The Government Response to the Private Sector Expansion in Poland

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The Context of Reforms

One of the trademarks of transformation of Polish higher education is its tumultuous and inconsistent path of development driven by the rapid growth of private sector higher education. Such an expansion has been often described as a 'sudden, shocking and unplanned' phenomenon which revolutionized the institutional landscape of higher education in Central and Eastern Europe (Levy, 2007, p. 280). Also in Poland, the rise of private higher education is perhaps one of those aspects of the Polish higher education that caused revolutionary and far-reaching changes whose significance can be hardly overestimated. It also attracts scholars' attention (e.g. Duczmal and Jongbloed, 2007; Antonowicz, 2016;

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Duczmal, 2006; Kwiek, 2012, 2016a). However, clearly, there is still a knowledge gap in regards to the analysis of coping with the expansion and with governmental efforts to take control over the process of galloping expansion and securing minimum quality standards in (especially private) higher education.

Before we analyse the structural reforms aiming to address the problem of quality of education, we shall present the overall context in which this policy was devised, developed and implemented. Such an approach holds a key for understanding the overall internal complexity of political processes that brought the idea of establishing State Accreditation Committee (PKA)[1] into action. Shortly before the political and economic revolution in 1989, Poland was characterized by its low gross enrolment rate (slightly below 10 %). In the turbulent political and economic times of the 1990s after the fall of communism, public spending on research and higher education were a low priority.

One of the key factors in the development of higher education in terms of governance and funding, but also in terms of policy, is demography. After 1989, numbers of secondary school leavers were gradually increasing but in 2002 the demographic situation turned into a decline, marking a change in external environment. The demographic decline was only raised as a minor issue in the 1997–2001 discussions about the shape of higher education and about the future of its private part. Yet, it became the reality affecting every aspect of higher education governance and funding, and changing the public–private dynamics in the system. In fact, declining demographics heavily affected both the public and the private sectors since 2006. As a consequence, the Polish system has been in contraction since then (Kwiek, 2013, 2016a). The number of private higher education institutions has declined (from 334 in 2006 to 289 in 2015), and the private sector has contracted faster than the public sector because it is fee based while full-time public sector is tax based. To make things worse, the contraction era is expected to last for at least until 2025 (Antonowicz and Gorlewski, 2011).

Although most of the analyses emphasis the demographic conditions, they tend to overlook another important human factor that – at least in the 1990s – had massive impact on higher education. There was a large reservoir of people who had not accessed higher education and had entered the labour market without a higher degree. However, their professional career development was limited, as higher positions in public administration and large public companies were often formally restricted to those with degrees (Antonowicz et al., 2011; Antonowicz and Borowicz, 2006). So those

individuals – being well settled in their organizations – were interested in getting credentials to re-launch them on the rocky path of career development. It is essential to distinguish 'degree hunters' from the broader student cohort, due to their special expectation and purely instrumental approach to higher learning. Without exaggeration: many of those students were keen on degrees but had little (or even no) interest in quality of education. They were adults, most often employed full time that were interested in taking part-time education due to their professional commitments. 'Degree hunters' were among the key drivers for expansion of higher education and many private sector higher education institutions wanted to meet those demands.

However, to elucidate the nature and speed of the expansion of private higher education one should not neglect the explanatory potential of the ideological overlay. The political and economic transformation of 1989 produced a stunning ideological U-turn, the arrival of capitalism, glorification of individualistic values and embrace of meritocratic beliefs. In the new ideological fashion, education became a form of investment in human capital. Moreover, the first law of higher education (1990) after the fall of communism tried to restore the myth of the Humboldtian university, which was the historically rooted ideology of the academic community. That law also established very liberal requirements for private higher education institutions to enter the market, which reflects the entrepreneurial spirit of economic transformation. The analysis of the topographic trajectory of development of private higher education shows that it was primarily driven by entrepreneurial spirit than provision of education to those with limited access. Private institutions were being opened across Poland but predominantly in major academic cities, next to public ones (Antonowicz, 2016). And we remain under no illusion that as Enders and Jongbloed (2007) claimed, the private sector of higher education in Poland has not provided 'better education', likely not even 'different education', but certainly 'more education' taking advantage of business opportunities.

