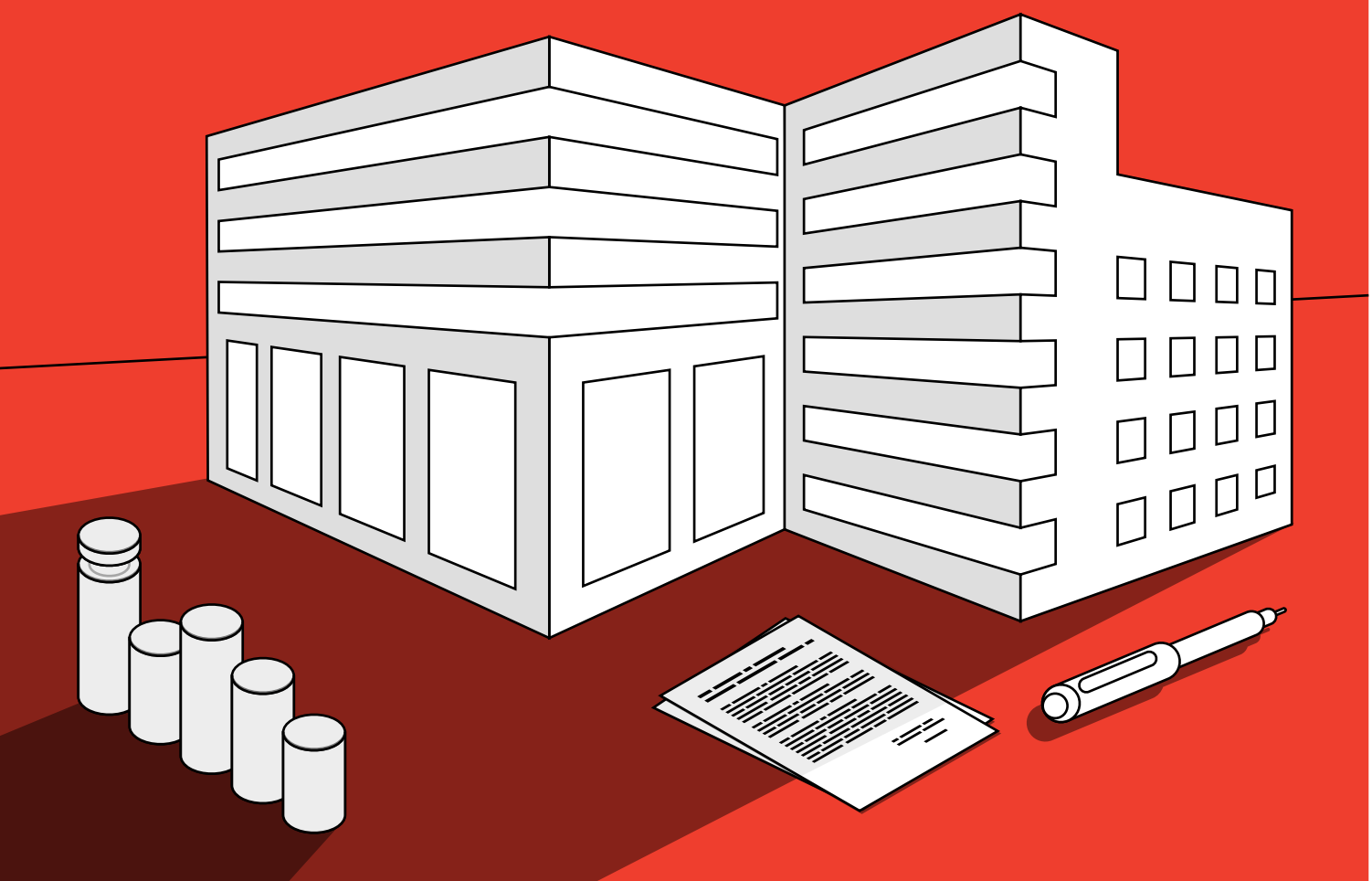
QAINT
Quality, Accountability, Integrity and Transparency in Higher Education

ORCA
organizata për rritjen e cilësisë në arsim

PRISHTINA, APRIL 2022

MONITORING REPORT OF THE STATE QUALITY COUNCIL IN THE KOSOVO ACCREDITATION AGENCY 3



MONITORING REPORT OF THE STATE QUALITY COUNCIL IN THE KOSOVO ACCREDITATION AGENCY 3

PRISHTINA, APRIL 2022

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“Our Father, who art in heaven, give us the power to keep our mouths shut when we have nothing to say. And forgive us the patience to think before we write! Inspire us with a sharp sense of justice to speak not only without bias, but to also act thus! Save us from the traps of grammar, distortions of language and errors of typing. Amen!”

