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**ISSUES OF THE IMPROVEMENT OF THE LEGAL REGULATION
OF THE ACADEMIC TITLES**

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Abstract

The article is dedicated to the analysis of the system of criterion of the nomination to academic titles from the view of problem points, which do not comply to conditions of the system of attestation of scientific and teaching staff in contemporary Russia. Authors have emphasized a number of criterion of the nomination to academic titles of docent and professor and the requirements relevant to their applicants, which have to be reconsidered and corrected. The significant review is also necessary for the link between the system of requirements and the criterion system, which currently can be interpreted differently. The issues of the calculation of time periods of the key periods of the procedure of the nomination to academic titles, the using of value judgements in legislative formulations, and the problem of the calculation of labor experience for external part-timers also require consideration and critical analysis. The summary of the considered criterion supposes the achievement of the compliance of an applicant to relevant exponents, which are not relevant to the needs of the development of science at the contemporary stage. Along with detalization of the text of legal rule, regulating the relevant public relations, the authors suggest to implement the additional regulating measure, oriented to increasing of the efficiency of the state system of the attestation of scientific and teaching staff in the form of the system of monitoring indicators.

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1. Introduction

The current stage of the scientific sector development in Russia shows certain insufficiency of the institute of academic titles despite significant reforms. On the one hand, fairly strict criteria of conferring academic titles and requirements to applicants have been set out but, on the other hand, the system of financial and other incentives for faculty staff is ill-designed, which results in the depreciation and marginalization of the institute concerned. Hence the feasibility of its comprehensive transformation where the first stage is reconsidering both application requirements and criteria for conferring academic titles of docent and professor that may allow more effective mainstreaming of this institution into the academic career development module. Furthermore, fostering research activity of scholarly title-holders and strengthening their status, for all its obvious urgency, necessitate state monitoring of the effectiveness of such activity that is currently not subjected to specific regulation.

2. Problem Statement

Legal and regulatory acts governing the academic titles award should be, whenever possible, free from value judgments to avoid bias in the merit-based evaluation of the applicants as well as their deliberate belittling or exaggeration. In the Regulation on the awarding of academic titles (hereinafter – the Regulation) (Procedure for awarding academic titles, 2013), lecturing at a high professional level as a requirement for the academic professorship is precisely such a value judgment that requires de-listing. Moreover, the mere requirement for a lecture course needs clarification as it is not clear in the current wording of the Regulation what kind of lectures it is referring to. The permission of a teacher to the lecturing itself plays the role of the confirmation of the relevant professional skills. It is logical and, at first view, obviously, that it have to be lectures for educational programs of higher and (or) additional professional education. With that, the system of requirements to the applicants of academic titles have to be maximally free from the formulations, allowing varying interpretations.

We should address to a number of rather controversial points speaking of the actual impact of scientific qualifications on the academic (or other) career of the applicant. It is noteworthy that the titles of official academic qualification open further opportunities specifically for higher education personnel, while for other areas, even such as of nuclear power, industry and science, there are qualification requirements to have an academic degree but not an academic title. In turn, state and municipal employees of any rank are also subject to educational requirements, and a degree is welcome, but not mandatory, as well as an academic title.

Thus, according to the logic, the criteria of the preparing in role of a scientific advisor or a scientific consultant with indication of the scientific speciality, pointed in the attestation case, have to be modified by mean of the pointing at the speciality from the same group of scientific specialities. This suggestion is determined by the permanent changings in nomenclature of scientific specialities, which makes the preparing of candidates by a doctor more difficult within the framework of the same speciality for obtaining the professor's title.

Another issue that has to be considered is the issue of possible technical difficulties during the nomination and consideration of the attestation case in the event of maternity, childcare and other types of

legal leave. On the one hand, the content of labor legislation, providing the basic guarantees for a worker, shows that the labor experience is not interrupted by these types of leave. However, the secondary legislation is not oriented to the situation of being of a worker in such a leave, which creates technical problems during the decision of the issue on the nomination of a person to academic rank of docent or professor. That is why the Regulation has to be added with the rule about being of a worker in such types of leave that does not interrupt the labor experience and to establish the relevant procedure, taking into account the being of a worker in noted types of leave.

