REPORT

of the Public Committee for
Review of the Organizational Structure of
The Institutions of Higher Education*

headed by

Supreme Court Justice (retired) Yaacov Maltz

Jerusalem, January 2000

(This is an unofficial translation from the Hebrew)

DECISION # 1311 of the GOVERNMENT
dated January 8, 1997

EDUCATION – Review of the Organizational Structure of Institutions of Higher Education

Decides:

To place the task on the Chairman of the Planning and Budgeting Committee (PBC), and in consultation with the Minister of Education, Culture and Sport, the Minister of Science, and the Chairman of the Council of Heads of Universities (VERA), to appoint a public committee headed by a retired judge and with the participation of, inter alia, representatives of the institutions of higher education, which will examine the organizational structure of the institutions of higher education and make proposals for change, in an effort to improve administration in them while preserving their academic and administrative independence.

(The decision was taken in a discussion on structural changes and improving efficiency in the public sector).”

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THE PUBLIC COMMITTEE
FOR REVIEW OF THE ORGANIZATIONAL STRUCTURE OF THE INSTITUTIONS OF HIGHER EDUCATION

January 18, 2000

Prof. Nehemia Levtzion
Chairman, Planning and Budgeting Committee
Council for Higher Education
Jerusalem

Dear Prof. Levtzion,

On October 7, 1997 you appointed a Public Committee to review the organizational structure of the institutions of higher education in accordance with decision #1311 of the Government on January 8, 1997.

Upon completion of the Committee's work, we are pleased to present to you the concluding report of the Committee.

The Report includes: an overview of the system of higher education, conclusions and general recommendations, recommendations regarding the functions and powers of the authorities and main officials, manner of work of the Committee and review of background regarding the main characteristics of the system of higher education in Israel.

We hope that the recommendations of the Committee included in this Report, will be approved for implementation shortly. We believe that the implementation of the recommendations will bring about an improvement in the academic and general administration of the universities and more efficient handling of the important task placed on them.

Sincerely,

signed

Yaacov Maltz
Supreme Court Justice (retired)
Committee Chairman

Dan Tolkovsky, Attorney Moshe Porat, Prof. Yehudith Birk,
Prof. Michael Albeck, Profr. Walter Ackerman, Nissan Limor,
Haim Peltz, Dr. Yaacov Hadani

THE PUBLIC COMMITTEE
FOR REVIEW OF THE ORGANIZATIONAL STRUCTURE OF THE INSTITUTIONS OF HIGHER EDUCATION

INTRODUCTION

1st. On October 7, 1997, the Chairman of the Planning and Budgeting Committee of the Council of Higher Education, Professor Nehemia Levtzion, appointed a Public Committee for review of the organizational structure of the institutions of higher education.

The Committee was appointed according to decision #1311 of the Government on January 8, 1997 within the framework of its discussions about structural changes to increase efficiency in the public sector.

The Committee includes 9 members:
Justice Jacob Maltz, Chairman
Mr. Dan Tolkovsky
Attorney Moshe Porat
Prof. Michael Albeck
Prof. Walter Ackerman
Prof. Yehudith Birk
Mr. Nissan Limor
Mr. Haim Peltz
Dr. Dov Goldberger participated in the Committee until termination of his term as the Advisor to the Minister of Education on matters of Higher Education. Dr. Yaacov Hadani was appointed in his stead on March 31, 1998.

In the letter of appointment to the Committee members, Prof. Levtzion wrote:

"The Government of Israel has decided to request that I, as Chairman of the Planning and Budgeting Committee, "appoint a public committee headed by a retired Judge and with the participation, inter alia, of representatives of the institutions of higher education, which will review the organizational structure of the institutions of higher education and propose suggested changes, in an attempt to improve their administration, while preserving their academic and administrative independence."

I thank you for your agreement to serve on this important committee. Justice Jacob Maltz will serve as Chairman of the Committee.

The Committee will determine the framework of its activities according to its understanding of the decision of the Government as quoted above. Furthermore, the Committee will determine a timetable for its work.

Mr. Eliyahu Israeli will serve as a professional advisor to the Committee and will coordinate its work. All necessary services will be granted to the Committee by the office of Mr. Israeli".

2nd. In its first meetings, the Committee determined the framework of its activities and its work agenda. In this framework, the Committee decided to focus in its discussions and proposals in the matter of the universities only and to recommend to the Council of Higher Education to publish principles for the organizational structure and appropriate administrative patterns also for institutions of higher education which are not universities (academic colleges, higher schools etc.) as outlined in the recommendations presented in this report with the adjustments as required by the matter.

3rd. The Committee held 36 meetings in addition to the meetings held by the sub-committees which it appointed. The first meeting of the Committee was held on November 27, 1997. The last meeting was held on December 20, 1999 where the final conclusions and recommendations were reached. Following the final wording of the Report, the Committee met for an additional meeting on January 18, 2000 to sign the Report.

The first six meetings of the Committee were held at Bar-Ilan University. Two meetings were held in the home of Prof. Michael Albeck. The rest of the meetings were held at Tel Aviv University. The Committee expresses its appreciation for the hospitality.

4th. The Committee was aided by a great amount of background material prepared by Eliyahu Israeli, the professional advisor and coordinator of its work and this includes: memorandums on the development and problems of the academic system, summaries of research, surveys and relevant articles and the constitutions and general statutes of the universities.

The Committee derived great benefit from the discussions held with the heads of the system of higher education and with other personalities who appeared before it. The Committee also wanted to invite for discussion the past heads of the universities however as the discussions lasted much longer than anticipated, and after receiving a thorough picture of the work matter, the Committee decided to invite only the serving Presidents and Rectors, the current Chairman of the PBC and those who preceded him in the

position. In addition to these, the Committee invited three people: a past president who is not a professor, the director general of a university and the Chairman of the Student Union.

These are the persons who appeared before the Committee according to the order of their appearance:

Prof. Nehemia Levtzion, Chairman of the PBC (first visit)
Prof. Menachem Magidor, President, Hebrew University of Jerusalem
Prof. Zeev Tadmor, outgoing President of the Technion (before his term ends)
Prof. Yehudah Friedlander, Rector, Bar-Ilan University
Prof. Yoram Dinstein, President, Tel Aviv University
Prof. Amnon Pazy, past Chairman of the PBC
Prof. Haim Harrari, President of the Weizmann Institute of Science (in the past Chairman of the PBC)
Prof. Nili Cohen, Rector, Tel Aviv University
Prof. Avishai Braverman, President, Ben-Gurion University
Prof. Yehudah Hayut, President, Haifa University
Prof. Gad Gilber, Rector, Haifa University
Prof. Nachum Finger, Rector, Ben-Gurion University
Prof. Moshe Kavah, President, Bar-Ilan University
Prof. Menahem Ben-Sasson, Rector, Hebrew University of Jerusalem
Brigadier (reserves) Amos Horev, past President of the Technion
Mr. Moshe Vigdor, Vice President and Director General, Hebrew University of Jerusalem
Prof. Yaacov Ziv, President of the Israel Academy of Sciences (in the past Chairman of the PBC)
Brigadier (reserves) Amos Lapidot, President of the Technion
Prof. Nehemia Levtzion, Chairman of the PBC (second visit)
Mr. Lior Rotbert, Chairman of the Israel Student Union.

5th. The Report of the Committee includes 5 chapters and appendices:

Chapter A – An overview of the higher education system
Chapter B – Conclusions and general recommendations
Chapter C – recommendations regarding the functions and powers of the authorities and main officials of the university
Chapter D – manner of the Committee's work
Chapter E – review of background - main characteristics of the higher education system in Israel

6th. I would like to emphasis that in the Committee's recommendations detailed in Chapter C it did not intend to write a uniform constitution or general statutes and that these recommendations should be regarded as a general framework

guiding the universities in a direction they should strive for. Furthermore, the Committee thinks that uniformity should not be forced and that each institution should be allowed a certain measure of difference in accordance with its special conditions and needs and its academic expertise, but that all organizational structures should be based on the principles which will ensure achieving the goals, aims and programs of the university for excellence in research and teaching. In addition, each organizational structure must provide the tools and appropriate services for public for which it is intended. In this framework it is important to ensure creative, intelligent, efficient, purposeful and frugal administrative patterns in all fields of activity of the system.

7th. Upon completion of the Committee's work which lasted over two years, I wish to express my heartfelt appreciation to each of the Committee members who devoted much time, knowledge, much thought and wisdom, which made the presentation of this report possible. Special thanks to Mr. Eli Israeli, the Committee's coordinator and professional advisor, whose organizational and drafting abilities helped the Committee to progress with its work and made it much easier for it to work.

Sincerely,

Yaacov Maltz
Supreme Court Justice (retired)
Chairman of the Committee

CHAPTER A:
OVERVIEW OF THE SYSTEM OF HIGHER EDUCATION

General

1. a. Higher Education in Israel is organized according to the Law of the Council for Higher Education – 1958. The Council for Higher Education is the governmental institution for matters of higher education in Israel. The institutions of higher education benefit, by law, from academic and administrative autonomy. Despite this stated freedom of activity, the fields of activity of the institutions are limited in a number of matters: the institutions are subject to the relevant rules in the Basics of the Budget Law – 1985, the negotiation over setting the salaries and working conditions of the employees of the institutions are carried out within the framework of Government policy and in accordance with the directives of the Officer in Charge of Salary in the Ministry of Finance and with his cooperation, tuition collected from students is usually determined by a joint public committee of the Government, the institutions of higher education and the Student Union.

Since the establishment of the State of Israel and until now, the higher education system in Israel has been characterized by an expansion both in the scope of research and its variety and in the number of students. The expansion in the number of students stems also from the natural growth of the population, the waves of immigration to Israel, the growth in the number of students with matriculation certificates and from the demands of a modern economy for providing academic studies for new fields.

According to the data of the Central Office of Statistics, the number of students at the universities, in all degrees (first, second and third), rose from 67,770 in 1989/90 to 111,330 in 1998/99. Bar-Ilan University, Ben-Gurion University and Haifa University grew in the most significant manner as follows:

	student numbers 1989/90	student numbers 1998/99	accumulated growth rate 1989/90-1998/99
Total number of students	67,770	111,330	64.3%
Hebrew University of Jerusalem	16,780	21,510	28.2%
Technion	9,080	12,380	36.3%
Tel Aviv University	19,270	26,120	35.5%
Bar-Ilan University	9,330	21,030	125.4%
Haifa University	6,780	13,510	99.3%
Ben-Gurion University of the Negev	5,890	16,020	172.0%
Weizmann Institute of Science	640	760	18.8%

The distribution of students in the universities according to degrees in 1998/99 shows that 66% study for a first degree, 27% for a second degree, 6% for a third degree and 1% for a certificate.

Parallel to the growth in the universities, the number of students in academic institutions other than universities that grant a first degree rose sharply from 8,286 in 1989/90 to 47,425 in 1998/99. The leading fields of study in these institutions are the teaching professions, some 40% of all students in the non-university institutions. After that are the technological professions (19%), economics and business administration (7%) and communications (3%).

The percentage of students for a first degree in non-university institutions of higher education reached 39% of all students for a first degree in Israel. If we add the students who learn in colleges operated by the universities, the rate reaches 45% of all students for a first degree (not including students of the Open University).

In addition to the increase in the number of students in the universities and the non-universities, during the same period there has also been a great increase in the number of persons registering for the academic track at the Open University. The number of persons registering at this university rose from 13,007 in 1989/90 to 31,631 in 1998/99. In 1997/98 the number of persons receiving a first degree at the Open University was 1,129.

From all this we find that the number of institutions of higher education in Israel has reached 50. The number of students in

1998/99 totals 158,755 without the Open University and without the foreign universities operating in Israel.