Following Pawłowski (2004), it is remarkable how the free market came to rule a sector so far removed from the conventional economy. The sheer magnitude and dynamics of change was phenomenal. In 1989, the private higher education was non-existent while 15 years later it consisted of 315 higher education institutions and a population of 620,800 students, which (in terms of students cohort) was almost twice as large as the entire student population in the beginning of transformation. These numbers show perfectly the rapid rise of private higher education, although it does not capture the complexity of the changes. The higher education law (1990)

had signalled the withdrawal of the state from higher education policy as it had neither political authority nor resources to be a potent actor. The 'policy of non-policy' fit well into laissez faire values that underpinned public policy of the early 1990s. The state tried to impose at least some control through a multitude of little bureaucratic regulations which, however, it failed to execute. Theoretically, the state could rely on professional integrity of the academic community well embedded in good public universities, but heavily underfunded public higher education institutions and scandalously low academic salaries made many accept quick financial gains. The general enthusiasm that surrounded so-called educational boom overshadowed potential side effects (e.g. Szczepański, 2001). Nevertheless, there was little doubt that the state was simply unable to exercise effective control over the private sector, regarding the skyrocketing growth in numbers of institutions, the number of students enrolling, but most importantly regarding the quality of education provided (Pinheiro and Antonowicz, 2015).

In the second half of the 1990s, the rapid development of private sector drew growing public concern and also media attention as to the absence of the state in higher education (e.g. Szczepański, 2001). The withdrawal of the state, although enthusiastically awaited by the academic community after abusive communist control, would perhaps fit a welfare state in static conditions. However, in a highly competitive environment, it revealed serious constraints, among which is a strong asymmetry of information between providers and consumers. The quality of fee-based education sparked serious doubts in public opinion as to what kind of access and what kind of education were offered. The criticism reached its peak at the turn of the millennium. Calls were made for the government to secure minimum quality standards in higher education (Szczepanik, 2000; Dietl and Zapijaszka, 2001; Dietl, 2001). The outcry was particularly focused on the private sector which – according to the national Supreme Audit Office (NIK) – had remained beyond any governmental control or public accountability (NIK, 2000).

Rationale for the Reforms

The government desperately needed to gain control over the galloping expansion of higher education which seriously undermined the quality of education. Internal and external privatization (Kwiek, 2009) of higher education required a different role of state, to lesser extent as provider and more as a market regulator, to secure minimum levels of quality of

education. It needed power to stop those who fail to maintain bottom-line standards in education from awarding academic degrees. At the time, the legal control and supervision mechanisms at the state's disposal were weak (the relevant formulations in the act and in lower-level regulations were general and often ambiguous), the ministry was not staffed enough (six people in the ministry, including three part-timers, dealing with the private sector in 1999–2000), and, technically speaking, its physical access to, and its power to impose decisions on, private higher education institutions very were limited. So was the power of the existing representative body of the academic community, General Council for Higher Education (RGSW), created still under communism in 1985. The General Council was unable – technically, legally and in terms of infrastructure, staff and resources – to provide support to the ministry in controlling and supervising the private sector. No other institutions were legally able to assess the quality of education offered in the sector (or any other dimension of its functioning).

The ministry intended to address the problem of quality of education in the private sector. However, for legal reasons it could not confine itself only to private higher education institutions, while public universities were highly sensitive about any form of interference in their internal matters. To cut a long story short, it was legally impossible to focus only on the private sector but politically impossible to impose control on public universities, bearing in mind their high level of institutional autonomy granted in the law of higher education in 1990.

The first attempt to regulate the private sector was conducted in the mid-1990s. The ministry produced a special law for the new category of vocational higher education institutions, trying to curb galloping expansion and also lay the legal foundation for public vocational higher education institutions. The legislation was approved by the parliament (1997), but a vast majority of private higher education institutions managed to escape from its jurisdiction (and vocational status) by opening master programmes, which formally gave them academic status and institutional autonomy (Kowalska, 2013).