The criteria of teaching activity not less than in 0,25 of working time excludes the possibility of the obtaining of academic rank for persons who work in an organization on the basis of a time-based charging system, but who are the acknowledged experts in the relevant sphere of science and have a significant number of publications. This criterion could be added with an alternative rule on the teaching activity on the basis of a time-based charging system – not less than 200 hours per year or not less than 100 hours per semester. Generally, this criterion has to be reconsidered in part of terms. The current version of the Regulation has no details about it, which allows us to suggest the unbroken legal experience. However, it is not established by law and has to be reflected in official documents.

Taking into account the specific of the labor of workers of scientific organizations, it seems reasonable to establish the rule about publishing of scientific works, which number has to be more in comparison to analogues criteria for workers of educational institutions because the scientific activity is the main activity for them. With that, the current rule about necessity of publishing by scientific and teaching staff not less than 3 educational publications and not less than 5 scientific works in last 5 years seems not relevant to the high title of a professor and requires the reformation in part of the increase of the number both of educational publications and scientific works.

We should also note that, according to the current Regulation, the composition of the Higher Attestation Commission in the Ministry of Science and Higher education of the Russian Federation is forming from the holders of scientific degrees, and the composition of expert councils is forming from the “number of leading scientists and specialists in the field of science, technic, education and culture”. The presence of an academic title of a professor is usually presumed and usually exists, but legally not required (On Approval of the Statute on the Higher Attestation Commission in the Ministry of Science and Higher Education of the Russian Federation, 2016).

Even the Statute of the Russian Academy of Sciences does not contain the requirement of academic titles for its members – particularly, members are electing “among the scientists who enrich the science with works of prime scientific importance” (On Approval of the Statute of the Federal State Budgetary Institution “Russian Academy of Sciences”, 2014, p. 22). Scientific degrees of such scientists are also not mentioned. One the one hand, it shows obvious presumption of their presence; on the other hand, it shows insufficient reflection of the status of academic titles in current legislation.

However, even more contentious in this context is the advantage of professors over docents (in terms of rank) with regard to the succession planning. Technically, in terms of employment law, the meaning of the academic title of professor is reduced only to the possibility of non-compliance with the five years of effective service requirement to fill the professor position. At the same time, the holder of professor title is in fact the founder of an independent scientific school, senior top-qualified researcher

with at least three PhD candidates. It is highly doubtful that such a professional has less than five years of experience. Regarding the promotion of better work position-titles balance in higher education, the academic title of docent is sufficient to fill the head of a department, president, rector positions.

The next key component of the title-holder status in Russia is financial. Following the coming into force of the Federal Law of 29.12.2012 No 273-FL “On Education in the Russian Federation” (On Education in the Russian Federation, 2014, Sec. 11, Art. 108) bonuses for academic degrees are included in the salaries of faculty staff, the strategy of financial incentives for academic titles is up to the universities themselves. Thus, St. Petersburg State University provides additional payments for docent and professor in the amount of 500 and 1000 rubles respectively. It is noteworthy that there is also an extra payment for faculty staff with only Master degrees (200 rubles) (Temporary Regulations on Faculty Staff... 2012). These figures reflect the national average, even considering varying median salaries of university professors in different regions.

At the same time, additional financial guarantees are provided for civil servants holding academic titles. For example, Art. 44 of the Federal Law № 2202-1 from 17.01.1992 “On the Public Prosecutor’s Office of the Russian Federation” (On the Public Prosecutor’s Office of the Russian Federation, 1992) establishes a bonus at the rate of 5 % to the salary for candidates of sciences *or* associate professors (according to their rank) and 10 % for doctors of sciences *or* professors. The same (both in content and in terms of values) can be found in part 8 of Article 35 of the Federal Law from 28.12.2010 № 403-FL (ed. from 31.07.2020) “On Investigative Committee of the Russian Federation” (On Investigative Committee of the Russian Federation, 2010). Here we can see the actual equalization of academic degrees and titles, which raises a reasonable question about the need for the latter, as well as the low level of material incentives for their holders, clearly disproportionate to the amount of effort and level of qualification necessary to obtain academic title.

3. Research Questions

The subject of research is dedicated to the transformation of academic titles institution regarding the adjustment of criteria for awarding academic titles of docent and professor and the requirements for the applicants, as well as their scientific performance monitoring. Among these data, we have to consider the issues of the efficiency of academic titles and their ability to make influence to the development of academic career.

4. Purpose of the Study

The purpose of the article is to determine the most important points for the reformation of the institute of academic titles and creation of new motivating system for academic staff. The relevant purpose is the suggestion of the monitoring criteria for scientific work.

5. Research Methods

We have used general scientific and special legal methods and techniques of research methods.

