

EDUCATION AND DEVELOPMENT PROGRAMME

***From Public to Non-Commercial Legal  
Status – Universities in Georgia:  
Status Quo and Perspectives of  
Strategic Development***

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## Preamble

Today no one is arguing about the meaning and the role of higher education in developing countries. Moreover, rhetoric on higher education emphasizes its role for the development of knowledge based economy and society and in this context, higher education becomes strategically important for the countries like Georgia.

Higher education in Georgia is an object of serious transformation since the adoption of the new law in December 2004. Organisational changes in the sector have rarely been the subject of a systematic evaluation by independent experts, and even less a basis for development of a policy.

Center for Social Sciences is launching research project, aiming at development of evidence based analytical reports on the higher education in Georgia and policy papers, published for public consultation and maximal involvement of relevant stakeholders.

The present study aims to determine main trends of development of the higher education in Georgia based on analysis of activities of selected Georgian universities.

The study focuses on public universities, which recently changed their legal status and currently operate as non-profit non-commercial legal entities of law.

Our goal is to determine the starting point of these universities with special attention to their strategic plans - how universities can use a new legal status and an increased degree of autonomy?

Study results should facilitate elaboration of the higher education development plan (and recommendations) considering world and local challenges.

## Challenges of Higher Education

One of the fundamental principles of universities, according to the Magna Charta Universitatum (1998) is their autonomy: “The university is an autonomous institution at the heart of societies...”

The importance of the university autonomy is repeatedly mentioned in all Bologna documents, PACE recommendations and is proved in several research publications.

Luc Weber (2006) notes, that “...university autonomy is a necessary, but not sufficient condition for excellence”. Autonomous universities can be proactive and entrepreneurial and better response to modern challenges. Of course human and material resources, as well as sound management systems, are also essential, but management under the limited autonomy is always non-efficient. Thus, being independent from the state, business and religious organizations increases competitiveness of the universities. At the same time autonomy should not be understood as non-responsibility: as an essential aspect of good governance, autonomous universities shall be also accountable to the sponsors and society at large.

Principles of accountability and transparency are especially important for organizations in Georgia – a country in the transition to the democratic state. And, especially universities, as leading organizations for civic development since they generate and preserve new knowledge, should show their dedication to accountability. This reflects primacy of the critical thinking and academic freedom, ensuring progress, rather than closed organizations.

Modern challenges to the universities have been classified as:

- ✓ Globalization and increasing competition (“fight” for best students and professors; increased scale of international collaboration, etc. )
- ✓ Demographic changes (aging population, migration, brain drain)
- ✓ Higher costs for education vs decrease of public funding
- ✓ New teaching & learning methods (ICT technologies)

Georgia, as an organic part of the European Higher Education Area (Georgia joined Bologna process in 2005) faces same challenges in addition to the post-soviet specifics.

Soviet legacy is mostly reflected in the non-readiness of universities to be autonomous and transparent.

All reforms in the Higher Education have been initiated by the ministry and other governmental structures and not by universities. Increase of institutional autonomy via changes in legal status is also a governmental decision and not a response to the universities demands. Universities just agree with it, but it is not clear, whether they even understand increased responsibility which accompanies the increased autonomy.

Universities are alone – there are no horizontal links between different HEIs (rectors’ councils practically do not function) and there is no national strategy of Higher Education development in the country.

Ministry of Education and Science, on the one hand, is pushing universities to more autonomy and independence, but does not really support them, on the other. The only ministerial document,

mentioning universities' autonomy, is 21 page presentation "Challenges and Achievements of 2011-2012", in which only one page is dedicated to the higher education and change of the legal status of universities is considered as one of the major achievements of 2011.

Ministry understands legal status change as precondition for increased autonomy. Our goal is to analyze publicly available information to find out whether changes in legal status really mean growth of the autonomy and how it affects the functioning of universities.

## Higher Education Institutions in Georgia

(As to March 2012)

As to March 2012, 57 Higher Education Institutions (HEI) have been stately recognized. 20 out of them were public (having status of Legal Entity of Public Law) and 37 – private (Legal entity of Private Law).