At the same, there were bottom-up initiatives to address the issue of quality of education, among which the most institutionalized was the University Accreditation Commission (UKA). Established in 1997, it was an independent accreditation organization formed by rectors of leading Polish public universities Conference of Rectors of Polish Universities (KRUP). However, UKA – indeed a very positive initiative – was unable to address the problems that the ministry desperately

tried to resolve. First, because UKA was a quality development/assurance organization that helped higher education institutions that voluntary agreed to undergo such procedures to improve the quality of their educational programmes. Such a body was needed and performed positive functions, but it was radically different a bottom-line accreditor. UKA provided assessments and guidelines to those who already felt responsible for the quality of education and sought to improvement for the sake of students. It concerned well-established public universities unlikely to have problems with low quality of education and whose professional integrity pushed them to seek improvements. Second, the accreditation of UKA did not earn much recognition outside higher education and – to add insult to injury – it did not have any value in the eyes of a large group of 'degree hunters', who made up the vast majority of fee-based students. Last but not the least, UKA exercised no formal authority, it could only award certificates that had more value among academics than for potential students. Hence, it could help develop excellence but it could not prevent low-quality provision.

Both public and private higher education institutions had the right to award state's (recognized) degrees, which was symbolically reflected in the national emblem on diplomas. While the power of the ministry, accompanied by its two consultative bodies: RGSW and the Accreditation Committee for Vocational Schools, formed in 1997, kept shrinking in the 1995–2001 period, the power of the booming private sector was ever increasing. The imbalance between the private sector and the ministry was becoming intolerable for the ministry especially since the private sector exerted powerful influence on the functioning of the public sector, which also grew substantially in that period, especially although not only through its fee-based part-time tracks. The influence of the private sector was partly positive as a result of the new cross-sectoral competition, though mostly negative as a result of private higher education institutions using almost exclusively public sector academics. 'Moonlighting' of public sector academics became almost universal, working full time in both sectors, with an emergent hot issue of 'multiple employment', not solved until 2012. The growth of the private sector led to a major decline in research activities conducted by academics and the generally reported neglect of their teaching duties in their original, main workplaces, that is, public universities. This phenomenon, commonly known as 'deinstitutionalization of the research mission' (Kwiek, 2012), has had far-reaching consequences for those fields of sciences which experienced the biggest inflow of students in

both public and private sectors, such as especially social sciences and the humanities (Antonowicz 2015). Compared with Hungary, Slovakia and the Czech Republic, the Polish share of academic knowledge production in the region as measured by the number of internationally visible publications in those 'soft' fields (was systematically falling in 1995–2010, and the share of production in those fields unaffected by the expansion in the private sector (such as physics, mathematics and chemistry) was constant or increasing (Kwiek, 2012).

In short, the rationale for reforms was market failure. Neo-liberal thinking, fashionable in the early 1990s, was based on the simple assumption that 'the market knows best' and that the invisible hand of the market mechanism (rather than any state-imposed regulation) could provide an optimum outcome. The laissez-faire attitude of the state to the private sector growth was a side effect of the general political feeling that the market was better than the state, and less state regulation (resulting in more institutional autonomy) was better than more state regulation (and less institutional autonomy). The overall attitude of the private sector was that the state should preferably 'leave it alone', apart from rudimentary licensing requirements as laid down in the 1990 law, and rudimentary, mostly voluntary, supervision as described in the same law. In the period of the early Polish capitalism (1990s), the emergence of private higher education institutions was viewed as the triumph of the individualistic thinking over statist thinking, known from the pre-1989 period. The laissez-faire values significantly influenced public policy which took shape as a 'policy of non-policy' (Kwiek and Maassen 2012). A powerful argument of the private sector for not interfering was that the sector was fully fee based, with limited (and only regional or local) public funds involved.

The last straw that broke the camel's back was the report 'Information about the results of the audit of the functioning of the state supervision of private higher education and private higher vocational higher education institutions' issued by the widely respected the Supreme Audit Office (NIK). It left no doubts about the lack of state supervision of the private sector (NIK, 2000). The report showed that the state was in fact toothless in enforcing any quality standards in higher learning. The report referred to all fee-based programmes but specifically targeted the private sector as beyond any control. To illustrate the powerlessness of the state, the report pointed out that even if the ministry spotted lawbreaking practices it could only inform the private higher education institutions that it ought to make corrections. The report attracted wide media coverage and resulted

in long-lasting discussions in both academic periodicals (like *Forum Akademickie*) and more general social and political weeklies (*Polityka, Wprost*). The discussion was not so much about private higher education as about the minimal role of the state, its insufficient instruments, small staffing and ineffective legal infrastructure to supervise the private sector. Consequently, the highest national auditing body (created when Poland re-emerged independently, in 1919, to control all public institutions) provided the ammunition to ministry-based reformers (in a 'Team for the Amendment to Laws Related to Higher Education'). While the report was highly critical of the ministry, the ministry fully agreed with both its content and conclusions. The major message was that the state should not remain as powerless as it was in confronting the private sector. Consequently, via the criticism of existing weak mechanisms of control and supervision, the report provided arguments to give more power to the state (the ministry) and its consultative bodies, such as the state accreditation commission.

