

To Ms. **Alicja Bochajczuk**,
Administrative Officer
European University Association (EUA)

5944 20.05.2013.

Amexa 1

Dear Ms. Bochajczuk ,

Following consultation with members of the Senate of the University of Oradea (UOS), please allow us to thank you for your efforts in drafting the EUA evaluation report of the University of Oradea (UO), and at the same time we appreciate your coherent management view, based on the European experience and practices. We also thank you for pertinent observations and recommendations made after your team's visit to the University of Oradea.

We also want to notify you on some issues in the document text, which we believe require some further clarification as follows:

1. The Evaluation Process

The UOS believes that the visit of the EUA team would have been more complete if the EUA team had also met with members of the UOS. According to our views, as a result of discussions with the forum referred above, the evaluation would have been more realistic, more comprehensive and balanced, according with the Romanian laws regarding education. During the two visits there was only one meeting where, on behalf of UOS, only the President of the Senate was invited, along with 6 other representatives of executive bodies, we consider that the specifications made by him could have been included in the draft, as a representative of the UOS.

2. Governance and Institutional Decision-Making

Following partial understanding of the role of the Senate, and not according to the spirit and provisions of Law no. 1 of 2011 (The National Education Law), the report mentions "the decision-making process is complicated" - page 9. Therefore, the report recommends "the improvement of the governance model, endorsing more freedom to the rector (together with more responsibility for his decisions)" - page 10, and also the following statement: "the Senate should reconsider its optimal size and should concentrate on the vital role of ensuring academic standards and integrity, while the rector ensures the management of the university. In addition, new responsibilities should be clearly defined, keeping key decisions at the rectorate level, with approval of the Senate"- page 10.

We would like to specify:

1. In the report, on page 9, it is erroneously stated that the rector, the five vice-rectors and the administrative director are members of the Senate. They are only invited, when necessary, upon their request or at the request of Members of the Senate, to Senate meetings, but do not have the right to vote.
2. The text shows that the Senate and the Executive Management are two parallel structures in decision making, a fact which differs from reality. According to the methodology stipulated by the Law 1/2011, the methodology that we strive to put into practice “word for word”, the University Senate, through its rightful representative, the President of the Senate, signs together with the Rector, who is also Chairman of the Administrative Board, a Management contract, the provisions of which are the rights and obligations of both signatory parties for the duration of their term of office, a contract having performance indicators assumed by the rector, indicators that will be monitored during the mandate of the rector. In principle, the Senate analyzes, when necessary, the Regulations and Procedures that constitute the executive’s initiative, but is actively involved in the core activity of the University (the educational and research activity). The Senate’s control responsibility is materialized usually quarterly, when analyzing the budget and annually, following a presentation by the Rector of the Report on the Operational Plan and the Report on the State of the University. Most of the documentation related to operative management activity is approved by the Administrative Board. Instead, the analysis of all strategic decisions by each of the two managing bodies (working in consensus) is beneficial for good academic management.
3. The report does not distinguish between executive and strategic decisions. It transfers the imperative of taking executive and operative decisions – quick and simple, on the basis of managerial responsibility directly assumed – to an ensemble of taking decisions in a great institution. Following this logic, it results a paradoxical formula in which the strategic decisions should be rapidly taken, by the person of Administrator.
4. Based on National Education Law, there were identified the responsibilities of the two entities regarding the body (Senate or AB) which should approve various documents. For now, the Senate approves only documents that are provided by law and possibly those for which, the statutory provisions not being clear, the applicant requests approval.

5. Regarding the size of the Senate, it may be considered - in order to improve the efficiency of decision-making, possibly before the next election - the resizing requiring review and re-approval of the University Charter and re-approval of the Charter by the Ministry of Education. The current size of the Senate and the representation quota stipulated in the Charter resulted assuming that each faculty should have at least one student representative in the Senate, and according to Art.208 of National Education Law 1/2011, 25% of the Senate are students' representatives and 75% teaching and research staff. Taking into account the representation of all categories of students (including PhD and MA) there resulted this number of students and therefore the total number of members of the Senate.
6. The Senate of the University of Oradea is an active factor in the educational process in Romania. Recently, at the initiative of the Senate, there took place a conference of the leadership of University Senates, mainly in the North West Region, but also in Bucharest and Pitesti, which seeks the establishment, at national level, of a Council of Universities, with an advisory role for universities and which should have legislative initiative in education, in order to improve the well functioning of universities, including establishing more clearly the tasks and responsibilities of the governing bodies, but also through the other means that you have suggested.

Conclusions:

- A. Complete information regarding the role of the Senate could have been obtained, if during the visit, a meeting with UOS members had been organized, a meeting absolutely necessary in our view, because the Senate is the representative of the university community and the highest decision-making and deliberation forum at the university level, according to the National Education Law.
- B. The Rector has total freedom and responsibility in his decision-making, based on the Management Contract (according to. art. 213, par.6, letter a. in the National Education Law), his activity and the activity of the Administrative Board is controlled through specialized committees by UOS, according to the National Education Law, art 213, par. 2, letter j. and an SUO specific procedure.
- C. The UOS has, based on the National Education Law, a number of 76 members, and the rector, the vice-rectors and administrative director are not part of UOS.

- D. The role of UOS is not only to ensure the academic integrity and academic standards, the Senate duties are complex and diverse, being well and clearly stipulated by the Law no. 1 of 2011, especially in art. 213.
- E. The operative management decisions are taken by the rector, in accordance with his duties, specified explicitly in art. 213, par.6 of National Education Law, the Management Contract and the UO Charter. For unforeseen situations in the above mentioned documents, the Rector may request the Senate to make a decision concerning operative management.

The UOS expresses its hopes that the specifications and some recommendations that exceed the legislation in force in Romania in the EUA-draft report will be considered, while expressing its members' willingness for cooperation with EUA in order to apply best practice recommendations compatible with the European management system, under specified conditions.

With best regards,

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