Types of higher education institutions in Georgia are defined by the Law on Higher Education:

- **University** – Higher Education Institution providing programmes for all three cycles of higher education and research activities;
- **Teaching university** - Higher Education Institution providing programmes for bachelor and master levels;
- **College** - Higher Education Institution, providing only professional programmes and programmes for bachelor level.

In December 2011 10 HEIs changed legal status and became non-commercial non-profit legal entities (NNLE) – State Agrarian University changed its status already in March 2011. In March 2012 three further former public universities changed their legal status to NNLE.

Thus, new legal status have been adopted by 14 HEIs: 10 universities, three teaching universities and one college.

1. Ivane Javakhishvili Tbilisi State University
2. Tbilisi State Medical University
3. Akaki Tsereteli State University
4. Agricultural University of Georgia
5. Iacob Gogebashvili Telavi State University
6. Georgian Technical University
7. Sokhumi State University
8. Vano Sarajishvili Tbilisi State Conservatory
9. Shota Rustaveli Theater and Film University
10. Tbilisi State Academy of Arts
11. Akhaltsikhe State Teaching University
12. Shota Meskhia Zugdidi Teaching University
13. Gori Teaching University
14. Akhalkalaki College

There are also other HEIs with NNLE legal status founded not by the state.

## Methods

Main source of information were webpages of the universities and relevant governmental and other organizations. Using websites reflects existing rules regarding access to public information about, and at the same time reflects the principle of accountability and transparency, which is of particular relevance in the case of universities.

More specifically, we used relevant websites based on Authorization Standards for Higher Education Institutions (approved in October 2010, state order №99/n), which determine, that:

“The webpage of the institution serves both informative and communication purposes; it contains contact data, as well as other information concerning standards (structure of the institution, educational programmes, staff, electronic library catalogues, etc.). The data are updated on a regular basis as to ensure the interest of obtaining information within reasonable timelines.” Thus HEIs in Georgia are obliged to publish detailed information about their activities.

Websites of following organisations have been used:

- Ministry of Education and Science ([www.mes.gov.ge](http://www.mes.gov.ge))
- National Center for Educational Quality Enhancement ([www.eqe.ge](http://www.eqe.ge))
- National Examinations Center (NAEC, [www.naec.ge](http://www.naec.ge))
- Shota Rustaveli National Science Foundation (<http://rustaveli.org.ge>)
- Websites of NNLE universities (see below)

Additional information on student employment and competition on academic positions was provided by the Quality Assurance (QA) services (although universities admitted that they do not have correct data and information provided is rather based on their assumptions). The current study shows lack of accurate statistical data and lack of institutional research, both being significant obstacles for organizational development, as well as accountability and assessment of the effectiveness and efficiency of the work.

### Sampling

For current study seven universities have been chosen, which changed their legal status in 2011 and became NNLE (*abbreviations, given in brackets will be used further in the document*):

1. Ivane Javakhishvili Tbilisi State University (TSU) [www.tsu.edu.ge](http://www.tsu.edu.ge)
2. Tbilisi State Medical University (TSMU) [www.tsmu.edu](http://www.tsmu.edu)
3. Akaki Tsereteli State University (ATSU) [www.atsu.edu.ge](http://www.atsu.edu.ge)
4. Agricultural University of Georgia (AgrUni) [www.agruni.edu.ge](http://www.agruni.edu.ge)
5. Iacob Gogebashvili Telavi State University (TeSU) <http://tesau.edu.ge>
6. Georgian Technical University (GTU) [www.gtu.edu.ge](http://www.gtu.edu.ge)
7. Sokhumi State University (SSU) <http://sou.edu.ge>

Sampling principle:

- We've focused on public universities, which have changed their legal status to NNLE and thus gained certain degree of freedom in terms of management; all universities from this study are 100% founded by the state and majority even retained the word "State" in their names;

- We didn't include private universities, and NNLE universities, founded by non-state agents.
- All universities provide programmes at all three levels of higher education, six out of seven offer vocational programmes, as well as preparatory programmes in Georgian language – thus all forms of post-secondary education are being covered by the study.
- Five out of seven universities are located in the capital city and two – in regions (Kutaisi and Telavi), thus the study has also geographical coverage.
- Three out of seven universities are monopofile (medical, technical and agrarian), the rest – classical multiprofile universities. Thus the study covers all types of educational programmes. The only exception is programmes in arts and sport.
- 57% of total student body of the country are enrolled in seven universities (43% are enrolled in 50 other HEIs).