Policy Design and Instruments

Designing policy to curb the private sector, to gain control over galloping expansion and low quality of education had been on the agenda since the middle of 1990s. Despite an intensive discussion (both scholarly and in the press) and some political efforts to implement structural reforms the private sector had remained beyond control. At the time, there was growing awareness that the process of expansion and in particular provision of fee-based education slipped out of hand and that the ministry alone might not be strong enough to pursue its goals. Accordingly, the design process included the Ministry of Education (and its special team) but no other ministries at that time, even though parts of the Polish higher education system belonged to such ministries as Health, Agriculture and National Defence. Actors included, however, were the Parliamentary Commission on Education, Science and Youth, representatives of such national agencies and bodies as RGSW (which officially represented the academic community) and KRUP and UKA (non-governmental associations which represented the academic community through the rectors of the best Polish universities, even though they were not legally located in the Polish higher education governance architecture). Also, the Ministry of Science (termed The Committee for Scientific Research, or KBN) was consulted but not heavily involved in the policy design process, following a division of work between the Ministry of Education (including higher

education, responsible for teaching in higher education) and the Ministry of Science (responsible for research in both higher education, for the Polish Academy of Sciences and for research institutes). Other representative bodies (including the association of private sector rectors, Conference of Rectors of Private HEIs (KRUN), Students' Parliament and of industry) were not directly involved in the process, although it would be naïve to believe that they did not try to influence it. No single academic institution, either public or private, was involved; nor were municipalities, local communities, associations of cities, associations for local self-governance involved. Rectors of the private sector, either those associated in KRUN or those not associated, were not involved in the design process. Additionally, parliamentary lawyers and other ministries (through inter-ministerial exchange of views) were heavily involved in the final stages of the design process. They exerted major influence on the final form of the legal document (the amendment to the 1990 law on higher education of 2001), partly changing the desired form of the document, which led to unexpected directions.

Such a broad scope of actors involved must cause some tensions among them. Indeed, smouldering conflicts between two major representative bodies, RGSW and Rectors' Conference of Rectors of Academic HEIs in Poland (KRASP) hampered the process in its initial stage (Antonowicz 2015, pp. 265–270). In fact, all actors involved declared similar goals – to introduce state accreditation and to stop the powerlessness of the state vis-à-vis the private sector – but they held slightly divergent beliefs and interests. The policy design work was preceded by, and then also intensely accompanied by, scholarly discussions in numerous public meetings as well as in the academic press. Deliberative processes of policymaking with various scholars airing their views in the public debate is a long-lasting tradition in Poland. It is a form of self-governance conduced on the system level (Dobbins, 2011). The specific pressure on the final shape of the document was exerted in public by KRUP, or rectors of major public universities: the general approach pushed through the public domain was that KRUP (later called KRASP) was the only academic body which fitted the European landscape. Rectors' influential discourse at the time was that European governance architectures clearly included rectors' conferences and did not include any 'main councils' (like RGSW) often seen as relict of the communist past.

The ministry believed that in the 1995–2001 period the rectors had not done all they could to stop the chaos of multiple employment of their academics. RGSW (or the 'Main Council') in legal terms was much better suited to influence the policy design process, although in practice it was

defending its past role and past inefficiencies, focusing on its institutional survival. The tensions between KRUP (then KRASP) and RGSW were substantial, and the leaders of both institutions were engaged in emotional polemics in the academic press on a daily basis (Antonowicz, 2015). The conflict between two major stakeholders involved in the policy design work had some influence on the course of work but it was clearly not decisive. The ministry and its team preparing the amendment played a key role. It was determined to finalize the reform design and push the amendment through the Parliament. The ministry as the leader in the policy design process had to manoeuvre between the pressure of rectors of public universities (whose support for the reform was crucial) and their own preference to keep RGSW, in a new variant, responsible for the accreditation processes for both sectors. The new variant eventually became a separate State Accreditation Agency, PKA. In short, political wrestling between various actors, who had different ideas about who and how should deal with the problem of quality of education, took more than two years. KRUP was in a position between the rock and a hard place since it wanted at the same time to stop diminishing quality of education yet also to maintain autonomy of universities it represented. These two goals to a large extent contradicted each other. The rectors wanted to take control or at least a leading role in a new accreditation body but the ministry was not fully convinced that leaving a new body (and new tools) in the hands of rectors of public universities was the best approach. Some doubts were raised by a powerful lobby of the private sector (deans, founders and owners) pointing out that accrediting mechanism could easily be instrumentalized by a single party.