During the past two decades, and especially in the current decade, a system of higher education was created in Israel of a stratified nature, geographically decentralized and differential from the point of view of expertise. This system includes research universities, the Open University and general and professional non-university institutions that grant a first degree in various fields.

Two. The Institutions for higher education constitute a central economic factor for the State of Israel. Their activity has great impact on the various factors in the market.

The institutions hire over 20,000 employees, including the academic, administrative and technical staff. The institutions hold assets worth billions of shekels. The ongoing financial activities also reach high sums.

According to the proposed budget for the year 2000, the amount of State support for the institutions of higher education, universities and non-universities, which is allocated by the PBC is 5.25 billion shekels. According to the estimate based on the 1999 budget, the support constitutes about 70% of the expenses in the ongoing budget of the institution. The rest of the expenses, estimated at 2.25 billion shekels, are covered by other agents: about 17% from tuition from the students, about 6% from donations, and about 7% from various independent income.

The said budgets do not include research grants and donations raised by the institutions themselves, and also did not include the institutions for training teachers which are funded by the Ministry of Education.

Three.In 1996 the national expenditure for civilian research and development at current prices reached 7.327 billion shekels, of them 2.245 billion shekels (30.6%) for research carried out by the institutions of higher education.

Examination of the scope of research of the institutions show that throughout most of the 1990's, the portion of the institutions of higher education stood at about 30% of the total national expenditure for civilian research and development.

Analysis of the expenditure for civilian research and development according to the funding sources in institutions of higher education in 1996 shows that 71.3% of the funding of research comes from government sources (from the government 50.7%) and

from higher education itself (20.6%). The balance of the funding comes from sources abroad (13.4%) from the business sector (8.5%) and from non-profit organizations (6.9%).

Four. In comparison with the western states, the universities in Israel are in an impressive place with respect to the scientific publications of its researchers.

Also the percentage of students who begin to study in the institutions of higher education in an average year in Israel is rather high and is continually rising. In 1998/99 the percentage of students beginning their studies was 36% of the total in comparison with 23% in the year 1989/90.

Five. The increase in the number of students receiving degrees and the number of additional students rose, at a relatively much higher rate than the increase of new staff at the institutions. Also the public budgets which have turned to the system rose at lower rates than the increase in the number of those receiving degrees and the number of students. Review of the organizational structure of the universities and proposed changes, as detailed in this report, constitute a continuation of the necessary trend of improving administrative efficiency in the institutions of higher education.

1. Matters of Organizational Structure

The current organizational structure of the universities is based on the historic development which caused, in general, a separation between the centers of general administration and the centers of academic administration.

From the above data and from background surveys regarding characteristics of the higher education system in Israel as brought in Chapter E, it appears that over the years far-reaching changes took place in the scope and content of the activities of higher education in Israel. A number of new institutions were added, there is a great increase in the number of students and in the variety of study and research fields, the institutions employ thousands of academic, administrative and technical employees and operate teaching and research budgets in hundreds of millions of shekels. In contrast, the structure of the universities has not undergone parallel significant changes as required by the said developments.

This and more, the older universities had great influence on the development of some of the new universities that were established in the second half of the 1950's and in the 1960's. These institutions took their inspiration and their academic

and organizational work patterns from the older universities.

The organizational structure in most of the institutions is characterized by loose ties between its academic and general parts. The structure is faulty in a number of central weak points in the work patterns of its authorities, in the division of functions and powers and in the mutual ties between them. That is true also with regard to the dual structure of President-Rector, which characterizes the universities in Israel. This structure is far from being the best solution for achieving the aims and goals of the university and carrying out the tasks placed on it. The organization is not sufficiently focused for producing the most for its target public as described below:

One. Board of Governors: The Board of Governors is described as the supreme authority of the university. The board is composed of hundreds of members, about one half from abroad. The choice of members from abroad is influenced more by donations and less by relevant administrative – professional abilities. Since it is a large and awkward body, the Board of Governors is not interested and not sufficiently acquainted with the university's affairs. The members from abroad are not familiar with the economic – social environment which characterizes the State of Israel. In economic or other crises, they are unable to assist in finding appropriate solutions. In the current composition, the Board of Governors is not able to guide the university's policy and to efficiently supervise its activities.

The Constitution and General Statutes place the obligation of trusteeship on the Board of Governors. The Board is given operative functions and powers without clear responsibility, such as: general powers of supervision of administrative matters of the university, its business and its assets, discussion of the budget and approving it, discussion of the balance sheets and financial statements and approving them, establishing faculties and schools and closing them, joining or cooperation with another institution, creation, change and cancellation of academic or administrative ranks, determining degrees, diplomas, certificates, etc.

The Board is also responsible for the appointment of the central officials of the university, such as: appointment of the President, and sometimes even the appointment of his deputies and vice-presidents. Also, the Board

appoints the members of its Executive Committee / Management Committee, etc.

Furthermore, the Board of Governors is the sole authority authorized to enact changes in the university's constitution by a special majority. Due to the great decentralization of the members in Israel and abroad, it is not easy to gather the necessary quorum for changing the constitution. Therefore, there are difficulties created in adapting the rules for operating the university to the changing conditions. One of the senior presidents of the universities told the Committee that the process of change is almost impossible.

The Board of Governors holds ceremonial meetings annually. Therefore, most of its operative powers are implemented between the meetings of the Board by the Executive Committee / Management Committee.

At the same time, the Board of Governors has great importance and unique value as the tie between the Diaspora Jews and as an efficient agent for raising funds for the universities.

Two. The Executive Committee / Management Committee: The universities have a general operating authority with wide powers called the "executive committee" at the Hebrew University of Jerusalem, the Ben-Gurion University of the Negev and the University of Haifa. In Tel Aviv University, Bar-Ilan University and the Technion it is called the "Management Committee". At the Weismann Institute of Science it is called "Executive Council".

There is wide agreement that the Executive/Management Committee is one of the most important and active entities in the administration of the university. It is usually composed of public representatives who are appointed by the Board of Governors, including the chairman, and also from officials who participate as ex-officio members, members of the Senate, and others.

The Executive/Management Committee is authorized to activate some of the powers of the Board of Governors during the periods between the fixed meetings of the Board. Furthermore, it is in charge of the university's administration, its affairs and its assets, subject to the powers of the Board of Governors, decides on changes in

the budget, recommends to the Board the establishment of new study units and new research units, approves contracts and commitments, appoints authorized signatories, approves appointments of certain officials, establishes committees and determines their powers such as: the Administrative Committee, the Finance Committee, the Control Committee, etc.

Most of the persons who appeared before the Committee recommended strengthening the position of the Executive Committee / Management Committee as a public Israeli institution, central, available, and active in the administration of the university and to guide its policy. In addition, it is proposed to view it as the rank above the President in the organizational system of the university.

Three. The Senate, the academic staff and ties with students: From the background material available to the Committee and the discussions held with the heads of the academic system, a picture becomes clear of the functioning of the Senate, the academic staff and ties with the students as detailed below:

a The Senate is defined as the supreme academic authority of the university and its decisions obligate all of its academic bodies. The Senate supervises the level of teaching and research in the various units. It approves, subject to the powers of the Board of Governors, opening, closing, expansion or cutting the academic units. The Senate is responsible for the promotion procedures of the academic staff, to approve and grant academic degrees. Also it is responsible for operation of disciplinary rules of students and the academic staff. In most of the universities the Senate is composed automatically of all full professors and representatives of the lower academic ranks. Therefore, the number of members is very large and in the larger universities reaches many hundreds. Due to its size, only some of its members participate in every one of its meetings, and therefore the decisions made are dependent, to some extent, on the composition of the participants in that meeting. Similar to the Board of Governors, the responsibility for the Senate's decisions is divided among a great number of the members and therefore the responsibility for its decisions is completely blurred, even if they are

of vital significance to the future of the institution.

b The academic administration of the university, for the most part placed on the Senate and its members, is characterized by conflicts of interest: disciplinary rules towards a member of the staff who deviated from the accepted norms are not implemented by the Senate. A number of senior academic staff members operate at one and same time in two opposite bodies. On the one hand, they are members of the Senate who are given the responsibility for efficient administration of the academic matters at the university, and on the other they are member of the academic staff union which is facing the management with demands for improvement in their work conditions and their salaries. Not every Faculty is exact in ensuring the that the lecturers provide their full commitment of teaching hours. The academic administration, in its current framework, did not succeed in dealing with the problem of extra work by the academic staff outside the institution and preserving the interests of the universities. Even more, certain staff members participate in the administration of institutions that compete with the university.

c The heads of the universities have voiced claims that not all the teachers comply with fulfilling their obligations towards the students in the fields of teaching, tutoring, reception hours, prompt return of exams and papers.

In addition, the Chairman of the Student Union testified before the Committee that some of the lecturers are antagonistic towards the students. Also the institutions do not implement the necessary actions following the evaluation of teaching surveys by the students, and the lecturers who received low evaluation for poor teaching continue to lecture without any training to improve the level of their teaching.

d One of the main problems in the system is related to providing overly wide commentary to the meaning of academic freedom as determined in section 15 of the Council for Higher Education Law. From discussions held by

the Committee with the heads of the institutions, it appears that some of the academic staff (including heads of academic units) do not comply with their basic obligations towards the institutions.

From a study of the background material brought before the Committee, it appears that in the different universities in the world, the concept of academic freedom is tied to the concept of academic responsibility by the academic staff towards the institutions, to the students, and to society, while defining ethical rules and standards.

e The Senate, in its present composition and framework, is unique in Israel. This Senate which holds all the academic powers is not the appropriate body for the proper handling of academic administration in the university. The internal politics inside the Faculties, and between the Faculties, turns the Senate into a heavy "political" body which does not allow the university to make the necessary academic changes in order to fulfil its aims in an age which requires rapid responses and sophisticated professional decisions. Furthermore, the prolonged period of service of the staff members, contributes its part to the creation of inertia of conservative action without any real attempt to change things.

Four. The dual structure – President – Rector: The dual structure of President and Rector is unique to the system of higher education in Israel. The President draws his authority from the Board of Governors and is appointed by it, while the Rector draws his authority from the Senate and is appointed by it. In the universities abroad there is one head of the institution, who may be called President or Rector, and all the other officials are subject to him. The Committee heard from the heads of the universities that the dual structure in Israel is the result of historic development which took place originally at the Hebrew University of Jerusalem and was later adopted by the other universities except for the Weizmann Institute.

In Tel Aviv University there are two separate pyramids of administration; the academic pyramid and the administrative pyramid. At the Hebrew University, Ben-Gurion University, and the University of Haifa, the President is given a relatively stronger hand, is defined

as head of the university, without substantial changes in the unique powers of the Rector which originate in the Senate and the not from the President. In the Technion, the Provost is subject to the President however according to the Constitution and General States he has unique powers that are not dependent on the President.

According to many of the heads of the universities who appeared before the Committee, there is no truth in the claim that the dual structure is a necessity. And also, it is not correct that the academic issues at the university are separate from the administrative issues. Nothing academic takes place at the university without administrative implications and nothing administrative takes place without academic implications. Therefore, the authority of the President and the Rector cannot be clearly defined and in the event of differences of opinion between them, it is not clear who decides and their responsibility is blurred. Furthermore, the claim of separation between administrative and academic matters contains an essential contradiction which encourages the academic detachment from the general and financial administration.

Furthermore, there is no logical tie between the principle of academic freedom and the attempt to separate academic and administrative matters as expressed in the dual structure. It is possible to preserve an enlightened view with regard to academic freedom also without the dual structure.

The practical results of the duality create inefficient administrative situations: the decision making process is awkward, there is great delay in carrying out the decisions, both at the horizontal and vertical levels of the university's organization, duplicate reporting by the various officials, and more.