## Legal Status

Changes and amendments in the legislation do grant more freedom to HEIs with NNLE status, although preserving principle of electing rector and academic council and/or senate. Increased autonomy is reflected in financial activities:

- ✓ Establishment of endowment funds;
- ✓ Simplified procedures for purchase of literature (in print, electronic and audiovisual formats);
- ✓ Simplified procedures for purchase of other objects under supervision of the Council of Regents;
- ✓ Definition of internal structure of the higher education institution.

Thus, NNLE legal status allows the university to determine the internal structure and adjust it to their profile without any agreements with government (relative ministries); to implement internal financial operations without agreement with monitoring bodies; simplified procedures for the purchase of printed products and most importantly, establish endowment funds and conduct commercial activity, although under supervision of the Council of Regents.

The Council of Regents is responsible for coordinating financial and property matters for HEIs with NNLE status. The Council must approve the universities' budgets as well as decisions on the disposal of university-owned immovable assets. Council of Regents approves director of a newly established endowment fund and head of administration, which is responsible to the Council.

Freedom to determine the internal structure and staff setting of the university is a definitely positive change in the context of the university autonomy, whereas increased financial independence also means increased risks.

Establishment of funds for HEI development (endowment funds) is introduced on example of western countries. But in Georgia it is not clear, which financial sources will feed into these funds – we do not have tradition of donations, we do not have respective legal basis to regulate philanthropy, and it is also not clear if the state will contribute to endowment funds considering current economic and financial situation. At the moment state contribution to HEIs with changed legal status is limited to handing over real estate, although during the research period assignation was not finished and rules for real estate usage were not clarified. Therefore, balance of real property of universities is still not clear.

It should be noted that the legal status change does not affect such aspects, as the principle of academic freedom, academic competition and students rights and responsibilities. Thus, status change is reflected on operational level and is limited to administrative activities. How relevant status change will appear to be for academic life, whether it will have any kind of (positive or negative) impact on the primary function of a university, is not clear.

Also unclear is the “direct benefit” for the state as a result of universities status change. What was the main motivation for these changes? Simplified procedure for the printed product purchase does not seem

to be a serious reason. The most significant is financial independence, ensured also by the establishment of the university development fund (endowment fund). Does this mean that the state declines financial responsibility for universities? We can not answer this question on hand of available documentation.

## University Missions and Strategic Development Plans

Universities were obliged to define their missions, according to standards of institutional accreditation in 2009. According to the ministerial order of 2010, HEIs also have to elaborate strategic development plans.

Unfortunately, it is not clear, how many Georgian HEIs have had mission statements before 2009. Currently, not all universities have mission statements published on their websites, although this is an official requirement.

As to the published information, mission statements of practically all universities are quite similar and mean development of competitive education programmes, preservation of Georgian and world culture and values and responding to modern demands.

It is difficult to distinguish specific nature of the universities while analysing their mission statements, with the exception of the Tbilisi State Medical University and the Technical University, which focused on the goals and objectives in the field of medicine and engineering sciences.

**Strategic Development Plans** have been found on websites of only three universities: Tbilisi State University (2011-2017), Tbilisi State Medical University (2011-2017) and Technical University of Georgia (2009-2013).

Generally, strategic development plans shall include following standard components: goals, objectives, analysis of current situation and available resources, action plan with indication of the timetable, persons / bodies in charge, monitoring and evaluation plan.

In fact, only the document issued by the TSMU meets these requirements, while in case of Georgian Technical University, strategic plan looks like a wish list (it is unclear what, when and by whom shall be done).

It should be noted that none of the documents reflect changes in the legal status, which is actually understandable, since strategic plans have been developed and approved well before changes of the legal status.

We should expect that newly obtained NNLE status will push universities to the development of new strategies. At the same time, the fact is, that universities now operate without any plans. It should also be noted that changes in legal status have not been a subject of a public discussion – involvement of professors and students has been limited to brief discussions on academic councils.

## Structure

All seven universities have standard internal structure defined by the Law on Higher Education (academic council, senate, students selfgovernment, faculty councils, Library, quality assurance service), and some additional units, reflecting university's profile (as clinics in the case of State Medical University). Structural changes, allowed by the new status, have not been implemented yet.