Beside the internal issues elaborated above, there was also an important external dimension legitimizing the structural reforms. Discussions about accreditation referred to the European integration and Polish accession to the European Union (EU). Accreditation in general was viewed as a necessary move towards more 'Europeanized' higher education governance. The European context is very important because at approximately the same time (in 2000) the European Association for Quality Assurance in Higher Education (ENQA) was founded, providing legitimacy for establishing similar organizations on national levels. For a country that was just about to close its negotiation deal with the EU and to complete longstanding integration efforts, external legitimacy of political instruments devised did really matter.

Prior to the 2001 amendment to the law on higher education, in 1999–2001, the major stakeholders involved in the construction of the new accreditation agency, PKA, and the formulation of its role in higher

education governance were the ministry, KRUN, or public rector's conference (and its voluntary accreditation arm, UKA) and RGSW. All other stakeholders were involved to a limited degree: students and academics were much more interested in the shape of a possible new comprehensive law on higher education, with its promises of increases in academic salaries, and in the continuation of the option of holding multiple employment in both public and private sectors, than in the seemingly more 'technical' issue of accreditation. Political parties were not directly involved and the political voice of the government was represented by the voice of the ministry. Interestingly, the role of two other institutions was highly important: Parliament, through its Commission on Education and Higher Education, and the Supreme Audit Office (NIK), through its large-scale audits of both private (1999, report 2000, parliamentary discussions about the report 2000) and public (2002) sectors.

While the creation of PKA was not linked to a new full-blown law on higher education (which was all but abandoned in the late 1990s though finally passed in 2005), an amendment to the 1990 law led to a major change in higher education landscape. The goal of this structural reform was to increase the quality of the educational offer of private (as well as public) higher education and to put an end to the laisser-faire attitude of the state towards the private sector such typical of the whole period of the 1990s. The policy instruments, although modest in its size and ambitions, were acceptable to all major policy stakeholders and in this sense perfectly fit the purpose.

Implementation

The structural reform was a classic top-down process with the support of main policy actors whose legitimacy was crucial for the implementation process. There is little doubt that universities are strong institutions that (at least in Polish context) can effectively – if pushed to their limits – resist ministerial initiatives (Dobbins, 2015). The actors involved in the implementation process were both PKA and the ministry. The reform was very carefully prepared or even tailor made. The amendment to the law of 2001 and accompanying documents prepared by the end of 2001 were very detailed. The implementers knew exactly what to do, and in this sense they had little room to decide how to implement the structural reform. With the passage of time, new issues were appearing and PKA had more opportunities to decide how to proceed.

PKA was formally established in 2002 (on the basis of amendments to the law of higher education passed by the parliament 20 July 2001), thus PKA could start its operation in 2002, with large-scale accreditation procedures applied to groups of study programmes in individual institutions, both public and private. More specifically, from among 599 candidates to be PKA experts, the (new) minister herself made the choice of 70. The minister called the founding of PKA a 'historical event'. While the design process of the structural reform took place under a rightist coalition government (Social Movement for Solidariy (AWS)-Freedom Union (UW), 2001), its implementation process started under a new leftist coalition government (Democratic Left Alliance (SLD)-Polish People's Party (PSL), 2002 and beyond). The reform itself, as an unpoliticized issue in the 1997–2001 period, was not stopped or reversed in 2002, after the new minister took office. The reform indeed continued in the very same direction, with no changes of either its spirit or letter. Until 2005, when a new law on higher education was passed, PKA was operating according to the rules and regulations laid down in 2001.