Five. Deans of Faculties and Schools: The Deans are elected by the academic staff in the faculty for limited periods. This is indeed an important democratic principle but as in all democratic elections there is a concern that this will require that the dean try to build his popularity among the academic staff in order to enable him to be elected. A dean elected by the staff may abstain from making difficult decisions. Furthermore, the said process of election does not necessarily result in the election of the best dean. This

and more, the heads of the academic units, chosen by their units, and who return to their units upon termination of their term, sometimes view themselves as representatives of their units towards the administrative bodies and the other academic units. As a result, they may view their main task as preserving their unit's interests, even if this is contrary to the good of the university as a whole. Furthermore, the deans deal, among others, with academic administration, activation of academic, technical and administrative personnel, budgetary planning and implementation, etc. Most of the deans are lacking in knowledge and experience in administration, activation of employees, planning and administration of budgets.

Six. Optimum use of resources available to the university: various issues were raised before the Committee which require maximal and most efficient use of human and physical resources available to the university:

a The claim was raised that in some of the institutions there are loose ties between the academic research and teaching units and the central units, and that the small units close themselves off in their field. This causes significant damage in the strategic view of the institution, prevents free flow between the units and limits the possibilities for necessary changes and innovations. This phenomenon is most noticeable in the Technion where there are 19 departments with the standing of a faculty, and a similar number of deans. According to the testimony of the heads of the institution, departments with fields of information which are close could and should have been concentrated into larger units and granted wider powers of action.

b Some of the heads of the universities who appeared before the Committee claimed that the universities in Israel, as in most of the universities in the world, are only partially used in the teaching fields during the months of vacation. This is not so in the research field, which is carried out throughout the year. Naturally, not making maximum use of facilities, classrooms, laboratories, libraries, administrative personnel, etc. in teaching matters – causes a great financial

loss both to the higher education system and to the national economy.

c The Committee was told that there is much potential for cooperation between the universities in specific fields such as the inter-university computer center (Mahba).

d In the university organization in Israel there is a gap between the needs for operation of new information technologies and that which actually exists. The infrastructure of the existing information systems today in the universities requires a strategic view. In the large commercial administrative systems and in the various universities in the world, there is a central position defined as the Chief Information Officer, subject to the President.

The appointment of such an officer in the universities in Israel would contribute to the fields of teaching and research, including creation of integration of activity centers of the computerized system at each branch of the university, data processing and its output, inclusion of researchers and teachers in the use of data bases, distance learning, learning through the internet, etc.

CHAPTER B:
GENERAL CONCLUSIONS AND RECOMENDATIONS

1. The Organizational Structure in relationship to the aims and goals of the University

The Committee examined the structure of the universities considering the aims and goals of the University and reached the conclusion that the present organizational structure and existing work patterns in the universities do not enable efficient use of the human and physical resources available to them. Therefore, the Committee reached the conclusion that, indeed, there is a need to propose changes in the organizational structure and work patterns of the universities.

The Committee thinks that the new organizational structure and work patterns in the university should be implemented on the basis of its aims and its main goals of its activity as follows:

a. The universities in Israel combine integrative activity of teaching and research. Therefore, the aims of the universities are based on the principle of excellence in teaching and research. These aims should be achieved while using creative talent, efficiency, determination, prevention of duplication and savings in use of resources of every kind, including: teaching and research staff, administrative and technical staff, facilities, laboratories, equipment, funds and budgets.

The main goals of activity of the universities are:

Academic teaching to students: The university provides the intellectual reserves of the State, it prepares students in academic professions and experts in professional fields in accordance with the needs of the economy and society. Higher education is intended for all those who seek knowledge and who are capable of it, in accordance with their preferences and the possibilities of accepting them in the desired study fields. The students are the university's target public, and therefore, the institutions must carry out teaching at a proper level, make available the necessary academic and administrative services and create an appropriate study atmosphere.

Research: The university carries out basic and applied research in a wide scope and at a high level, whose quality is evaluated according to the universal measurements customary in the world scientific community. The university research creates a scientific and technological infrastructure for the

State and constitutes, inter alia, a basis for security, industrial, medical, agricultural and other research.

Academic reserves for research and teaching: the university prepares academic reserves for research and teaching for the higher education system in Israel and for the education system in its entirety.

The academic staff as a means and as an aim: The academic staff constitutes a means to achieving the aims of the university in the field of teaching and research. However in its capacity as the backbone of the university existence, it also constitutes a target population in itself, which requires creation of conditions for development and renewal, for creation of an open organizational climate which encourages creativity, satisfaction and satisfying personal and group needs at work.

b. The Committee thinks therefore that for the purpose of achieving the stated goals and aims, one must construct an efficient and rational organizational structure, based on the correct division of functions and powers, with open lines of communication, clear mutual relations among the university authorities, and between them and the central office holders. And also to create an open organizational climate and efficient and purposeful work patterns.

In light of the above, the Committee considered the central aspects of the organizational structure and work patterns of the universities and reached the following conclusions:

2. The Dual Structure, President – Rector

The Committee thinks that the dual structure of President – Rector which exists in the universities in Israel, originates in historic development which is unaccepted in the universities in the world. The Committee feels that the present structure does not provide for the administrative needs of large and complex bodies such as the universities and it creates inefficient administrative situations (duplications, complications of the process of decision-making and delays in their implementation). And furthermore, the experience in Israel shows that in the case of differences of opinion between the President and the Rector difficulties and tensions are created and a real hindrance to the proper administration of the university.

The Committee is aware of the fact that nearly all the universities in Israel are aware of the many difficulties characterized by the present structure, and therefore, they sought compromises and adjustments in order to overcome its limitations. The success of

these attempts has been only partial.

Therefore, the Committee reached the conclusion that there is no place for the dual structure and recommends a single structure while preserving the enlightened approach with regard to academic freedom. The Committee thinks that the future organizational structure of the university should be with one entity at the top, that the President should be at the head of the pyramid of the university. Subject to the President, there should be a Deputy President for Academic Affairs who heads the Senate and hold the powers reflecting clear academic matters while understanding the needs stemming from academic freedom.

The Committee also thinks that the President and Deputy President for Academic Affairs should be the highest office holders. They must determine the overall policy of the University and supervise its implementation.

The Committee thinks that the position "Deputy President for Academic Affairs" should replace the positions described in the past as Rector or Provost. Furthermore, the title "Deputy President for Academic Affairs" should be a unique title for this position. The title "Deputy President" should not be granted to other officials of the university. Other senior officials may be granted the title Vice President or Director General or another title where necessary.

The recommendations of the Committee regarding the description of functions and powers of the President and his Deputy, mutual relations between them, manner of selection and election are detailed in Chapter C, sections 7 and 8.

3. **Board of Governors**

The Committee reached the conclusion that the present composition of the Board of Governors does not allow for the real possibility to fulfil the functions and operative powers placed on them according to the universities' constitutions. The Board is composed of hundreds of members, half of them from abroad, whose selection is influenced more by the donations and ties with the Diaspora and less with their professional administrative abilities. As this body is large and awkward and is not available for making decisions in a reasonable time, the Board cannot fulfil its designation as "the supreme authority of the university" and to efficiently carry out the required overall supervision of its administration, business and assets, approval of establishment of faculties and schools and closing them, appointment of senior officials, approval of changes in the constitution, etc.

Therefore, the Committee thinks that the main purpose of the Board of Governors must focus on developing relations in Israel and abroad, including preservation of ties with the Jews in the Diaspora and with friends and supporters, and also to raise donations in Israel and abroad. Furthermore, the Committee thinks that the composition and number of members from Israel and abroad must be adapted to these purposes and to ensure its proper functioning.

The functions and powers proposed for the Board of Governors are detailed in Chapter C, section 1.

4. **The Executive Committee**

The Committee reached the conclusion that the standing of the Executive Committee should be strengthened and its functions and powers broadened. The Committee thinks that the Executive Committee should be the supreme institution of the University to which the President is subject.

The Executive Committee should be an operative body, active and available, with wide powers and capacity for rapid response in all matters of administration of the University. Furthermore, the Committee feels that its composition and the number of members of the Executive Committee should ensure fulfilling the functions it is given with efficiency and speed. Therefore, the number of members of the Executive Committee should not exceed 50 members and that ratio of Israelis among the members should not be less than 85%. The Chairman of the Executive Committee should be a resident of Israel and be chosen in secret ballot by the session of the Executive Committee. The members should be available to hold regular meetings and special meetings. In order to ensure high professional level by the members of the Executive Committee, most of the members should be appointed from among public figures active in the fields of culture, science, business, technology, communications, industry, etc. The other members should be the President, the Deputy President for Academic Affairs, and members of the academic staff.

The Executive Committee will appoint a Board of Managers which will act on its behalf within the limitations of its powers for carrying out the aims, goals and programs of the university. The Executive Committee will also appoint sub-committees for any purpose it sees fit.

The Committee stresses that one of the functions of the Executive Committee is to approve ethical codes for the behavior of the employees of the institution (academic, administrative and technical staff) and to ensure their efficient enforcement. The ethical codes will include, inter alia, definition of the obligations of the employees towards the institution, towards the students and towards society. In addition, the Executive Committee shall determine obligatory rules regarding additional work outside the institution, and also to arrange for the rights of the university in registering patents/inventions which were created as a result of research by members of the academic staff. In this matter see also the recommendations of the Committee in section 5 (the Senate and the academic staff) and section 8 (independence of institutions of higher education) in this chapter.

The proposed tasks and functions of the Executive Committee are detailed in Chapter C, section 2.

5. The Senate and the Academic Staff

The Committee reached the conclusion that the size, composition and work patters of the Senate do not allow for efficient administration of the academic matters at the university.

As clarified in Chapter A, in most of the universities in Israel, the Senate is composed of all full professors and of representatives of the lower academic ranks. Over the years, the number of full professors at the large universities increased to many hundreds. As one can find from the background review in Chapter E, in 1997/98 the full professors held the equivalent of 1,560 full time positions. Most of these automatically became members of the Senate because of their academic rank. Due to its size, the Senate, in its full composition, does not have the possibility of holding a significant discussion and to define who has the responsibility for its decisions. Therefore, the participation at the meetings is usually carried out by a portion of the members and creates a broad cushion for the operation of interested groups.

The Committee was advised, by persons who appeared before it, regarding conflicts of interest which characterize the activities of the Senate members, and therefore from the fact that the Senate in its current composition is not the appropriate body to administer the academic part of the university's tasks.

Therefore, the Committee thinks that indeed the Senate must continue to be the supreme academic body of the university, but its functions, composition and number of members must be adjusted to the academic functions it is to carry out.

Therefore, the Committee thinks that the automatic membership in the Senate should be cancelled and that in the future it should be composed of academic office holders ex-officio, selected representatives of the academic staff, and one representative of the students. The Committee proposes that the number of Senate members does not exceed, in any case, 71 members.

The Committee thinks that among the functions and powers of the Senate, it should prepare and recommend to the Executive Committee or the President to approve an ethical code and rules for behavior of the academic staff, including their obligations towards the institution, towards the students and towards the public. **The Senate should activate the ethical code approved in an efficient manner and without favor**. In this regard see also the recommendations of the Committee in section 8 of this Chapter "independence of an institution of higher education".

As mentioned in Section 4 above, **the Committee emphasizes that the Executive Committee must determine clear and obligatory rules regarding extra work by the members of the academic staff outside the institution. The Committee thinks that the members of the academic staff must view their work at the university as their main occupation and devote their best time and energy to it. They must refrain from occupations which may harm their commitment to the university or may place them in a situation of conflict of interest with it. In any event, additional work outside the institution must receive approval in writing in advance from the university's authorized bodies. In this framework, additional work will be allowed in accordance with the matter, in a scope which will not exceed one day per week for advising or teaching in an institution which the university has an interest in cooperating with.**

Extra work will not be permitted in matters which may harm, in any way, the university's matters. This includes work in administration of an institution or participation in administration of an institution or providing services to an institution which competes with the matters and business of the university or administration and operation of advising offices. Furthermore, extra work will not be permitted in matters which harm, in any way, the respect of the university's spiritual ownership rights. Also, no extra work will be permitted in fields which may harm, in any way, the good name or academic, scientific, educational and social mission of the university.