All universities have structural units (with different names, often combined), responsible for areas of:

- teaching/learning
- research
- student services
- international relations
- public relations
- financial management
- legal issues
- human resource management
- infrastructure management

None of the universities have special unit in charge of alumni; only TSU website gives some information about establishment of Alumni Association, but no specific information is provided.

We found information on specific functions of different structural units, but assessment of their effectiveness was not possible in the framework of this study; as well as assessment of qualification /capacities of the relevant staff. Most universities have published job descriptions on their websites.

As already mentioned above, no structural changes, reflecting changes in legal status, have been implemented yet. The only change is approval of administration leaders, according to requirements of non-commercial, non-profit status. But it has to be mentioned, that in all universities, former chancellors, in charge of administration, have been re-approved as new leaders, thus no personal changes have occurred.

At the same time it shall be considered, that the Law of Georgia on Higher Education (paragraph 24) defines the functions and responsibilities of administrative leaders of the universities and the only difference with chancellors of public HEIs is accountability: chancellor of a public university is accountant to the academic and representatives council of the university, whereas administration leader of non-commercial HEI is accountant to the Council of Regents and collegial organ of the HEIs.

## Academic Functions

### Learning and Teaching

Only the higher academic and professional education programs have been considered for this study (i.e. this section does not include vocational programmes of I, II and III levels).

On-going educational programs are not fully represented at the universities' web pages. Data on programmes in foreign languages is also not available (except TSU) – NAEC website served as main information source.

Languages of tuition on international programmes are: English (16 programmes, mostly at the Master's level), Russian (9 programmes - all at the undergraduate level), German (4 programmes at all three levels), French (2 programmes - Bachelor's and PhD). Only TSU offers educational programmes in the four above mentioned languages.

Five out of seven study universities participated in the programme accreditation in fall 2011 (except GTU and SU). Accreditation of all one-cycle and bachelor programmes has been finished. Some programmes of two universities (TeSU and AgrUni) did not satisfy programme accreditation criteria, but after repeated procedure all programmes (one in AgrUni and four in TeSU) were granted accreditation.

### Research

Higher education reform in Georgia should have significantly increased research potential of the universities due to inclusion of many research organizations (mainly from the Academy of Sciences) into the structure of the universities. In fact, this merging was not accompanied by the respective funding – i.e. the universities received an additional staff, in many cases - buildings and equipment, libraries, etc., but have not received the necessary financial resources for scientific research.

After the reorganization number of the university projects submitted to and funded by the National Science Foundation has increased:

- ✓ In 2009 only 40% of all funded research projects have been submitted by universities (alone or in the collaboration with research organizations).
- ✓ There was no call for research projects in 2010.
- ✓ In 2011 already 85% of all funded projects involved universities, which means practically doubling of university weight.

At the same time grant amount remains the same: max. 50 000 GEL for projects of any profile (humanitarian, natural science, medicine, etc.) which is absolutely non-sufficient for research development. Website of the National Science Foundation does not provide any information about total budget for 2011 and 2012. According to the Foundation Report for 2010, the whole budget was 22 433 710 GEL, including 7 % for administrative revenues and 93% – for programmes and grants.

Only few universities provide funds for research up to maximum 4% from their total budgets. Main source for research funding is National Science Foundation, as well as international donor organizations.

Unfortunately, it is impossible to compare the activities of seven universities due to different profile and data available.

We have no information about staff involvement in research activities – although having an academic position automatically means conducting of scientific research and is indicated in the contract. Research (and publications) is considered as important factor for academic competition, but there are no statistics available.

None of the study projects, conducted by the QA service assess research activities of the universities. It is also not clear, how research is integrated in doctoral programmes.

## Students

According to statistical data (2010 Report [www.geostat.ge](http://www.geostat.ge)), 102 710 students were enrolled at stately recognized Georgian HEIs in 2010. Seven universities from our study have 57% of a total student body of the country.