[Faik Konica]

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ABBREVIATIONS AND DEFINITIONS

- **KAA –** The Kosovo Accreditation Agency, is an independent agency whose primary mission is the evaluation and accreditation of higher education institutions and their study programs
- **SQC –** The State Quality Council is a policymaking authority and the decision taking authority in KAA; it is comprised of nine members, three of which are international
- **HEI –** Higher Education Institution
- **Accreditation –** Formal recognition that a higher education institution and its study programs fulfil internationally recognized quality standards, through which the official status of a higher education institution and its study programs is set for a period of time
- **ENQA –** European Association for Quality Assurance in Higher Education
- **EQAR -** European Quality Assurance Register in Higher Education
- **Institution –** Any institution or other authority authorized to offer educational services in higher education
- **Public institution –** Institution founded by the government of the Republic of Kosovo
- **Program –** Study program that leads to a qualification or a diploma, that is given by a higher education institution
- **Appeals Commission –** The authority which treats and reviews the appeals submitted against the SCQ decisions, comprised of three permanent and two reserve members.
- **MESTI –** Ministry of Education, Science, Technology, and Innovation

INTRODUCTION

The Kosovo Accreditation Agency and the State Quality council have continued with their attempts to re-join European Association for Quality Assurance in Higher Education (ENQA) and the European Quality Assurance Register in Higher Education (EQAR).

During 2021, these two bodies had taken decisions and activities that contribute directly to the quality of higher education institutions and their study programs, which directly impact all the stakeholders and the higher education context in general in our country.

This report is the result of the monitoring of the work of the State Quality council (SQC) in the Kosovo Accreditation Agency (KAA) during 2021. ORCA has participated in the meetings held by the SQC, through which we were informed about the challenges they face during their work, the board and the KAA in general.

The Kosovo Accreditation Agency has continued the process of accrediting all higher education institutions both public and private through online platforms, because of difficulties in bringing international experts in Kosovo, as a result of the Covid-19 pandemic.

Improved functioning and higher efficacy in decision-making processes for accrediting institutions and programs can be achieved only through ensuring the complete independence of this agency through the new law on the Kosovo Accreditation Agency.

This way the indirect influence of politics through Ministers of Education or other public officials, as has happened in the past, would become impossible.

DECISIONS OF THE STATE QUALITY COUNCIL (SQC)

During 2021, 11 higher education institutions (HEI-s) were in the process of institutional accreditation. 9 of them were private institutions, and 2 were public.

In this process, four private colleges failed to obtain institutional accreditation. Specifically, Cacttus Education, Globus College, UBT College – Gjilan, and Universi College, failed to obtain institutional accreditation. In comparison, in 2020, 9 public HEIs and 12 private HEIs had institutional accreditation, while 10 private HEIs did not have institutional accreditation that year.

The number of study programs with accreditation in 2021 in public HEIs was 227, and 171 in private HEIs. In comparison, the number of study programs with accreditation during 2020 was 233 in public HEIs and 128 in private HEIs.

During 2021, a total of 31 study programs were denied accreditation, 16 of which in public HEIs, and 15 in private HEIs.

In comparison, in 2020, there were a total of 12 negative decisions from the SQC for accreditation of programs and institutions, where 8 decisions were for institutional accreditation of private HEIs, and 4 were for study programs in private HEIs.

In that time, the SQC had given institutional accreditation to four higher education institutions, 1 private and 3 public. In the meantime, they did not give institutional accreditation to four private HEIs.

Amongst them were FAMA College, Iliria College, and Tempulli College, who had failed for the second time to obtain institutional accreditation.

According to the Law on Higher Education in the Republic of Kosovo[1], Article 14 'Licensing higher education institutions', in point 4 and 6 it says that a primary condition for licensing higher education institutions is accreditation from the Kosovo Accreditation Agency (KAA) and that the institution will be considered licensed unless they fail to fulfil the KAA standards for institutional accreditation.

While the Administrative Instruction on the Accreditation of Higher Education Institutions in the Republic of Kosovo[2], Article 18 'Accreditation Decision', point 11 says that if a higher education institution fails to get reaccreditation on the second try, the KAA will inform MESTI to proceed with the withdrawal of this institution's license.