The Senate will appoint a Coordinating Committee which will act

on its behalf within the limitations of its powers and the limitations of the powers given it to implement the aims, goals and programs of the university in the fields of teaching and research, and will appoint sub-committees for any purpose it sees fit.

The proposed functions and powers of the Senate are detailed in Chapter C, section 4.

6. **Appointment of the Deans of Faculties and Heads of Academic Units**

The Dean of the Faculty, including, a dean or director of a school not anchored in a faculty, is in charge of administration of a faculty from the academic and administrative, and house-keeping aspects. He/she is responsible for its achievements and development in the fields of teaching and research, for efficient operation from the administrative and house-keeping aspects and its progress in realization of its aims, goals and programs.

The Committee reviewed the problems related to appointment of deans, including appointment of deans by the academic staff for limited periods and the fear that, as a result, they will refrain from making tough decisions. Also there is a fear that perhaps in the course of their term they will divert their efforts to preferential handling of units to which they are supposed to return as the end of their term. Another problem is related to the lack of training and experience of the heads of academic units in basic administration and activation of employees and budgets.

Due to these problems, the Committee considered, among others, ideas for appointment of professional deans for long periods as customary in universities in the United States.

The Committee reached the conclusion that the conditions are not ripe in Israel for appointment of professional deans for long periods of time. Therefore the Committee thinks that as long as there is no other appointment arrangement, it is possible to continue to have the Faculty Council select the dean while strengthening the mechanism of the search and selection. The candidates will be proposed to the Faculty Council, for their approval, by a search committee headed by the Deputy President for Academic Affairs in consultation with the President. The Committee assumes that the search committee who brings the proposal to the Faculty Council will really propose the best candidates.

In addition, the Committee thinks that the university authorities must train, in a systematic manner, the heads of the academic units, including the deans, in basic

administration and activation of employees and budgets. The training will be given during the vacation periods before the deans and heads of academic units take on the job, and during the course of their work.

The functions and powers proposed for the deans are detailed in Chapter C, section 9 and the Faculty Councils in Chapter C, section 6.

7. Chief Information Office (CIO)

As you know, the information systems constitute a basic and essential component in the administration systems, and especially in large organizations which are varied in their content. Their accumulative cost, over the period of their life, is high and their introduction to use requires training and organizational adjustment. The information technologies are rapidly advancing in a steady and ongoing manner. At all times there is room to review the lessons learned from implementation of these technologies, both in depth and in an integrative manner, while constantly searching for new ways to improve effectiveness of the systems and both their operational and economic efficiency.

Some decades ago, the large companies in the world adjusted their administrative structure to the need for the maximum output from the information technologies by appointment of a senior official as a member of the administrative team at a high rank. The position holder shall bear responsibility both for integrative vision of the needs of the organization in this field in the present and foreseeable future, and for providing counseling and professional assistance to the main branches of the organization, for defining their needs in the scientific technological fields and for finding appropriate solutions. Also in other universities around the world there is Chief Information Officer who is responsible for the information technologies at the University.

The research universities may serve as a special example for operation of advanced information technologies and creation of new information technologies. The information, locating it and using it are the outstanding common denominator of the three branches of the university: the research, the teaching and the administrative.

In the University organization there is a gap between the need to operate the new information technologies and what actually exists. The institution has an obligation to education and prepare the generation of the future but the tools at its disposal, that is, most of the staff – were trained at least one generation ago.

Placing advanced administrative tools at the disposal of the staff, with the appropriate professional counseling, with applied scientific technologies the outstanding ones among them, should be a factor which stimulates and moves to bridge the mentioned gap. The intelligent use of these tools should improve significantly the efficiency of the organization's functioning, enable implementation of new teaching methods and production of better training and education for the students.

In most of the universities in Israel there is a basic infrastructure of information systems which requires an integrative overall view. This topic will not be solved by appointment of internal committees of the staff or by external counseling. Therefore it requires a central position holder, at a senior rank (such as Vice President), with wide personal experience in computer systems, who will constitute an inseparable part of the staff and will work every day towards production of that extra value in the work of administration of the institution which comes from intelligent use of the information technologies. The position holder shall be responsible, among others, for creation of integration between the focus of operation of the computerized system which in most of the universities today includes the department of information systems, the computer center, the various libraries, and the local computerized systems in the faculties and administrative units and finance division.

The Committee recommends therefore the appointment of a CIO at each university.

8. The Independence of an institution of higher education

Section 15 of the Council of Higher Education Law determines:

"A recognized institution is free to carry out its academic and administrative matters within the framework of its budget, as it sees fit. In this section, "academic and administrative matters" – including determining a research and teaching program, appointment of the authorities of the institution, appointment of teachers and their promotion, determining a method of teaching, and all scientific, educational or administrative activity."

According to the above section in the Council of Higher Education Law, a wide range of freedom was given to an institution of higher education to carry out its business with full independence. The only limitation is the need to operate within the limits of the budget. This freedom is provided in order to ensure the independence of the institution from within and from without and to enable it to operate according to the best interests of an institution of higher education, without dependence on foreign

considerations or factors.

The Committee sees utmost importance in promising institutional independence as a cornerstone in the system of higher education. The Committee differentiates between independence of the institution as defined in section 15 of the Law, and the academic freedom and the responsibility of each of the members of the staff and therefore the Committee recommends:

a. The rules and ethical codes which apply to the employees of an institution of higher education (academic staff, technical and administrative staff) will be determined by the Executive Committee of each institution.

b. An office holder in an institution of higher education will act in his job according to the policy of the institution and its rules and according to the ethical codes determined by it.

c. **The ethical codes will include, among others, personal responsibility by the main officials of the institution, the academic staff, and the other employees of the institution towards the institution and towards the students. And furthermore, the obligation of caution and loyalty to the institution and preservation of professional behavior norms.**

The Committee thinks that one must view the ethical code in relation to the concept of academic freedom. Therefore, it recommends to the Council of Higher Education to appoint a committee to determine the core of the ethical code, which will include, among others, the obligation of loyalty and the commitment by the members of the academic staff towards their institutions, towards the students and towards the public. The core of the stated ethical code will serve as a guide for writing a wider ethical code at each university.

9. **Ties with Students**

The Committee thinks that the university authorities and its employees must strengthen the ties with the students by creating a friendly environment towards them on the part of the academic, administrative and technical staff. In particular, the Committee recommends strengthening ties between the lecturer and the student.

The Committee adopts the rules regarding the rights of students as determined in the report of the public committee

for determining tuition for the years 1996/97 – 2000/2001 (appendix 7). The Committee thinks that the stated rules are based in the agreement which was agreed upon and obligates all of the institutions and therefore the Committee turns to the management of the institutions to ensure their implementation as stated.

The Committee thinks that **a system should be implemented to evaluate quality of teaching and its improvement** as a continuous and systematic process. In this framework, appropriate tools for evaluation will be developed, including evaluation of the students and their teachers. The teachers who require improvement in their manner of teaching will receive appropriate training.

The Committee also thinks **that teaching must be provided by qualified lecturers. Furthermore, the proper level of services to students must be ensured** including ensuring equality and a high level of general services on the part of the various faculties.

In addition, the Committee thinks that **the institutions must encourage students to complete their studies in the period which is customary for the degree studies** as an economic benefit to the student, the institution and the economy.

The Committee emphasizes that it does not question the rights of the University lecturer to research and teach according to the professional rules anchored in academic freedom. At the same time, the Committee thinks that the obligation to provide teaching by the lecturers for the students is a basic obligation which requires that the university authorities determine clear and obligatory hierarchical rules. According to these rules, the lecturers must fulfil all of their obligations towards the students, including: providing teaching hours in the scope and at the time set in the schedule of hours, holding fixed reception hours, ongoing advising, guidance and training for the students as needed, review of examinations and papers and returning them on time, etc.

The Committee thinks that there should be an ongoing follow-up, at the different ranks at the university, of compliance with teaching obligations as stated and to act with disciplinary measures against those lecturers who do not do so.

In addition, the Committee thinks that a fixed mechanism should be set up to handle students' complaints, both in the management of the university and in the faculties. At the head of the fixed mechanism there should be a student ombudsman appointed by

the President of the University.

10. Inter-university cooperation and maximum use of resources in the university

The Committee considered the academic, scientific and economic benefits which could result from cooperation between the institutions. The Committee notes that in the State of Israel the distances between the institutions of higher education are not great, cooperation between the universities in specific fields might aid in scientific development and higher education, make the system more efficient and save many means. This and more, the Committee thinks that there are possibilities for maximum and more efficient utilization of the internal resources available to each university.

In this framework, the question was raised to the committee, whether it is possible and should there be an overall universities framework which would be called "Israel University" with a number of regional campuses as in the University of California in the United States. **After it examined the matter, the Committee reached the conclusion that the example of California is not appropriate for the State of Israel due to the fear of creating "bottlenecks" and more concentration on a national level which might harm the freedom of action of the institutions.**

At the same time, the Committee thinks that the institutions might gain great academic and economic benefit from cooperation between them similar to the joint operation of the Inter-University Computer Center (Machbah). Therefore the Committee recommends:

a. **To expand the cooperation between the institutions**, including use of facilities, establishment of joint laboratories and joint teaching units in specific fields, where there is no essential or economic need to spread them over many institutions.

b. **The Universities will recognize the previous academic studies of students who studied in other institutions of higher education.** The Council of Higher Education will encourage the institutions to do this.

c. **The universities should organize, in coordination with the other universities and also the colleges, within the framework of the system of higher education**, for challenges which it will face in the opening years of the new millenium.

With regard to maximum and more efficient use of human and physical internal resources available to the institutions, the Committee recommends:

d. **The universities should examine the possibility of instituting a summer semester, evening studies, Friday studies, etc.** for shortening the period of studies for students who are interested.

e. **Institutions which suffer from a multiplicity of small academic units, should examine the possibility of concentrating their units into larger groups** (such as: schools), while broadening the powers of the larger academic units. Furthermore, the institutions will encourage establishment of multi-disciplinary and inter-disciplinary centers, both within the university and with the cooperation of other universities and other factors outside the university.

f. **The universities must encourage continuing studies of undergraduates and graduates, in the framework of university vacations, evening studies, Fridays, and other free times**, for updating information in selected professions needed in the national economy as a matter of lifelong learning. If they do this, it may result in great benefit to the universities, those who study, and to the national economy.

11. **Control of quality of research and teaching and their evaluation**

The heads of the universities who appeared before the Committee placed great significance on carrying out control and ongoing evaluation as a matter which stimulates the progress of research and teaching in the universities and preserves their level.

The Committee supports the existing trend in the universities regarding what has been said and recommends to the heads of the universities to routinely carry out control and evaluation of the quality of research and teaching in all academic units of their institutions, including faculties, departments, centers and schools.

The control and evaluation should be carried out in these frameworks:

a. Periodic control and evaluation through international committees or joint national and international committees.

b. Ongoing and periodic control and evaluation through national committees.

c. Internal institutional ongoing control and evaluation.

12. Organizing an institution of higher education

Section 14 of the Council for Higher Education Law determines:

"A recognized institution is an organization which can sue and be sued, purchase and sell assets, make contracts and be a party in any legal matter".

