

Conclusions. The conducted research confirmed that the undertaken issues are topical, interesting, important and necessary both for the theory of law and the practice of judicial application of law. There is a noticeable increase in the role of Article 5 of the Civil Code and Article 8 of the Labour Code in the decision-making processes of judicial application of the law. The clauses, enjoy ‘universal applicability’ and the practice of their application is becoming ‘bolder’.

The repetition that occurs between these provisions is a legitimate and intended legislative action. The repetition makes it possible to give different normative meanings to equivalent general clauses in the process of judicial application of the law. Normative acts such as the Civil Code and the Labour Code are extensive in nature. It is precisely their broad normative approach that determines the need for repetition, so that in the practice of applying the law there are no doubts as to the scope and use of the clauses.

Key words: Application of the law, general clauses, principles of comity, social and economic purpose of the law

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PROBLEMS OF ENSURING ACADEMIC INTEGRITY IN HIGHER EDUCATION INSTITUTIONS IN UKRAINE

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Introduction. The study is conditioned by the need to highlight the problems of ensuring academic integrity in higher education institutions of Ukraine and to offer prospects for their solution.

Materials and Methods. The study uses the dialectical method to assess phenomena in their dynamic development and the

comparative legal method to analyse legislation and identify common and distinctive provisions.

Results. Today, domestic higher education institutions are integrating into the international educational space. This involves not only an increase in the percentage of foreign students or the unification of educational programmes, but also the participation of Ukrainian higher education institutions in international rankings. Compliance with European standards requires the national higher education system to adapt and improve its legislation. In particular, this concerns the observance of academic integrity and liability for its violation.

It should be recalled that the regulatory framework for academic integrity in Ukraine is made up of the following legislative acts: The Constitution of Ukraine of 28.06.1996, the Law of Ukraine “On Education” of 05.09.2017 and the Law of Ukraine “On Higher Education” of 01.07.2014. Despite these legislative acts, the responsibility for violation of the norms and rules of academic integrity has not yet been properly enshrined. In other words, there are no effective legal means of liability for violations of academic integrity in Ukraine. This leads to numerous problems that reduce the quality of the educational process and negatively affect the image of the national education system.

It is worth noting that according to the Law of Ukraine “On Education”, academic integrity is a set of ethical principles and rules established by law that should guide participants in the educational process during learning, teaching and conducting scientific (creative) activities in order to ensure confidence in learning outcomes and/or scientific (creative) achievements (On Education, 2024, art. 42).

Manifestations of academic dishonesty include: academic plagiarism; self-plagiarism; fabrication; falsification; cheating; deception; bribery; biased assessment; providing students with assistance or creating obstacles not provided for by the conditions and/or procedures for such assessment; influence in any form (request, persuasion, instruction, threat, coercion, etc.) on a pedagogical (scientific and pedagogical) employee in order to carry out biased assessment of learning outcomes.

For these violations, academic staff may be subject to academic and disciplinary liability. Unfortunately, such violations of academic integrity as writing scientific and methodological papers to order, artificially increasing citations, using artificial intelligence technologies, paid publications in journals included in international scientometric databases, etc. were left out.

Conclusion. The solution to these problems is seen as possible through the introduction of administrative and criminal liability for certain types of violations of academic integrity. We are convinced that legal liability will become an effective means of legal regulation of relations regarding the observance of academic integrity in higher education institutions in Ukraine. This will gradually raise the prestige of the national higher education system in the European educational and scientific environment.

References

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Key words: academic integrity, regulatory framework, higher education, legal responsibility.