Academic institutions, both public and private, were involved in the reform as objects of PKA activities: there were initially fears of PKA and its methods of control. Institutions had actually no choice but to cooperate with PKA in seeking accreditation for their study programmes. However, resistance or reluctance could possibly have emerged in two flagship universities, namely Warsaw University and Jagiellonian University. Their aggregated authority in the Polish higher education overshadowed the ministerial power. However, personal engagement of a few highly prominent academics convinced the senates of both universities not to oppose the reforms. There was fear that some conservative groups in the biggest universities might see it as a form of confining their institutional autonomy and oppose the reforms. The key to understand these concerns was the idea of (institutional) autonomy – which was returned to the Polish academe only in 1990 (Popłonkowski, 1996). The approach of some individual academics active in the public sphere at that time was that the state funding of public higher education did not provide a strong enough argument to allow state interference in universities internal affairs – and teaching quality was one of those internal affairs as defined in the 1990 law. Consequently, along this popular way of thinking, both obligatory accreditation and the emergence of PKA went against the university autonomy as defined in 1990. Public and scholarly interventions on the subject referred to 'mistrust' to and 'fear' of new mechanisms but those are popular 'buzzwords' often use to oppose any form of governmental reforms in higher education (Antonowicz, 2015).

Notwithstanding the numerous tensions, none developed onto organized protests, partly also because of wise choice of first two chairmen of PKA. Andrzej Jamiołkowski and Zbigniew Marciniak (and their successors too) were highly respected academics whose professional position and authority provided additional legitimacy to PKA, helping to implement the structural reforms.

Overall, the process of implementation can be seen as rather successful mainly due to clarity of strategic goals, modest policy instruments devised that fit its purpose. It took longer than initially anticipated mostly due to internal struggle between some policy actors. The power struggle remained in the background of the structural reform, but nevertheless implementation processes never take place in social and political vacuum. The process of the creation of PKA and the emergence of the final legal form of state accreditation were inevitably part of a much larger effort to comprehensively transform Polish higher education.

Results and Unintended Effects

All actors involved in the implementation process believed that state accreditation was the only way out of the current deadlock in which the ministry was powerless vis-à-vis the under-quality segment of the private sector. At the same time, the rules applied to both public and private sectors, and PKA members came from both sectors. In a way it was a symbolic levelling of both sectors, in particular as the PKA teams were composed of representatives of the private sector on equal footing with representatives of the public sector. Despite numerous doubts and criticism as to PKA, state-run and nationwide accreditation was believed to solve one of the major problems of Polish higher education, namely the inability to get rid of sub-quality study programmes, run in illegal locations by unspecified, often unqualified, academic staff. The overarching belief was that the quality of higher education could be regulated, controlled and finally accredited in every Polish institution. After almost 15 years of the implementation of the structural reform, we can say that this goal – to a large extent – was achieved. However, the most visible outcome of structural reforms was establishing an organization responsible for accreditation of programmes in higher education. Furthermore, the ministry managed to provide PKA with not only state's authority but also legitimacy in the academic community. The latter might have been particularly difficult due to lack of trust in the political initiatives and a high level of sensitivity against any form of external

interference in universities. The myth of university as a fully autonomous organization was strongly embedded in the Polish academic community, therefore establishing an external body such as PKA was not welcomed with enthusiasm. In particular, the visits of PKA evaluation teams in higher education institutions might have been taken with concern and even resistance as – for many academics – they might resemble 'external political control' of universities which it was not. Additionally, it gave rise to new duties to already overworked academics. Notwithstanding such risks, PKA was established and neither its goals and nor activity has been seriously undermined by any actor in higher education.

After almost 15 years, PKA has earned its place in the landscape of the Polish higher education and what is more important, it has managed to introduce accreditation procedures. That was a novel idea in the sense that it went beyond particular disciplines and was not performed by voluntarily. It has built its own professional administrative staff, and it has developed the assessment procedures necessary to authorize educational programmes in both public and private sector. In this period, PKA has managed to attract a number of professional experts across the field of science whose accumulated knowledge as to quality assessment and development has made vital contributions to maintaining quality standards in higher education. Unintentionally, its role and responsibility is only increasing as the system entered a contraction period (Kwiek, 2013; how contraction may lead to de-privatization of higher education, see Kwiek, 2016b), which put many of private higher education institutions on the verge of bankruptcy. In such a critical situation the temptation for higher education institutions to compromise quality of education in order to stay in the business is higher than ever before. PKA performs an important but difficult role to prevent such practices, which not only take advantage of naive students but also undermine overall public trust in the entire system.