1 Law on Higher Education in the Republic of Kosovo, September 2011, link: https://gzk.rks-gov.net/ActDetail.aspx-?ActID=2761

2 Administrative Instruction for Accreditation of Higher Education Institutions in The Republic of Kosova - First Part, October 2018, link: https://gzk.rks-gov.net/ActDetail.aspx?ActID=17952

INSTITUTIONS WITH AND WITHOUT INSTITUTIONAL ACCREDITATION



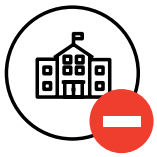
With accreditation:



Without accreditation:

- University of Prishtina “Hasan Prishtina”
- University of Mitrovica “Isa Boletini”
- University of Peja “Haxhi Zeka”
- University of Prizren “Ukshin Hoti”
- University of Applied Sciences in Ferizaj
- University of Gjakova “Fehmi Agani”
- University of Gjilan “Kadri Zeka”
- Kosovo Academy for Public Security
- Faculty of Islamic Studies

PRIVATE HIGHER EDUCATION INSTITUTIONS

 **With accreditation:**	 **Without accreditation:**
AAB College	Fama College
AUK	Globus College
Biznesi College	Iliria College
Dardania College	Juridica College
ESLG College	Kosovo Art Academy
Evolucion Academy	Dukagjini College
International Business College Mitrovica (IBC-M)	Universi College
ISPE College	Arbëri College
Heimerer College	
"Pjetër Budi" College	
Rezonanca College	
Riinvest College	
Tempulli Academy (Tempulli College)	
UBT College	
Universum College	

ACCREDITED STUDY PROGRAMS IN HIGHER EDUCATION INSTITUTIONS

STUDY PROGRAMS ACCREDITED IN PUBLIC HEIS ACCORDING TO STUDY LEVELS[3] ARE AS FOLLOWS;

The State Quality Council has accredited 120 Bachelor level programs: 48 of which are Bachelor of Arts, 64 are Bachelor of Sciences, 3 are Bachelor of Arts (professional), 3 are Bachelor of Law, 2 are Bachelor of music. This council also accredited three medical programs as well, 1 is Doctor of Veterinary Medicine (integrated), 1 is Doctor of Dental Medicine (Integrated), and 1 is Doctor of Medicine (Integrated).

In the Master level, the SQC has accredited 92 study programs: 27 of Master of Arts, 52 of Master of Sciences, 1 of Master of Arts (professional), 9 of Master of Law, 2 of Master of Music, and 1 of Master of Public Health (integrated).

In the PhD level, the SCQ has accredited 7 programs, and in Doctor of Science2 programs were accredited. If we compare the data to the previous year's monitoring report[4], this time they have accredited 47 more programs in 9 public HEIs than in 15 private HEIs.

In 2020, in public HEIs there were 121 Bachelor level accredited programs, 91 in Master level, 14 in Doctorate, and 5 in Doctor of Science. And in 2021, there were no significant changes on the number of accredited programs in the Bachelor or Master level.

3 List of accredited programs in public and private HEIs, 2021/22, link: https://akreditimi.rks-gov.net/wp-content/uploads/2020/10/Programet-e-Akredituara-2021-2022.pdf
4 "State Council of Quality Monitoring Report 2", February 2021, link: http://orca-ks.org/wp-content/uploads/2021/02/SQC-Monitoring-Report-2.pdf

STUDY PROGRAMS ACCREDITED IN PRIVATE HEIS ACCORDING TO STUDY LEVEL[5] ARE AS FOLLOWS;

The SCQ has accredited a total of 113 Bachelor level programs: 48 of which are Bachelor of Arts, 49 are Bachelor of Sciences, 7 are Bachelor of Arts (Professional), 5 of Professional Bachelors, and 7 of Bachelor of Law. This council also accredited 3 medical programs: 2 of Doctor of Dental Medicine, and one of Doctor of Dental Medicine (Integrated).

In the master level, the SCQ accredited 58 programs, 24 of which are Masters of Arts, 25 are Masters of Sciences, 1 is Master of Arts (Professional), 7 are Masters of Law, and 1 is Master of Public Health.

The number of accredited programs in 2021 has increased for 47 programs in private HEIs. In comparison, in 2020 there were 87 accredited bachelor programs, and 40 master programs.