From the above stated it appears that the Law indeed determines that an institution of higher education is an organization, but it does not determine rules regarding its essence and its operation. In reality, most of the institutions organized according to the stated Law, but there are institutions which organized according to the Law of Associations (Amutot) or the Law of Corporations.

Therefore the Committee recommends:

a. All institutions of higher education will be organized according to the framework of the Council of Higher Education Law.

b. The Council of Higher Education will determine obligatory regulations regarding the purposes, manner of organization and activity of the said organization. If it complies, then the Council of Higher Education will have the authority to register the institution.

c. Alternately – to recommend to the Minister of Education and Culture to amend the statutes of organization for institutions of higher education, with the powers of his authority according to the section 30 of the said Law.

d. If it appears that there is no legal authority for publication of rules for organization of institutions according to one of the above alternatives proposed, the Committee proposes to initiate a change in the Council for Higher Education Law in order to allow for publication of the required regulations.

CHAPTER C:
RECOMMENDATIONS REGARDING FUNCTIONS AND POWERS OF THE AUTHORITIES AND CENTRAL OFFICIALS OF THE UNIVERSITY

The Committee examined in detail the activities of the authorities and the central officials in the university with regard to its general conclusions and recommendations as presented in Chapter B of the Report.

The Committee prepared separate recommendations for each of the authorities and for each of the central officials as detailed below.

In regard to the authorities of the university, the Committee wrote a series of recommendations which relate to definition of their functions and powers, their composition, number of members and method of appointment, as well as the mutual relations between them, and between the central officials and their general work patterns. In this framework the Committee dealt with the following authorities:

- Board of Governors
- Executive Committee
- Board of Managers of the Executive Committee
- Senate
- The Coordinating Committee of the Senate
- The Faculty Council

With regard to the central officials, the Committee wrote recommendations regarding definition of their functions and their powers, manner of their selection and appointment, substitutes in the event of their absence, and rules for the termination of their term of office when necessary.

In this framework the Committee dealt with the following officials:

- The President
- The Deputy President for Academic Affairs
- Deans of Faculties

In the recommendations detailed in this chapter, the Committee did not intend to write a uniform constitution or statutes for the universities. The Committee thought that its recommendations should be considered as an overall framework guiding the universities with regard to the direction they should take. Also, the Committee thinks uniformity should not be forced and that a certain amount of individuality should be allowed for each institution according to its conditions and special needs and its academic expertise. At the same

time, every organizational structure must be based on the principles that will ensure the achievement of the aims, goals and the programs of the university for excellence in research and teaching. These principles are required for all authorities and academic and administrative units of the university and for all of its office holders. Furthermore, each structure must provide the appropriate tools and services for the target public of the system. In this framework it is important to ensure creative, intelligent, efficient, purposeful and frugal administrative patterns in all fields of activity of the system.

1. **Board of Governors**

The Committee thinks that the main purpose of the Board of Governors is to focus on preservation of the ties with the Jews of the Diaspora, and also in fund-raising in Israel and abroad, for the expansion of funding resources for the establishment and development of the university. The Committee recommends:

One. The Board of Governors be composed of persons from Israel and abroad, including:

a. Persons who have an interest in the development, advancement and achievement of the university, who are active in one or another of the fields of public, economic, social, cultural, educational and scientific activity including known academics from Israel and abroad.

b. Persons who have performed a particular service for the university.

c. Active and potential donors to the university.

Two. The Board of Governors shall constitute the link which connects the university with the Jews of the Diaspora. The Board shall encourage the activities of the Friends associations and friends of the university in Israel and abroad and recommend to the Executive committee the establishment of new organizations of friends.

The heads of the university, including the heads of academic units, shall present their work, achievements and programs before the Board members.

Three. The Board of Governors shall meet at least once a year.

Four. The Board of Governors shall elect its members for a specified period, which may be extended for additional specified periods.

The Chairman of the Board shall be elected by the Board of Governors and shall be a member of it, in consultation with the President and the Chairman of the Executive Committee. The period of service of the Chairman shall be a set term of office which does not exceed five years, and may be extended for one additional period, again not to exceed five years.

The rules for choosing a chairman, and also for choosing the members of the Board of Governors, shall be determined in the university's constitution.

Five. The number of members of the Board of Governors shall be determined from time to time by the Executive Committee including members who serve ex-officio. The Committee thinks that the great number of members of the Board of Governors which exists today, may harm its proper functioning, and therefore it recommends a gradual cutback in the number of members of the Board as shall be determined in the constitution of the institution. Members who are now serving on the Board of Governors shall complete their term of service.

Six. The Chairman of the Executive Committee, the President, and the Deputy President for Academic Affairs shall be ex-officio members of the Board of Governors.

Seven. The Executive Committee shall determine the appropriate relationship between the number of members of the Board of Governors who are residents of Israel and those living abroad, while preserving a balance between the two groups.

Eight. The percentage of members of the Board of Governors from among those who receive salary from the university shall not exceed 5% of all the members.

Nine. The members of the Board of Governors shall not receive salary for their membership on the Board.

Ten. The work patterns of the Board of Governors shall be determined in the universities' constitutions, including: time of meetings, invitation of members, setting the agenda, quorum, etc.

2. **The Executive Committee**

The Executive Committee shall be the highest ranking entity to which the President of the university is subject. The President bears the responsibility for ongoing administration of the university affairs as detailed in section 7 of this chapter. The Committee recommends:

One. The number of members of the Executive Committee shall not exceed 50. The members shall be available to attend regular meetings and meetings which are out of the ordinary as needed. The rate of Israelis among the members of the Executive Committee shall not be less than 85% of all the members.

Two. The Executive Committee shall be composed as follows:

a. The President and Deputy President for Academic Affairs as ex-officio.

b. Representatives of the senior academic staff the number of which shall not be less than 4 and not more than one-fifth of the total number of members of the Executive Committee. These representatives will be proposed jointly by the Senate and the President from among the different disciplines, as long as they do not hold an administrative position in the university other than the deans.

c. The rest of the members of the Executive Committee shall be public figures who are active in the fields of culture, science, economics, technology, communications, industry, etc.

Three. Public figures on the Executive Committee shall be chosen according to the following rules:

a. The Executive Committee shall choose from among its members a Nominations Committee which shall be composed of 5 – 7 members as follows:
(a) The Chairman of the Executive Committee shall chair the Nominations Committee.
(b) 1-2 members from among the representatives of the senior academic staff on the Executive Committee.
(c) 3-4 members from among the public representatives on the Executive Committee.

b. The Nominations Committee is authorized to locate and propose to the Executive Committee appropriate candidates to serve as members of the Executive Committee.

The proposed candidates shall represent various fields of expertise according to the needs of the university. The Committee will submit its recommendations for the approval of the Executive Committee.

c. The Executive Committee shall discuss the proposals of the Nominations Committee and approve the candidates that appear to have the appropriate qualifications.

d. The university constitution shall determine the work patters of the Nominations Committee and the rules for approval of candidates by the Executive Committee.

Four. Members of the Executive Committee shall be appointed for a period of service of three years with the possibility to serve for an additional two terms of service on the recommendation of the Nominations Committee and the approval of the Executive Committee.

Despite that stated above, at the end of the first period of service of three years from the date of establishment of the new Executive Committee, the Nominations Committee shall recommend to extend the period of service of only two-thirds of the members of the Executive Committee who served one term. Following two terms of service, the Nominations Committee shall recommend to extend the terms of only one third of the members who served two terms of service.

Five. The Executive Committee shall appoint a search committee that shall propose candidates for the position of Chairman of the Executive Committee. The Chairman of the Executive Committee shall be a resident of Israel and shall be chosen in a secret ballot by the session of the Executive Committee for one term for a period of three years, with the possibility of service for two additional terms of service.

Six. (i.) A member of the Executive Committee shall act loyally, with devotion and honesty to fulfill his position as a member of the Executive Committee and will work towards the advancement and development of the university within the framework of its constitution, its statutes and its programs, will participate in making decisions without showing favor and will refrain from acts or shortcomings which are contrary to the interests of the university.

(ii.) At the meetings of the Executive Committee regarding the salary and work conditions of the academic staff and other university employees, the interested parties who are employed

at the university shall not participate and shall not vote.

Seven. The Executive Committee shall convene for regular meetings at least six times a year.

The Executive Committee shall convene for special meetings according to the determination of the Chairman or according to the request of the President of the university or at the request of at least five of its members.

Eight. The agenda of the meetings of the Executive Committee shall be determined by the Chairman.

Nine. The legal quorum required at the Executive Committee shall be at least 60% of all of its members.

Ten. Subject to that stated in section 7b above, the decisions of the Executive Committee shall be accepted by a regular majority of those participating in the vote. If the opinions are divided equally, the Chairman shall have the deciding vote. The Executive Committee shall hold a secret ballot at the request of one of its members.

Eleven. The Executive Committee shall invite office holders or experts to participate at the meetings according to need, and without voting rights.

Twelve. The following are the main powers of the Executive Committee.

(1) To appoint the President
The Executive Committee shall be in charge of the President. The President shall be responsible to the Executive Committee for the variety of fields of operation of the university and for achieving its aims and goals.

(2) To determine the university's constitution and to approve changes in it from time to time.

(3) To supervise the administration of the university's affairs.

(4) To discuss the university's budgets and to approve them.

(5) To discuss goals, work programs and multi-year budgets for development of the university and to approve them.

(6) To establish endowment funds for the benefit of university matters.

(7) To initiate development of new funding sources for achievement of the university's goals.

(8) To discuss establishment of academic entities and to approve them, including: research units, study units, chairs, etc. To discuss and approve changes in the structure of existing academic bodies or to cancel them in accordance with the university's goals, needs and the budgets available to it.

(9) To discuss joining or cooperation between the university and other institutions and approve this.

(10) To receive periodic annual reports and seasonal reports on the academic activities of the university and to discuss them.

(11) To approve granting honorary degrees and other honors.

(12) To approve rules for signing in the name of the university, on contracts, undertakings and agreements.

(13) To approve establishment of corporations for the benefit of the university.

(14) To appoint authorized signatories and to authorize them to sign in the name of the university and to obligate it.

(15) To approve rules for appointment of central office holders in ranks below the President, including: the Deputy and Vice Presidents, the Director General, the Legal Advisor, the Bursar, and other positions as shall be determined.

(16) To determine from time to time the number of members of the Board of Governors and the appropriate relationship between the residents of Israel and those from abroad with the appropriate balance between the two groups.

(17) To discuss proposals submitted by the Board of Governors.

(18) To discuss proposals for the establishment of new friends associations and to approve them.

(19) To appoint the auditors of the university. To examine and approve the financial statements.

(20) To appoint the University Comptroller.

(21) To appoint the members of the Control Committee.

(22) To appoint a Board of Managers who shall act on its

behalf, within the limitations of its powers, for realization of the aims, goals and programs of the university.

(23) To appoint sub-committees to act on its behalf for any purpose which is deemed necessary, to determine their composition and to provide them with powers and functions as shall be determined.

(24) The Executive Committee shall hold the power on all university matters which have not been granted clearly in the constitutions or statutes to other institutions or authorities.

Thirteen. The agenda and minutes of the Executive Committee discussions and its decisions shall be brought to the attention of the Senate.

3. Board of Managers of the Executive Committee

One. The Executive Committee shall appoint a Board of Managers that will act on its behalf, within the limitations of its powers and within the limitations of the powers granted it, for realization of the aims, goals and programs of the university.

Two. The Board of Managers shall be composed of eleven members as follows:

(1) 4 ex-officio members: the Chairman of the Executive Committee, the President, the Deputy President for Academic Affairs, and the Director General (or Vice President for Administration and Finance).
(2) 6 public representatives who shall be chosen by the Executive Committee from among its members.
(3) one member who shall be chosen by the Executive Committee from among the representatives of the senior academic staff members on the Executive Committee, and who does not hold an administrative position at the university, such as a dean.