**Table 1:**  
Number of students and their employability

HEI	Professional	One cycle education (medical)	BSc/BA	MSc/MA	PhD	Total	International students	Employment rate
TSU	89	633	16322	2478	846	20368	300	NA
TSMU	255	4396	1565	252	119	6587	836	90% Department of Pharmacy NA
ATSU	386	465	5822	590	96	7359	17	30%
AgrUni	53	0	2557	129	61	2800	1	NA
TeSU	133	5	1397	141	75	1751	15	NA
GTU	2154	0	12977	1142	866	17139	0	50–60%
SSU	0	0	2186	249	82	2517	10	5-43% 2007-2008
Total						<b>58 521</b>		

None of the universities has exact data on employability of their graduates.

Student selfgovernance functions in all seven universities according to the law. Main activities performed so far are focused on entertainment (culture & sport). Students are represented in senates of all universities. None of the websites is providing information about other students organizations, but from other public sources (social networks, publications in media) we know about existence of at least two students organizations at the TSU, which are seriously confronting official self governance.

All universities have traditional recruitment policy – organization of so called "open day". State Agricultural University has developed and implemented a different strategy for the academic year 2012: they organize summer schools together with the Free University. Six universities participated in the 2011 and 2012 Education Fairs in Tbilisi (except ATSU).

It has to be mentioned, that technical and agrarian programmes are less popular, as indicated by the lowest competition, and at the same time other “non-technical” programmes at the Georgian Technical University show highest enrollment rates.

Dynamics of enrollments at bachelor level shall be studied separately. We do not think that universities consider enrollment data and competition at the first level of higher education: in case of TSU regular increase of available study places is acceptable due to 100% first enrollments, whereas in the case of TeSU same tendency is very questionable. Neither QA nor strategic development services at the universities study these dynamics (at least there is no data on websites) in order to understand, who is target group of the university, why students choose (or not) this particular university and how universities shall react to this situation.

**Table 2:**  
Data on competitions on bachelor programmes

HEI	2010		2011		2012
	Available study places on bachelor level	First enrollments	Available study places on bachelor level	First enrollments	Available study places on bachelor level
TSU	2510	100%	3850	100%	4550
GTU	5850	54.55%	4755	59.2%	4205
AgrUni	1230	43%	690	26.95%	500
TSMU	1000	100%	1095	96.4% <sup>2</sup>	1060
ATSU	2035	66%	2800	59.9%	2390
SSU	460	100%	460	100%	460
TeSU	563	73%	751	56%	800

Unfortunately there are no statistics available about enrollment in master programmes.



## Staff

Academic staff at all universities is selected according to the requirements of the Law on Higher Education. NNLE status gives universities freedom to determine their personnel (on the staff) without prior agreement with the Ministry of Education and Science.

The staff/visiting academics ratio is different on different faculties and levels of higher education.

Data about the competition for academic positions in the universities are not systematically collected.

**Table 3:**  
Academic and administrative staff

HEI	Academic staff	Invited professors	Administrative staff	QA personnel
TSU	687	935	1118	27
TSMU	371	437	216	14
ATSU	421.5	256	270.5	22
AgrUni	83	122	159	2
TeSU	89	120	150	11
GTU	1031	1010	636	33
SSU	175	140	156	9

**Table 4:**  
Additional information

HEI	Academic/Administrative staff* ratio	Student/Academic staff ratio**	Competition on academic positions
TSU	0.61 & 1.45	29.64 & 12.5	1/2; 1/5
TSMU	1.7 & 3.7	17.75 & 8.15	1/5
ATSU	1.55 & 2.5	17.47 & 10.87	1/3
AgrUni	1.13 & 2.8 0.52 & 1.29	33.73 & 13.65	1/4; 1/5
TeSU	0.59 & 1.4	19.67 & 8.37	1/2
GTU	1.62 & 3.2	16.62 & 8.39	NA

SSU	1.12 & 2.01	14.4 & 8	1/2; 1/1.5

\* & \*\* first data reflects ratio on staff without invited personnel, second data – includes visiting professors.

International scholars do not work in any of the selected universities as personnel on staff and do not participate in the academic competition, although it is not prohibited under the legislation. Not a single university announces vacancies internationally. As a rule, the employment of foreign professors is limited in time period and is conducted in the framework of international programs.

None of the universities have any data on age and gender profile of teaching staff. None of the universities offers training/upgrading courses for staff members (TSU can be considered as an exception, where the continuing education center plans to offer programs for academic and administrative staff - but this is still only in planning stage).

## Funding

Universities' funding model is the same in all cases, although only four out of seven universities have their budgets published on the websites.