5 List of accredited programs in public and private HEIs, 2021/22, link: https://akreditimi.rks-gov.net/wp-content/uploads/2020/10/Programet-e-Akredituara-2021-2022.pdf

NUMBER OF STUDY PROGRAMS ACCREDITED IN HEIS

Type of diploma	Public	Private	Total
Bachelor of Arts	48	48	96
Bachelor of Sciences	64	49	113
Bachelor of Arts (Professional)	3	7	10
Professional Bachelor	0	5	5
Bachelor of Law	3	7	10
Bachelor of Music	2	0	2
Doctor of Medicine (integrated)	1	0	1
Doctor of Dental Medicine (integrated)	1	1	2
Doctor of Dental Medicine	0	2	2
Doctor of Veterinary Medicine (integrated)	1	0	1
Master of Arts	27	24	51
Master of Sciences	52	25	77
Master of Arts (Professional)	1	1	2
Professional Master	0	0	0
Master of Law	9	7	16
Master of Music	2	0	2
Master of Public Health	0	1	1
Master of Public Health (integrated)	1	0	1
Doctorate	7	0	7
Doctor of Science	2	0	2
TOTAL	**224**	**177**	**401**

EVALUATION OF HIGHER EDUCATION INSTITUTIONS BY THE KOSOVO ACCREDITATION AGENCY

The international experts conducted the evaluation for institutional accreditation for 11 Higher Education Institutions (HEIs), where nine of them were private HEIs and two were public.

Among these HEIs, seven were accredited and four were not:

Public HEIs:	Private HEIs:
University of Gjakova *Accredited for three years*	Biznesi College – Branch in Prishtina – *Accredited for three years*
University of Gjilan *Accredited for three years*	Biznesi College – Branch in Prizren – *Accredited for three years*
	Cacttus Education – *Not accredited*
	Globus College – *Not accredited*
	Pjetër Budi College – *Accredited for three years*
	Tempulli Academy (Tempulli College) – *Accredited for three years*
	UBT College – Branch in Gjilan – *Not accredited*
	UBT College – Branch in Peja – *Accredited for three years*
	Universi College – *Not accredited*

Because of the extraordinary health circumstances caused by COVID-19, the State Quality Council had decided to allow the KAA to conduct the process of accreditation in distance. This was allowed by the Ministry of Education and Science through decision no. ref. 35/01B.

The evaluation process was partially online, since in every visit to the higher education institutions there were two representatives of the agency present. 81 experts were engaged for evaluations of institutions, and they conducted 85 visits in HEIs.

In visits to HEI, the representatives of the agency and the team of experts conducted meetings with the management of the institution, officials of quality assurance, heads of study programs, and teaching staff. They also met with students, graduates, and employers of the graduates. After these meetings, there were internal meetings among the team of experts and the KAA. The visit was concluded with a meeting with the management of the institution.

Since the experts were not physically present in the HEI buildings, the verification of the spaces and equipment was done through videos provided by the HEIs. The team of international experts reviewed all the materials, including the self-evaluation reports of the institutions, asked for extra documents, and in the end compiled a draft report. After addressing comments in the report, the experts filed the final report in the KAA.

THE EUROPEAN COMMISSION REPORT ON KOSOVO

In October 2021, the European Commission published its annual report on Kosovo[6], where they also spoke of the progress of the Kosovo Accreditation Agency.

This report emphasized that the Kosovo Accreditation Agency and the State Quality council have continued with their attempts to re-join European Association for Quality Assurance in Higher Education (ENQA) and the European Quality Assurance Register in Higher Education (EQAR).

They noted that the capacities of the agency had increased with four new officials in 2020, and that during 2021 they had opened eight new positions. Further they said that the agency managed to successfully finish the full cycle of accreditations for the academic year 2021-2022, lowering the number of programs and institutions accredited, based on quality criteria.

They also emphasized that the new SQC members were appointed through transparent procedures.

6 European Commission Kosovo 2021 Report, October 2021, page 93, link: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-10/Kosovo%202021%20report.PDF

APPEALS COMMISSION

NONFUNCTIONING OF THE APPEALS COMMISSION

In November 2021, the head of the Appeals Commission in the Kosovo Accreditation Agency resigned for personal reasons, and since then this commission has been non-functional.

Since in July of the previous year, another member of this commission had resigned following a public post appointment, this commission had only one other permanent member and a reserve one.

In September 2020, the Kosovo Accreditation Agency appointed five members in the Appeals Commission (AC)[7].