Three. The Chairman of the Executive Committee shall be ex-officio the chairman of the Board of Managers.

Four. The elected members of the Board of Managers shall be elected for a period of three years with the possibility of being re-elected again for two additional periods as long as they serve as members of the Executive Committee.

Five. The Board of Managers shall convene for meetings according to the matter and at the frequency of at least twice a

month. A special meeting of the Board of Managers may be convened at the determination of the Chairman or at the request of the President or at the request of three of its members.

Six. The agenda of the Board of Managers shall be determined by the Chairman of the Board of Managers in consultation with the President.

Seven. The legal quorum required at the meetings of the Board of Managers is 7 members and at least 4 of them from among the public members. In the absence of the Chairman of the Board of Managers from one of the meetings, the Board of Managers shall choose a substitute from among the public representatives on the Board of Managers.

Eight. The decisions of the Board of Managers shall be accepted with a regular majority of the participants in the voting. If there is an equal division, the Chairman of the Board of Managers shall have the deciding vote. At the meetings of the Board of Managers with regard to salaries and work conditions of the academic members and the other university employees, those persons who have an interest and are employed at the university shall not participate in the discussions and shall not vote.

Nine. Without detracting from the powers of the Executive Committee, the Board of Managers will be empowered:

(1) To exercise ongoing control of the enactment of the university's policy and programs. To supervise the enactment of the decisions of the Executive Committee and to report to it on that.

(2) To carry out the powers and to fulfill the functions granted it by the Executive Committee.

Ten. The stated powers of the Board of Managers may not detract from the powers of the Executive Committee to discuss again and to make decisions regarding any topic which was discussed by the Board of Managers.

Eleven. The discussions and decisions of the Board of Managers shall be recorded in minutes. Copies of the minutes shall be given to the members of the Executive Committee.

4. The Senate

One. The Senate is the supreme academic entity of the university.

Two. The number of members of the Senate shall not exceed 71 members in any case.

The Senate shall be composed of members who serve ex-officio and from members elected as follows:

a. Ex-officio:

- The President
– The Deputy President for Academic Affairs
– The Deans of the Faculties
– The heads of schools which are not anchored in the faculties
– The Dean of Research (or Vice President for Research and Development
– The Dean of Students

b. Selected Members of the Academic Staff

Members of the Senate who are not ex-officio members shall be chosen from among the full professors while providing proper representation for each faculty or school which operates not within a faculty. Also representatives of the associate professors and senior lecturers shall be chosen as members of the Senate. The rules for election of members of the academic staff shall be determined by the university's statutes.

c. Representative of the Students

The Senate will have one member who represents the students.

Three. The selected members of the Senate shall be elected for a period of service of three years with the possibility to be re-elected for one additional term. Following a cooling period of at least three years, a past member of the Senate may be elected once again.

Despite what is stated above, at the end of one term, of three years, from the date of establishment of the new Senate, only half of the Senate members chosen who have served one term

may be re-elected.

The term of membership in the Senate of a member shall terminate when he goes on a year of sabbatical.

Four. Members of the academic staff committees will not be members of the Senate while they are members of the academic staff committees.

Five. The Deputy President for Academic Affairs will chair the Senate.

Six. The Senate shall convene for regular meetings at least 6 times a year. The Senate may be convened for special sessions by the Chairman of the Senate or by the decision of the President or by the request of at least 10% of its members.

Seven. The Senate may invite others to participate in its meetings according to need and as it sees fit but without voting rights.

Eight. The legal quorum required at the meetings of the Senate, determining the agenda for its discussions and the rules for making decisions shall be determined in the university's statutes.

Nine. In the framework of its powers, the Senate will discuss and decide – without detracting from the powers of the Executive Committee in matters with financial implications - among others, in the main matters at the university.

a. Advancement of teaching and research and preservation of their level, encouraging excellency in teaching and research, strategic guidance of academic development goals including study programs, and preservation of professional and ethical behavior norms of the academic staff.

b. To recommend to the Executive Committee cooperation in scientific, teaching and research fields, between the university and other institutions.

c. Development of the spiritual properties of the university by the academic staff as a source for accumulation of this property.

d. To recommend to the Executive Committee or the President to approve an ethical code and rules for behavior of the academic staff, including their obligations to

the institution, to the public and to the students. In this framework, the following shall be proposed for the approval of the Executive Committee or the President:

(a) rules for attendance at classes, holding fixed reception hours, counseling and guidance for students, giving grades and returning papers on time.

(b) Obligatory rules and limits for preservation of the institution's interests, refraining from acts which cause conflict or harm to the institution's commitments, and rules for academic and administrative activity outside the institution.

(c) Rules for implementation of disciplinary ruling for the academic staff.

e. To choose a Coordinating Committee which will act on its behalf as detailed in section 5a below.

f. To appoint a sub-committees which will act on its behalf, to determine their composition and to delegate powers and functions to them.

g. To appoint a disciplinary court for academic staff and to determine its composition and powers, and also to appoint a disciplinary court for students and to determine its composition and powers.

h. The decisions of the Senate which undertake financial expenditures require the approval of the Executive Committee or the Board of Managers.

Ten. The agenda and minutes of the discussions of the Senate and its decisions shall be brought to the attention of the members of the Executive Committee.

Eleven. The detailed powers and functions of the Senate shall be determined in the university's statutes.

5. The Coordinating Committee of the Senate

One. The Senate shall choose a Coordinating Committee that shall act on its behalf, within the limitations of its powers and the limitations of the powers which it delegates to it for the realization of the aims, goals and programs of the university in

the fields of teaching and research.

Two. Members of the Coordinating Committee shall be:

(1) The President, the Deputy President for Academic Affairs and the Deans of the Faculties as ex-officio members as long as they serve in the position.

(2) 4 members, from different disciplines, that are chosen by the Senate from among its members.

Three. The Deputy President for Academic Affairs will be the Chairman of the Coordinating Committee as ex-officio due to his position as Chairman of the Senate.

Four. The selected members of the Coordinating Committee shall be elected by the Senate for a period of three years with the possibility to be re-elected for one additional term, as long as they serve as members of the Senate.

Five. Frequency of meetings of the Coordinating Committee, the legal quorum for its meetings, setting the agenda for its discussion and the rules for its decision-making, will be determined by the university's statutes.

Six. Without detracting from the powers of the Senate, the Coordinating Committee will be authorized:
(1) To implement the powers and to fulfil the functions delegated to it by the Senate.
(2) To carry out ongoing control of implementation of the Senate's decisions and to report to it on this.

Seven. The stated powers of the Coordinating Committee are not to detract from the powers of the Senate to discuss again and to make decisions in any matter discussed by the Coordinating Committee.

Eight. The discussions of the Coordinating Committee and its decisions will be listed in minutes. Copies of the minutes will be distributed to the members of the Senate.

6. **The Faculty Council**

The Faculty Council is the university institution which is responsible for guiding the Faculty from an academic and administrative point of view within the framework of the overall policy of the university. Furthermore, it carries out supervision of the activities of the Faculty which are operated through the Dean. The Faculty Council expresses the ides of mutual cooperation and

stimulation of the scientific think tanks of the academic staff in the Faculty.

One. In the Faculty Council there shall be members who serve as ex-officio, members chosen in the Faculty, representatives of other faculties appointed by the Deputy President for Academic Affairs and a representative of the students. The following is the composition of the Council:

a. Ex-officio

- The Deputy President for Academic Affairs or someone appointed by him
- The Dean of the Faculty
- The heads of the central academic units such as: heads of departments, heads of schools and heads of units in the Faculty

The person in charge of administrative and financial matters in the Faculty shall participate in the Council as an observer.

b. Elected Members

Selected members of the Faculty Council who are not ex-officio members, shall be chosen from among the full professors and the associate professors in the Faculty while giving proper representation to each department, school or unit. In the same way representatives of the senior lecturers and the lecturers are elected.

The number of members chosen shall not be fewer than the number of ex-officio members in the Council.

The rules for election of academic staff members shall be determined in the university's statutes and the right to vote will be only for members of the tenured academic staff.

c. Appointed members

The Deputy President for Academic Affairs is allowed to appoint up to two members of the academic staff from other faculties to be members of the Faculty Council.

d. A representative of the students

One representative of the Student Union who studies in that Faculty will be a member of the Faculty Council.

The student representative will not participate in discussion and decision regarding appointments and promotions of the academic staff.

Two. The selected members of the Faculty Council will be elected for a term of three years with the possibility of being elected for one additional term. After a cooling period of at least three years, a past member of the Faculty Council may be elected once more.

Three. Members of the academic staff organizations may not be members of the Faculty Council as long as they are members of the academic staff organizations.

Four. The Dean will head the Faculty Council and report to it on implementation of its decisions.

Five. The Faculty Council will convene for regular meetings at least 6 times each year. The Council may be convened by the Chairman of the Council, or at the request of the President, or the Deputy President for Academic Affairs, or at the request of 10% of all members.

Six. The legal quorum required for meetings of the Faculty Council, setting the agenda for discussions and rules for decision making shall be determined by the Faculty Council itself.

Seven. The following are the main functions and powers of the Faculty Council:

a. Supervision of administration of the Faculty from the academic and administrative aspects.

b. Approval of programs and study content in the fields of teaching in the Faculty. Supervision of matters of teaching and exams.

c. Encouragement of Faculty initiatives for advancement of the teaching and research and preservation of their level. Encouragement of excellency in teaching and research.

d. Follow-up of implementation of academic development goals of the Faculty.

e. Supervision of ongoing and seasonal control and evaluation of research and teaching in the various units

of the Faculty.

f. Supervision of professional and ethical behavior norms of the academic, administrative and technical staff set by the university authorities.

g. Creation of a friendly environment for students on the part of the academic, administrative and technical staff. Strengthening of the ties between the lecturer and the student. Creation of proper study conditions.

h. Establishment of a fixed Faculty framework for handling students' complaints and control over correction of shortcomings.

i. Appointment of sub-committees which will operate on its behalf, within the limitations of its powers and the limitations of the powers delegated for realization of the aims, goals and programs of the Faculty.

7. The President

One. Functions and Powers of the President

a. The President is the head of the University and bears responsibility towards the Executive Committee for its administration, level and quality.

b. The President will manage the affairs of the university and will use the powers he has according to the constitution, the statutes, and those delegated to him by the Executive Committee.

c. The President will represent the university towards the outside, including keeping in touch with the donors and the Friends organizations in Israel and abroad.

d. The President is responsible for implementation of the decisions taken by the Executive Committee and the Board of Managers. The President will submit to the Executive Committee seasonal and annual reports on the university's activity and the progress in realization of its aims, goals and programs.

e. The President shall initiate, prepare and bring for approval and coordinate the implementation of the programs for advancement and development of the university, including funding of the university's budgets, raising means for it, academic planning, physical

development and creation of conditions for advancement of teaching and development.

f. The President is a member ex-officio of the Board of Governors, the Executive Committee, the Board of Managers, the Senate and the Coordinating Committee. He is allowed to participate in meetings and discussions of all authorities and bodies of the university.

g. The President will head the search committee to propose the choice of Deputy President for Academic Affairs.

h. The President will hold ongoing consultations with the Deputy President for Academic Affairs with regard to any manner needed for advancement of teaching and research.

The President will bring for approval of the Executive Committee the powers that he intends to delegate to the Deputy President for Academic Affairs.

i. The President shall propose for the approval of the Executive Committee the appointment of vice presidents, director general, legal advisor and chief financial officer and their functions and powers. Furthermore, he will bring for the approval of the Executive Committee the powers which he intends to delegate to them from the powers granted him.