Finally, the issue of quality of education slowly but gradually earned its position in higher education policy, a position it doubtlessly deserves. Consequently, many private higher education institutions now not only provide more education, increasing system capacity but also different and even better education than many public competitors. The private sector succeeded in excellence programmes conducted by the ministry, standing out as highly innovative in engaging external stakeholders to match programmes with the needs of labour market. Several bachelor and master programmes run by private higher education institutions were awarded by PKA 'excellent' status which sets new (quality) trends in the competition for students. Although some of those changes can be caused

by the invisible hand of the market, the impact of PKA's visible hand must not be underestimated.

However, the structural reform also produced some side effects which should be taken into consideration when discussing its impact on the Polish higher education. There is a growing feeling that the process of quality assessment has been largely trapped into a bureaucratic corset and that it has lost its focus on actually the quality of education. In interviews conducted for this study, we found that the assessment procedures are too formal; focused on bureaucratic details rather than teaching provided in institutions. There is too much importance attached to 'window dressing', formal requirements, documents, reports and too little attention to real evaluation of the process. The bureaucratization process has been widely criticized but paradoxically it appears to be much safer and predictable option for both PKA and higher education institutions. It secures PKA decision based on documents provided, which are hardly ever undermined in the appeals process (e.g. in court), while higher education institutions have learned how to produce the right format of documents to satisfy requirements of PKA. It remains unclear if such a course of development could be predicted at the beginning of the process and possibly limited if not prevented. Implementation of the reforms is always a combination of various factors, including many beyond control of reformers, such as style of leadership of PKA. The presidents of PKA and chairs of teams have some degree of autonomy and this also builds strong capacity to influence organization and style of assessment conducted. Having said so, we lean to the conclusion that parts of blame of bureaucratization rests upon inaccurate communication between the ministers and the authorities of PKA in last couple of years that resulted in the means being gradually transferred to the ends.

The growing role of formal aspect of evaluation in the assessment procedure created a market for professional supply of ready-to-use documents that can easily satisfy requirements of PKA evaluators, regardless of the actual quality of education. In the interviews that facilitated this study, we have been informed that there are private higher education institutions that purchase such services. Such decoupling of assessment process from the education process might be the largest side effect, and it posits a great challenge for coming years. In our view, it is up to the authorities of PKA to change the style of assessment, rather than an issue of adapting legislation. The structural reform reaches a critical period in which its long-term goals can be misled and undermined by the old foe of bureaucratic drift.

Nevertheless, without any doubt the structural reforms that produced the new accreditation culture designed to be used by PKA should be seen in a positive prism. Through a new body, the higher education system as a whole came under much closer state scrutiny and also it became publically accountable. This applied equally to both sectors, although the private sector – due its inclination to compromise quality of education – remains in the spotlight. In addition, the labour market received a signal that teaching quality has become an important issue for public authorities. Also, the private sector got the positive impulse that the state supports excellence in teaching quality, regardless of the sector of higher education. Last but not the least, the focus of academics from the public sector could be gradually redirected towards their original public institutions, and they would have more time and more energy for research activities.

Conclusions

The reform which is generally seen as a success story could be implemented mostly because of widespread understanding that the issue of quality of education should be addressed on policy level. The government was aware of several parallel processes, with powerful negative consequences for the higher education system as a whole, for the labour market and for the value of higher education credentials, for students enrolled in the private sector, for academics from the public sector holding multiple (full-time) employment and for national research output. These processes were highly interlinked and one of the ways to solve the problem of the unregulated privates with so many parallel negative consequences was to focus on quality assurance. The scale of irregularities and their media coverage, combined with pressures to Europeanize higher education in the late 1990s, led to a social and political change of mood. The creation of PKA became finally possible and the private sector came under (some, still rather weak) state control.

The widespread understanding of inevitability of establishing a body that would curb uncontrolled expansion of fee-based programmes in (mostly private) higher education that provide dubious quality was widespread not only among policy actors but also among politicians. So the reforms were not politicized by the political parties, neither in the Parliament and its Commission on Education, Science and Youth nor outside in the national political discourse. Furthermore, the reform came to the fore at the right time as it linked into wider process of Europeanization

and there were ongoing efforts to negotiate efficiently, with intentions to close all chapters of the EU accession negotiations. There is no doubt that it helped to build consensus and the depoliticization of the reform was one of its key success factors.

Note

1. To avoid confusion, PKA was initially named 'State Accreditation Committee' but in 2011 it was renamed to Polish Accreditation Committee, although in Polish the abbreviation remains the same (PKA).

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