system of Higher Education Institutions (HEIs). These bodies are entrusted with the implementation of powers susceptible to corruption risks, underscoring a proactive measure to mitigate such vulnerabilities within the governance structure of HEIs.

Specifically, in accordance with the Law of the Republic of Georgia "On Higher Education" dated December 21, 2004, the management framework of Higher Education Institutions (HEIs) is structured around collegial bodies such as the Senate, the Scientific Council, the Faculty Scientific Council, and the Self-Management Body of Requirements.

The Senate is considered to be the highest representative body of the Higher Education Institution and is elected by secret, equal, direct voting from students and academic staff for a term in accordance with the academic period.

Collegial and representation-based management structures have been formed in HEIs in Ukraine.

USA. The Massachusetts Institute of Technology

(the first in the international ranking of "QS World University Rankings" in 2020, 2021, 2022 with 100 points) is managed on the basis of a corporate system, and the corporation (board of trustees) is a representative body with important powers that ensures the stable operation of the institute. is counted.

Also, Harvard University has always taken high places in the international ranking of "QS World University Rankings" (third in 2020 with 97.4 points, third in 2021 with 97.9 points, fifth in 2022 with 98 points), and this university is also corporate as above. management system has been introduced.

In Great Britain, the University of Cambridge features governing bodies such as the House of Regents, the Senate, the Council, and the General Council of the Faculties. In contrast, the University of Oxford operates with the Commons and the Council as its principal collegial governing bodies.

Similar collective management structures are evident in institutions worldwide. Notably, the Technical University of Munich in Germany, Ludwig Maximilian University of Munich, the University of Helsinki in Finland, and prestigious universities in Japan like the University of Tokyo and Kyoto University have all established analogous governing bodies to oversee various aspects of academic and administrative affairs. These structures reflect a commitment to inclusive decision-making and democratic principles within higher education institutions globally.

The research resulted in theoretical conclusions, particularly after an extensive analysis of Higher Education Institutions' (HEIs) financing and their autonomy in management. Across different countries, various models of HEI financing were identified, including neoliberalism observed in the USA, Japan, Australia, and South Korea, as well as the social market model prevalent in Canada, England, Spain, and Italy.

Additionally, distinct approaches such as market economy with anti-market relations were noted in countries like Germany, Norway, Denmark, Sweden, and Finland. These models illustrate nuanced strategies towards HEI financing,

blending market-driven principles with policies aimed at mitigating negative market effects and ensuring equitable access to education.

In the model of neoliberalism, in the financing of HEIs, the state budget funds are kept in a significant amount, and the targeted allocation of budget funds is controlled.

In the social market model, based on partial market relations, the level of public funding is gradually reduced and private funding is increased.

In the anti-market economy and relations model, HEIs are fully financed by the state and are not privatized.

Based on the experience of foreign countries, the degree of independence of HEIs can be divided into centralized, decentralized and mixed types.

Centralized management (Germany, Finland) creates opportunities for the state to effectively control higher education policy, meet personnel needs, preserve national and moral values, and most importantly, establish state control in the fight against corruption.

In decentralized management systems, such as those in the USA and Great Britain, Higher Education Institutions (HEIs) are granted full autonomy, operating according to market principles.

In mixed administration contexts, exemplified by Georgia and Ukraine, governmental authority extends to vital areas like directing personnel training for strategically significant sectors, shaping state policy, and overseeing financial matters.

The examination of international practices aimed at mitigating corruption risks in higher education management yields the following insights:

Firstly, state management bodies overseeing higher education generally adopt one of two structures: general or specialized management systems.

Secondly, the delineation of authority for state educational management bodies is explicitly outlined in regulatory documents, with distinct delineation for higher education governance.

Thirdly, management in the field of higher education is mainly focused on ensuring the independence of HEIs, and the degree of independence of HEIs is classified into centralized, decentralized and mixed types.

Fourthly, the practice of electing and dismissing first-level heads of HEIs by the internal collegial body of the educational institution has been introduced.

Fifth, collegial bodies have been formed in the management system of HEIs, and powers prone to corruption risks have been assigned to these bodies.

Sixth, the compatibility of existing models of neoliberalism, social market, market economy and relations with the financing of HEIs with the national system was analyzed.

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