Two. Election of the President and his appointment

a. The President shall be elected by the Executive Committee with a regular majority of its members.

b. The term of service of the President shall be four years, with the possibility of re-election for two additional terms. A President may not serve more than 2 consecutive terms.

c. For the purpose of the election of the President, a search committee will be set up which will be appointed by the Executive Committee. The search committee shall be composed of nine members as follows:

- six public representatives, including the Chairman of the Executive Committee, who are recommended by the Chairman of the Executive Committee.

– Three representatives of the Senate who are recommended

by the Senate and are approved by the Executive Committee.

The Chairman of the Executive Committee shall head the search committee.

The outgoing President and candidates for the presidency may not be members of the search committee.

A new search committee shall be set up for each term of the President, including extension of the term of a President already serving.

d. The search committee shall recommend before the Executive Committee a candidate for presidency. The committee is empowered to recommend to the Executive Committee the appointment of a president from among the academic community or outside it.

e. If the Executive Committee does not approve the candidate, the search committee shall recommend another candidate to the Executive Committee.

f. The President must be a resident and citizen of Israel from the beginning of his term.

Three. **Substitute for the President**

In the President's absence, or he is unable to carry out his job, for short periods of up to two months, the Deputy President for Academic Affairs will substitute for him. In the absence of both of them, the President will appoint one of his vice-presidents as a substitute with the approval of the Board of Managers of the Executive Committee.

If the President is unable to do his job for a period of time exceeding two months, the Executive Committee will choose a substitute for a period not exceeding six months.

If the President is unable to complete his term for any reason whatsoever, a choice will be made according to the search process above.

Four. **Termination of the President's term of office**

The Executive Committee may, upon an application signed by one third of all its members, and after hearing the President, determine by a two-thirds majority of the members of the Executive Committee to terminate the term of office of the President. The resolution shall come into effect on the date to

be determined by the Executive Committee.

8. Deputy President for Academic Affairs

This chapter deals with the definition of the functions, powers, manner of election and appointment of the Deputy President for Academic Affairs. This position is meant to replace positions defined in the past as Rector or Provost.

One. Functions and Powers

a. The Deputy President for Academic Affairs (hereinafter - the Deputy) is in charge of the academic affairs of the university and holds all powers in academic matters granted to him by the constitution or the statutes, or delegated to him by the President. The Deputy is subject to the President.

b. The Deputy is the Chairman of the Senate, the Chairman of the Coordinating Committee and the Chairman of the Central Academic Nominations Committee as ex-officio. Also he is a member of the Board of Governors, the Executive Committee and the Board of Managers. He is entitled to participate in any meeting of a Faculty Council or School as well as any committee appointed by the Senate or Coordinating Committee or the Faculty Council.

c. In the absence of the President for a period of up to two months, the Deputy will substitute for him.

d. The Deputy is responsible for operation of the Senate, the Coordinating Committee, the Central Academic Nominations Committee and other committees appointed by them. Furthermore, he is responsible for implementation of their decisions and the decisions of the other university authorities in academic matters. The Deputy is also responsible for using the powers delegated to him by the President.

e. The Deputy shall report to the Senate and the President in on ongoing manner (seasonal and annual) on the university's activities in the fields of teaching and research and advancement in realization of its aims, goals and programs in these fields.

f. The Deputy shall carry out ongoing consultations with the President on any matter needed for the advancement of teaching and research matters.

g. The Deputy shall head the search committees for choosing deans for the faculties and heads of schools that are not anchored in a faculty.

Two. Election of the Deputy President for Academic Affairs

a. The Deputy shall be chosen by the Senate from among the full professors of the university, with a regular majority of its members.

b. The term of office of the Deputy shall be four years with the possibility of being re-elected for one additional term. The Deputy may not serve for more than eight consecutive years.

c. For the purpose of the election of the Deputy, a search committee composed of the following 7 members shall be established:
- The President shall serve as Chairman of the committee.
– Six members chosen by the Senate from among its members, while giving proper representation to the faculties and schools.

The outgoing Deputy and candidates for the position of Deputy may not serve on the search committee.

d. The decisions of the search committee and its recommendations shall be accepted by a majority vote of its members and on condition that this majority includes the Chairman of the committee.

e. The Senate shall elect the candidate for the position of Deputy, or one of the candidates, proposed to it by the search committee.

If no candidate received the required majority of votes according to section b (1) above, the search committee shall propose an additional candidate or candidates until a

candidate is elected to the position of Deputy.

f. A new search committee shall be set up for each term of office of the Deputy President for Academic Affairs, including for re-election of the Deputy serving.

Three. **Substitute for the Deputy President for Academic Affairs**

Each university shall determine in its statutes rules for election of a substitute for the Deputy President for Academic Affairs, who must be a full professor. In the absence of the Deputy and or if he is unable to fulfil his position for short periods of up to two months, the substitute as stated in the Statutes shall fill his position, in coordination with the President and the Deputy. The proposal for a substitute for the Deputy, for a period exceeding two months and up to six months, shall be brought by the President for the approval of the Senate.

If the Deputy is unable to complete his term of office for any reason whatsoever, the election shall be in accordance with the search process stated above.

Four. Termination of the term of office of the Deputy President for Academic Affairs

The President or a third of the members of the Senate may, in a reasoned and signed application, propose to the Senate to terminate the term of office of the Deputy.

The Senate may, after hearing the Deputy, determine to terminate his term of office by a majority of two-thirds of the Senate members. The resolution shall come into effect on the date to be determined by the Senate.

9. <u>Deans of Faculties</u>

One. Functions of the Dean

a. The Dean is responsible for the management of the Faculty from the academic and administrative aspects. He is responsible for its achievements and development in the fields of teaching and research, its efficient operation from the administrative aspects, and its advancement towards realization of its aims, goals and programs. The Dean is subject to the Deputy President for Academic Affairs with direct ties to other officials at the university according

to topic.

b. The Dean is the Chairman of the Faculty Council, a member of the Senate, and a member of the Coordinating Committee as ex-officio and Chairman of the Nominations Committee of the Faculty whose function it is to recommend appointments and promotions to the university authorities. The Dean may participate in any committees established by the Faculty Council or any of its units.

c. The Dean is responsible for operation and implementation of the decisions of the authorized university authorities in academic and administrative matters related to the Faculty. The Dean is also responsible for operation and implementation of the decisions of the Faculty Council and the committees appointed by it.

d. The Dean shall hold ongoing consultations with the President and the Deputy President for Academic Affairs in any matter needed for advancement of the Faculty.

e. The Dean shall report annually, to the President and the Deputy President for Academic Affairs regarding the activities of the Faculty in the fields of teaching and research, general management and housekeeping, and also on advancement in realization of the aims, goals and programs of the university.

f. The Dean represents the Faculty before all university authorities himself, or through another official of the Faculty appointed by him.

Two. Selection of the Dean and his appointment

a. The Dean shall be elected according to the rules detailed below.

b. The term of office of the Dean shall be four years with the possibility to be re-elected for one additional period. A Dean may not serve more than eight consecutive years.

c. For the purpose of selection of a Dean, a search committee shall be set up by the President and composed of the following seven members:
- The Deputy President for Academic Affairs shall serve as Chairman;
- Four members from the various disciplines who are chosen

by the Faculty Council;
- Two members who are appointed by the Deputy President for Academic Affairs in coordination with the President.

The outgoing Dean and candidates for the position of dean may not serve on the search committee.

d. The decisions of the search committee and its recommendations shall be accepted by a majority vote of its members on condition that the majority includes the Chairman of the committee.

e. The decision of the search committee and its recommendations shall be brought for approval by the Faculty Council in consultation with the President. The Faculty Council shall elect the dean from among the candidates proposed to it by the search committee by a regular majority of its members.

If no candidate receives the required votes, the search committee shall propose an additional candidate or candidates.

f. A new search committee shall be set up for each term of the dean, including extension of a term of a dean serving.

g. The letter of appointment of the Dean shall be signed by both the President and the Deputy President for Academic Affairs.

h. A new Dean will take office during the summer vacation in an effort to enable him to become acquainted with Faculty matters towards the opening of the new school year. A new Dean shall participate in preparation of the budget for the year in which he will begin his work. Also, he shall participate in determining the appointments policy of the Faculty.

Three. Preparation for the Position of Dean

a. The Deans of Faculties (and head of academic units in general) shall receive basic administrative training for administration of the Faculty before they begin their term and during the course of their work. The training shall be given during the vacation periods at the university.

b. In order to prepare reserves of deans, the President and the Deputy President for Academic Affairs

shall carry out an ongoing follow-up on the members of the academic staff, and identify those with potential who have excelled in teaching and research, those with leadership ability and with administrative ability. These candidates shall receive training as stated.

Four. **Substitute for the Dean**

Each university shall determine in its statutes, rules for choosing a substitute for the Dean who must be a full or associate professor. In the absence of the Dean, or if he is unable to fulfil his job for short periods of up to two months, his position shall be filled by the substitute determined in the statutes in coordination with the Deputy President for Academic Affairs.

The proposal for a substitute for the Dean, for a period exceeding two months and up to six months, shall be brought by the Deputy President for Academic Affairs, in coordination with the President, for the approval of the Faculty Council.

If the Dean is unable to complete his term of office for any reason whatsoever, the election will be in accordance with the search process as stated above.

Five. **Termination of the term of office of the Dean**

The President, or Deputy President for Academic Affairs, or one third of the members of the Faculty Council may, in a reasoned and signed application, propose to the Faculty Council that it terminate the term of office of the Dean.

The Faculty Council may, after hearing the Dean, decide in a secret ballot on the termination of his term by a two-thirds majority of the members of the Council. The decision shall come into effect at the date determined by the Faculty Council.

State of Israel
Finance Ministry – Budgets Division

January 2, 2000

MINORITY OPINION WITH REGARD TO MEMBERS OF THE EXECUTIVE COMMITTEE IN THE COMMITTEE REPORT

1. **The Proposal**

We think that the section containing the recommendations of the Committee in the chapter dealing with the Executive Committee should contain a detailed account of the matter of responsibility (while relating to the obligation of caution and the obligation of responsibility) of the office holders in this body, similar to the up-dated norms as stated in the new companies law. Furthermore, we think that for the purpose of efficiency in the discussions, the number of members of the Executive Committee should not exceed 20.

2. The following are the reasons:

One. The Committee for review of the organizational structure of the universities was established by a decision of the government on February 8, 1997.

Two. In a memorandum prepared by the Chairman of the PBC in October 1995, and submitted to the Committee at its first meeting, it stated:
"The overall management of the institution must be by a management free of conflict of interest. The current administrations which include a broad representation of academic staff are not free from this ... As a result of lack of clarity in the powers of the bodies and the main office holders, their responsibility is not clear as well. Who, for example, is responsible for a drop in the level of an academic unit? The Faculty Council, the Dean, the Rector, or the Senate? Who is responsible for deviation in the university's expenditures? The director of the deviating unit, the President, the Board of Directors, or the Board of Governors? Formally, the Board of Governors is responsible for everything that going on at the university, but as noted above, the Board of Governors is not capable of properly supervising what takes place at the institution. Also the Board of Directors does not have the means to carry out effective control over the administration of the institution. The management and supervision are carried out by internal administrative bodies that suffer from all of the

difficulties and problems described above.

Three. The issue of powers and responsibilities of the administrative agents at the universities was raised also by the Committee itself in a document that lists questions proposed for discussion with the heads of the universities. Section 6(d) of the document relates to "Relations between the powers and responsibilities of office holders at the university, among them:
- the heads of the universities, President, Rector, Director General and their deputies, Deans and heads of Schools
– Chairman of the Board of Governors, the Executive Committee, the Board of Managers, and the other academic and administrative committees.

– Who has responsibility in the different fields of activity of the university in events such as: a drop in the level of teaching and research, poor general and financial administration, a deviation from expenditures, a deviation from salary, etc."