Published information about the budget (mostly in the part of the revenue) is given in different formats, which complicates the comparison. But although the budgets are given in various formats, it is quite clear that the state's allocation of direct grants to the universities is very small (max. 5% in case of the TSMU); many universities do not have a direct state funding at all and the main source of income are tuition fees.

High percentage of expenses is dedicated to personnel costs (max. 59%, but in fact up to 75%, taking into account that these figures do not include invited staff salaries).

**Table 5:**  
2012 budget project (revenues)  
All data provided in local currency GEL

	TSU	GTU <sup>1</sup>	TSMU	SSU
Students' vouchers	16,776,250 28.75%	29,626,625 94%	24,294,281 76.11%	636,000 11.39%
Economic activities	22,535,490 38.61%	1,240,000 3.93%		55,000 0.99%
Economic activities (tuition fees)				3,700,000 66.25%
Direct state grants	1,300,000 2.22%		1,664,680 5.21%	
State budget (research institutions)	4,397,290 7.54%			
State (President's) scholarships	501,000 0.85%			55,650 0.99%
2011 balance	6,000,000 10.28%		5,683,896 17.8%	1,138,470 20.38%
Grants	6,852,228 11.74%	618,289 1.96%	275,939 0.86%	
Total revenues	58,362,258	31,484,914	31,918,796	5,585,120

From the published financial statements it is not clear what is the 'economic activity' of the universities - this is particularly important in the context of financial autonomy. We also failed to find any documents regulating universities' property, possibly certain adjustments/changes will be required under a new legal status and shall be reflected in relevant documents.

<sup>1</sup> Data provided reflect 2011 budget

**Table 6:**  
**2012 budget project (expenditure)**  
 All data provided in local currency GEL

	TSU	GTU <sup>2</sup>	TSMU	SSU
Staff costs	24,792,331 43.46%	15,524,846 53.41%	10,915,020 35.5%	2,850,000 59%
Services (including salaries for invited staff)	28,188,044 49.41%	11,496,605 39.55%	12,556,538 40.85%	1,695,100 35.13%
Grants	1,133,538 1.99%			0
Subsidies		1,153,221 3.97%		
Other expenditures	2,933,600 5.14%	891,000 3.06%		279,300
Total expenditures	57,047,513	29,065,672	30,737,207	4,824,400

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<sup>2</sup> Data provided reflect 2011 budget

## Conclusions

This data is incomplete (due to lack of publicly available information, lack of statistical data, etc.) and allows us to draw only general conclusion:

- ✓ In the absence of the national strategy for Higher Education development universities are forced to function on their own, relying only on their resources, although in many cases they do not even have an action plan (available action plans are mostly formal and university staff and students are even not aware of their existence). The function of the Universities is not based on planned strategy and is more spontaneous - responding to problems as required. This modus operandi is dangerous in the context of increased financial independence.

Based on current data, it is difficult to judge whether universities have the necessary management resources to properly plan and implement future activities in the context of granted financial autonomy and whether they realize the need for structural and personnel changes. Absence of strategy makes changes in the legal status non-relevant and could be even risky – functioning without any plan could lead to bankruptcy.

It would be logical for the universities to review their missions and at least update SWOT analysis; however, recent data shows that universities are not taking into account the reality (see student enrollment dynamics, personnel data, budget), and do not try / fail to adjust to changing environment.

## About the Author

Dr. Lika Glonti studied in Georgia (Master) and Germany (PhD). Her basic academic background is in neuroscience, but since last fourteen years she is working in the field of education and is a distinguished expert in postsecondary education policy not only at national, but also regional level. Dr Lika Glonti participated in numerous applied projects focusing on the fields of higher, vocational and adult education, developing legislative frameworks, strategic documents and reform action plans. She was pioneer of institutional quality assurance services as head of QA unit at the Tbilisi State University; served as a head of National Accreditation Council for Higher Education and is author of several international publications on this topic. As team leader of many projects Dr Lika Glonti was coordinating work of different educational institutions, governmental authorities and NGOs, collaborating with local and international experts. Since 2009 Dr Lika Glonti is coordinator of National Tempus Office Georgia and in this position responsible for promoting and supporting EU-Georgia collaboration in the field of higher education.

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