6. Findings

One of the issues that matter most, concerning the current status of academic titles in the Russian Federation is the performance rating system for academic title-holders faculty staff.

Under the provisions of Art. 4 part of the Federal Law of 23.08.1996 no. 127-FL “On Science and State Scientific and Technical Policy” (On Science and State Scientific Policy, 1996) academic titles are included in the system of state scientific certification system, which allows considering an academic title as an indicator of an employee’s academic and pedagogical qualification by confirming compliance with a number of criteria set out in the Regulations.

The achieved status serves to signal the high qualification of a researcher and should be provided with economic and social guarantees aimed at encouraging scientific and scientific-pedagogical activity. Proper elaboration of academic title-holders legal status, specifically concerning the promotion of their activities raises the issue of state control over the performance of docents and professors title-holders.

A part of the challenge is now being addressed by certifying persons holding scientific positions (On Approval of the Procedure for the Procedure for Scientific Faculty Staff Certification, 2015) as well in assessing and monitoring the performance of scientific organizations engaged in research, development, civil engineering and technology (On assessment and monitoring of..., n.d.). Notwithstanding the apparent narrow focus of certification for faculty staff holding scientific posts (and the relevant normative act), it applies not only to the persons with academic positions in scientific institutions, but also to the researchers working in educational organizations, implementing educational and supplementary professional programs, as well as in other organizations engaged in scientific and (or) technical activity. However, this type of performance management is carried out to confirm the suitability of employees for scientific posts based on the assessment of their professional activity that means it is tied to their employment status, not their academic credentials. As for the assessment and monitoring of the performance of scientific institutions, the activity in question therefore affects the organizations as a whole and also does not focus on the constituent indicators of qualification of faculty staff.

Again, the above-mentioned normative acts make it possible to draw up a system of performance standards for faculty staff. Focusing on academic titles holders, it seems appropriate to take as the basis the criteria that constitute the set of requirements for such persons. These requirements can be classified into subsections as well as supplemented by specific provisions for certifying employees in scientific posts and the general guidelines of performance assessment for scientific organizations. Such subsections may include inter alia:

1. research activity, including:
 - 1.1. publication activity;
 - 1.2. participation in and organization of scientific events;
 - 1.3. participation in sponsored research;
 - 1.4. participation in expert activities;
2. educational activity;
3. scientific and pedagogical coaching.

For scientific and pedagogical faculty staff all subsections are relevant, while for scientific staff only subsections 1 and 3.

In turn, subsection 1, along with the common, ubiquitous indicators 1.1 and 1.3, also refers to participation in the conduct and organization of scientific events, which implies creating platforms for discussion of the most pressing issues arising in the implementation of research projects. This activity is central to the realization of interdisciplinary research projects in pursuit of the overall objectives of integrating research into global science, broad scientific outreach, and raising the prestige of science.

Participation in expert activity also objectively constitutes a considerable part of professional life of an in-demand researcher since a scientific approach in expert opinion is always topical in any field of knowledge and prerequisites for the implementation of any socially significant practice.

The educational activities relevant to the university sector of science includes, along with the preparation of training and teaching materials, also scientific mentorship as part of graduate qualification works (Master theses). Despite the obvious differences in the educational Master and PhD programs, Master degree training appears to be central for development of a pool of faculty staff for postgraduate studies and could be an important step to prepare a researcher for scientific mentorship of PhD and doctoral thesis.

The third subsection of the performance measures reflecting the activities of candidates and doctors of science, is a key marker of research expertise attesting to a level of training that allows a scientist to become the founder of a scientific school with both educational (in the case of teaching and research faculty staff) and research (when leading a research team) capacity.

7. Conclusion

Performance measurement framework for the academic title- holders, on the one hand, appeared to be an effective tool of performance assessment of faculty staff and, on the other hand, a logical addition to the incentive structure to promote research activities in modern Russia that we believe has long been in need of rigorous restructuring with a view to improving. The pragmatic answer to the application of the considered indicators resulting from relevant monitoring can be a direct influence on the faculty staff ranking, which, in turn, would underpin an effective employment contract.

The above proposals to adjust the institute of academic titles should result in a greater degree of objectivity in determining the suitability of applicants for professorship and increase the overall level of their scientific and pedagogical expertise. The proposed innovations should provide the foundation for the subsequent systemic transformation of academic titles institute, embedding them into a career path algorithm and the creation of incentives to accelerate the achievement of high academic and pedagogical performance.

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