Four. And indeed, during the course of the discussions of the Committee, many comments were made by prestigious persons regarding the matter of responsibility of the Executive Committee and other office holders, for example:

Moshe Vigdor – "The question is whether the powers of the Board of Managers are commensurate with its responsibility from the point of view of its members. Should it not be a sort of Board of Directors or a type of system which has powers and also responsibility."

Amnon Pazy – "... A Board of Directors who have the responsibility of a public company... 20 to 30 people... A serious Board of Directors which will determine policy, supervise if the institution is carrying out the policy. The Board of Directors will be responsible to the public for the academic level."

Five. In the recommendations of the Committee, there is much attention to the matter of powers of the Executive Committee (see chapter C, 2). However despite the attention given to the matter in the framework of the question raised to witnesses by the Committee, and testimony heard during the course of the Committee's work, there is only partial attention given to the matter of responsibility of the Executive Committee. "A member of the Executive Committee will act loyally, with devotion and honesty to fulfil his function as a member of the Executive Committee and will act for the advancement and development of the university within the framework of its constitution, its statutes and its programs, will

participate in the decision making without favor and will refrain from acts and shortcoming which are contrary to the interests of the University".

Six. I assume that there is no doubt that this paragraph does not provide a real solution or a detailed definition for the essence and measure of responsibility which falls on that member of the Executive Committee who makes decisions with far-reaching budgetary and academic significance.

Seven. In the absence of defined responsibility for the office holders in the administrative bodies of the university (the Executive Committee), there will be the "problem of the representative", that is in the absence of an incentive for the representative (office holder in the Executive Committee) to act when he sees full implementation of the benefit of the body he is administering.

It will not be possible to provide the Executive Committee members with such wide powers regarding the activities and academic and economic future of the university, without their assuming responsibility for the results of their behavior/administering.

Haim Peltz
Deputy in Charge of Budgets

CHAPTER D:
THE COMMITTEE'S WORK METHODS AND DATA THAT SERVED AS A BASIS FOR ITS DISCUSSIONS AND RECOMMENDATIONS

In order to examine the facts in a methodical and exact manner, the Committee took a series of actions as follows:

1. Determining a work plan for the Committee.
2. Determining a framework for the Committee's operation.
3. Defining guiding questions and issues for review of the characteristics of the structure of universities.
4. Inviting the heads of the academy for discussion in the Committee.
5. Publication of notice to the public to submit comments and suggestions in writing.
6. Review of the documents, surveys and relevant background material.

1. Determining a work plan for the Committee

   In its first meetings, the Committee determined its work plan: that minutes would be written for each meeting. Participation of the Committee members in the discussions and the voting would be personal and cannot be transferred to another unless the Committee member resigns and another is appointed in his stead. The legal quorum for meetings of the Committee and making decisions would be five members of the Committee including the Chairman. Meetings would not take place and decisions made if the number of Committee members present is not at least five. The Committee's decisions would be made by majority vote of those present at the meeting. Each Committee member has one vote, including the chairman, however, in the event of a tie, the Chairman has the deciding vote. Content of announcements to the press will be determined by the Chairman of the Committee and contact with it will be through the Chairman or through its professional advisor and work coordinator. The discussions of the Committee will be recorded and transcribed.

2. Determining a framework for the Committee's operation
   The Committee decided to focus on seven universities for higher education only, they are:
   The Hebrew University of Jerusalem
   The Technion – The Israel Technological Institute
   Tel Aviv University
   Bar-Ilan University
   University of Haifa
   Ben-Gurion University of the Negev
   The Weizmann Institute of Science

At the same time, the Committee thinks that the Council of Higher Education should prepare and publish principles for the organizational structure and appropriate administrative methods for the various academic colleges.

3. Guiding issues and questions for review of the characteristics of the structure of the universities

In order to make it easier to focus attention on the problems which characterize the structure of the universities, the Committee, through a sub-committee it appointed, prepared a list of guiding questions and issues for discussion with the heads of the academic system. The list was distributed to people that the Committee intended to invite to its discussions. These were asked to present their opinion to the Committee regarding the said questions and issues. The invitees were told that in addition to their appearance before the Committee, and if it they felt it necessary, they could submit a summary of the comments they would be presenting before the Committee, in writing, either at the meeting or at a later date. Furthermore, at the end of the discussion by the Committee, the Chairman suggested to persons appearing before it that they add comments in writing regarding issues that they did not manage to raise before it, if they thought it was necessary. Nearly all the invitees preferred not to submit something in writing and were satisfied with their appearance before the Committee.

However, the issues raised by the invitees related to the guiding issues and questions, aided the Committee to methodically discuss the matters on its agenda.

Because of the importance of the said questions and the issues, which served as a basis for the discussions of the Committee, we present them here:

One. How should the university look over the next ten years and what are the structural implications this requires?

How is the university getting prepared to adapt its products to culture, society, and economics in Israel?

How is the University getting prepared to respond quickly to the changes taking place in the scientific, social and economic arena in Israel and the world?

Two. The existing and desirable criteria for evaluating the university's activity in research and teaching.

The control mechanisms and academic evaluation, internal and external, which are desirable for the University in personal, departmental and faculty areas.

Three. The existing and desirable standards for defining efficiency in the general administration and in the financial administration.

The common factors for preparation of the flexible part of the university's regular budget (beyond the fixed part of the budget which is mainly salary).

Four. What are the desirable rules for selection and appointment of central officials at the university (the president, rector, director-general, and their deputies, the deans and directors of schools)?

Five. What are the desirable rules for selection and appointment of the chairman and deputies of the Board of Governors, the Executive Committee, the Board of Managers and other public committees?

Six. Structural problems in operation of the institution's authorities and its central officials: Board of Governors, Executive Committee (or Management Committee), Senate, Coordinating Committee of the Senate, Office of the Dean of the Faculty, and Schools, President, Rector, Dean, Head of School, etc.

Distance relations – Coordination between the central authorities of the university and the teaching and research units. The desired and recommended approach for distribution of the powers and functions between the Senate and the Faculty Councils, between the President and the Rector and the Deans and the Heads of the Schools, and between the central administrative and financial units and the general and financial administration of the faculty.

Is it possible to identify structural shortcomings in the division of tasks, responsibility and powers of the university authorities between themselves and also between the central officials and among themselves and between the university authorities and the officials? How are these shortcomings expressed in the administration of the university from the point of view of defining powers and functions, defining responsibility, decision making process, speed of response to changes

in the scientific, social and economic environment, frequency of discussions, involvement of members, supervision and control over implementation of the decisions and their efficiency, etc. What are the solutions proposed in the fields where structural shortcomings were identified?

The relationship between the powers and the responsibility of the officials at the university, including:
- Heads of the University: President, Rector, Director General and their deputies, deans and heads of schools.
– Chairman of the Board of Governors, Executive Committee, Board of Managers and other academic and administrative committees.

Who has responsibility in the various fields of action of the university in cases such as: decrease in the level of teaching and research, shortcomings in overall and financial administration, deviation from expenditures, deviation from salary, etc.

Seven. How does the Senate fulfill its functions as defined in the General Statutes, including: The structure, powers, composition and process of decision making. Does the current situation require change? If yes, what is the required change? Should the number of members of the Senate be cut and, if yes, by what scope and should the members be selected in the future?

Eight. In most of the universities in Israel there are separate functions for President and Rector. There is a claim that differences between them might harm the university's activities.

What organizational solutions are proposed in order to ensure proper and efficient administration of the university in the event that there are differences of opinion between the two officials? Is this duality desirable and why? Should the functions of president and rector be combined? If so, what will the implications be on the rest of the components in the organization of the university, what new functions will be required (deputies and vice persons?) and what other functions can be cancelled?

Nine. The heads of the academic units are chosen for their tasks for defined periods of service. At the end of their term of service they return to their former work and their former standing. How is it possible to ensure

independent dealings in their carrying out of the administrative functions they were elected for?

Ten. The correct proportion for involvement of public persons in the internal entities for management of the university. In which internal entities and in what scope?

Eleven. What are the responsibilities of the academic staff towards the university and towards the students? How is it possible to protect the university's rights in the event of private work by staff members outside the university?

Twelve. Which academic and economic activities exist in the university outside the activities of research and teaching, such as: establishing and managing of companies, selling scientific, academic and other services, investment and management of assets. What is the quantitative and financial scope of these activities? Might they detract from the attention required for administration of the institution and from its main aims in the fields of teaching and research, and what is the university's policy in the said fields.

4. Invitation of the heads of the academic system for a discussion with the Committee

From the beginning, the Committee intended to hold discussions with all current heads of the academic system and with those who preceded them, including past presidents and rectors. However, as the discussions continued well beyond the anticipated length of time, and after receiving a thorough picture on the manner of its work, the Committee decided to cut down the list of invitees and to hold the meetings with the current university presidents and rectors and with the current chairman of the PBC and those who preceded him in that position. Furthermore, the Committee decided to invite a past president of a university who is not a professor, the director general of a university and the chairman of the Students Union.

In order for the Committee to derive the greatest use from its discussions with the heads of the academic system and to create a comfortable atmosphere for free discussion, it met and talked with each of the invitees separately.

The discussions with invitees were recorded, transcribed and summarized for the members of the Committee. In addition, a statement was received by the Committee from Prof. Mordecai

Shacter, the past Rector of the University of Haifa. Position papers were also received from Attorney Dan Bavly, Chairman of the Board of Managers of Tel-Hai College, member of the Board of Governors of the Hebrew University of Jerusalem and a member of its Academic Policy Committee.

5. Publication of a notice to the public to submit comments and suggestions in writing to the Committee

The Committee published a notice to the public in three newspapers: "Haaretz", "Maariv" and "Yediot Aharonot" and requested that comments and suggestions be submitted to it in writing regarding the organizational structure of the universities.

Even though this received wide publicity, only 10 replies were received, of which only 8 related to matters the Committee dealt with. The list of those responding to the Committee appears in Appendix 5.

The relevant responses related to matters such as: the need to unite the positions of President and Rector. There needs to be balance between academic freedom and the right of the public to supervise the use of its resources. There is a need to set up an authority for development of teaching and scientific technologies headed by a vice-president. There is a need for inter-university cooperation by uniting all work for third degrees under one roof according to the example in Holland. There is lack of coordination between academic responsibility of the academic units and their administrative and financial responsibility, something which requires strengthening the heads of academic units. A correct tension should be maintained between the academic systems and the administrative systems. There should be a balance between the three types of institutions of higher education operating in Israel: the university institutions, the non-university institutions, and the institutions from abroad operating in Israel. There must be the correct combination of teaching and research and student participation in the mechanisms of evaluation of teaching level. There is a need for appointment of a student ombudsman with broad powers.

6. Review of documents, surveys and relevant background material

In addition to the extensive material which was placed on the Committee's table, following the discussions held with the heads of the academic system – the Committee studied documents received from universities and other entities and

were aided by a tremendous amount of background material, prepared by Eliyahu Israeli, the professional adviser and coordinator of the Committee.

In this framework, the Committee studied the Constitutions and General Statutes which determine the current organizational structures of the universities. The Committee also studied the suggestions for introduction of organizational changes in the structure of the Hebrew University of Jerusalem, according to the suggestions of Prof. Henry Rosovsky of Harvard University. And also, suggestions for organizational changes in the Technion, prepared by a Committee headed by Sir Eric Ashe from Britain.

Furthermore, The Committee had available documents and surveys regarding the legal framework of the Council of Higher Education, its Planning and Budgeting Committee, and the institutions of higher education. The Committee also reviewed background data on the purposes and aims of the academic system, the scope of its activities in the fields of teaching and research, the development of its institutions, the students, the academic, administrative and technical staff, the budgets and their sources, as detailed in Chapter E.