Three of them are permanent members and two are alternative members. The permanent members were Faton Merovci, Muhamet Qerimi and Krenare Sogojeva Dërmaku, while the alternative members were Bujar Pira and Haki Demolli.

7 News article/The Appeals Commission of the Kosovo Accreditation Agency is established, September 2020, link: https://kallxo.com/News Article/dokument-themelohet-komisioni-i-ankesave-i-agjencise-se-akreditimit/

THE CHALLENGES OF THE KOSOVO ACCREDITATION AGENCY AND THE STATE QUALITY COUNCIL

RESIGNATIONS OF INTERNATIONAL MEMBERS OF THE SQC

In February 2021, three international members of the State Quality Council, Jeff Butel, Herb Amato and Magdalena Ziolo resigned from their positions they had held since 2018. The reason behind this resignation was the request of the Anti-corruption Agency to implement the Law on Asset Declarations[8], which obligates all public officials to declare their assets.

Further in June of the same year, the Kosovo Parliament appointed seven new local and international members, Hasnija Ilazi, Krenare Pireva-Nuçi, Seb Bytyçi, Gëzim Tosuni, Alison Felce, Cassie Barnhardt and Werner Stueber with a five-year mandate[9].

However, without a month going by since their appointment, the international members offered their resignations after they were asked to declare their assets. According to them, it wasn't just about the declaration of assets but the publication of that information[10].

In October 2021, the Kosovo Parliament appointed Klemen Miklavic as an international member of the State Quality Council, and the board was functionalized.[11]

8 Law on declaration, origin and control of property of senior public officials and on declaration, origin and control of gifts of all public officials, September 2011, link: https://gzk.rks-gov.net/ActDetail.aspx?ActID=2767
9 News article/Amongst spats the Kosovo Parliament appoints the new members of the SQC, June 2021, link: https://kallxo.com/News Article/mes-polemikash-kuvendi-i-kosoves-emeron-anetaret-e-rinj-te-kshc-se/
10 News Article/ The old tradition of resignations of the international members of the SQC, July 2021, link: https://kallxo.com/News Article/avazi-i-vjeter-i-doreheqjeve-te-anetareve-nderkombetare-te-kshc-se/
11 News Article/ The international member of the State Quality Council is appointed, October 2021, link: https://kallxo.com/News Article/emerohet-anetari-nderkombetar-i-keshillit-shteteror-te-cilesise/

PRESSURE FROM THE HEAD OF THE PARLIAMENTARY COMMISSION ON EDUCATION

In the State Quality Council reporting to the Parliamentary Commission for Education, they discussed about the decision for new accreditation standards. The head of the Parliamentary Commission on Education insisted several times to know the name of the member of the council that had proposed the new accreditation standards, emphasizing that that decision had judicial impact and that according to him, there was no legal basis for this decision[12]. He had also asked from the director of the Kosovo Accreditation Agency to send him the minutes of the meeting of the SQC where these additional criteria were decided.

In the meantime, the Rectors' Conference had asked from this council to postpone the application of these standards for an additional year, so they can do the necessary adjustments within their institutions[13].

The State Quality Council had further decided that the new criteria for accreditation would only apply to new program and not the ones that are in re-accreditation processes. In this way, they gave time to all higher education institutions in Kosovo to reallocate academic staff within institutions in study programs.

Meanwhile the programs that are in the process of re-accreditation will be subject to the new standards starting from 2022.

The State Quality Council, in September 2021 decided to add to the Manual of Accreditation, adding among others two points regarding scientific research and academic ranks of the program staff of Bachelor and Master levels[14].

According to this decision, from October 1, 2021, apart from criteria established by the AI for Accreditation, the program staff that are part of the accreditation process for Ba/BSc levels must have at least one scientific paper indexed in the study field/program, while in the Ma/MSc level they must have at least two papers in their study field/program in

12 News Article/ The SQC reports in the education commission: No accreditation without scientific publications, September 2021, link: https://kallxo.com/News Article/kshc-raporton-ne-komisionin-per-arsim-ska-akreditim-pa-publikime-shkencore/
13 News Article/ Rectors' conference asks that the deadlines are postponed for the additional criteria for program accreditation, September 2021, link: https://kallxo.com/News Article/konferenca-e-rektoreve-kerkon-qe-te-shtyhen-afatet-e-kritereve-shtese-per-akreditim-te-programeve/
14 Decision for supplementing the Basic Principles of the Manual for Accreditation, September 2021, link: https://akreditimi.rks-gov.net/wp-content/uploads/2020/10/3236-21-Vendim-i-Plotesuar-i-KSHC.pdf

scientific journals indexed in Scopus or Web of Science, as first or corresponding authors, excluding predatory journals or publishers.

From October 1, 2022, apart from criteria established by the AI for Accreditation, the program staff that are part of the accreditation process for Ba/BSc levels must be at least Assistant Professor and have at least one scientific paper indexed in the study field/program, while in the Ma/MSc level they must be at least Assistant Professor and have at least two papers in their study field/program in scientific journals indexed in Scopus or Web of Science, as first or corresponding authors, excluding predatory journals or publishers.

TRANSFER OF STUDENTS IN COMPLETELY DIFFERENT PROGRAMS

The Kosovo Accreditation Agency director had denounced the illegal transfers of students in study programs in a letter addressed to the at-the-time Prime Minister of Kosovo, Avdullah Hoti[15].

Based on that letter, the private higher education institutions were transferring students from one program to the other even though the programs were not similar at all and had substantial or essential differences, and this was happening because of the limited quotas of registration in different programs.

He showed an example of a student who had registered in Graphic Design bachelor level, had followed the lectures of the Nursing program in Bachelor level, and then on the second year had transferred from the Graphic Design program to the Nursing program, even though these programs have zero similarities between them.

According to him, this was made possible through the help of the Higher Education department within the Ministry of Education.

15 News Article/ The director of the Accreditation Agency denounces the illegal transfers of students in programs, January 2021, link: https://kallxo.com/News Article/drejtori-i-agjencise-se-akreditimit-denocon-transferet-e-paligjshme-te-studenteve-ne-programe/

LAW ON THE KOSOVO ACCREDITATION AGENCY

One of the 13 recommendations of the European Association for Quality Assurance in Higher Education (ENQA) was to create a law that would regulate the work and the functions of the Kosovo Accreditation Agency, and at the same time ensure its independency and the implementation of the European Standards and Guidelines of Quality Assurance in Higher Education.

In December 2021, the Kosovo government approved the draft-law on the Kosovo Accreditation Agency which regulates the status of the Agency as a regulatory agency in the processes and responsibilities of accreditation, reaccreditation, validation, and monitoring.

This draft-law is going through the necessary review phases before it is approved by the Kosovo Parliament.

LAWSUITS OF HIGHER EDUCATION INSTITUTIONS AGAINST THE KOSOVO ACCREDITATION AGENCY

During 2021, the Kosovo Accreditation Agency has accepted a total of 12 lawsuits from various public and private higher education institutions, which were initiated in 2018, 2019, 2020 and 2021. All the cases were won by the Kosovo Accreditation Agency.

LACK OF DATABASE FOR THE LABOUR MARKET NEEDS

With the help of donors, the Kosovo Accreditation Agency published a thematic analysis in 2021, titled "Preparation of the Kosovar Graduates for the Labour market – Employer and Alumni Perspective"[16],through which they aimed to understand the needs and expectations of the employers and the skills of the Kosovar graduates of public and private HEIs.

16 Thematic Analysis Preparation of the Kosovar Graduates for the Labour market – Employer and Alumni Perspective", link: https://drive.google.com/file/d/11KykenlcT5y0IjmvQjyEbP26xGQYPbuP/view

However, there is still no database from the Ministry of Education[17], Ministry of Finances, Labour and Transfers[18], Kosovo Agency of Accreditation[19], Kosovo Agency of Statistics[20] and the Employment Agency[21], which analyses and reveals the labour market needs in Kosovo.

This type of information could be published in the official website of the Kosovo Accreditation Agency, where students interested in pursuing higher education could be informed and oriented on the programs that are needed in the labour market. It would also serve as a guideline for the State Quality Council during the process of accreditation of study programs.

LACK OF INFORMATION EXCHANGE FOR ACADEMIC STAFF IN THE REGIONAL LEVEL

A database on the academic staff in accredited institutions within the country and abroad is necessary, which would serve for information of private and public higher education institutions in order to make it impossible for professors to have full time contracts in more than one higher education institution, in different countries.

17 Official website of the Ministry of Education, Science, Technology, and Innovation in the Republic of Kosovo, link: https://masht.rks-gov.net/
18 Official website of the Ministry of Finances, Labour, and Transfers in the Republic of Kosovo, link: https://mf.rks-gov.net/page.aspx?id=1,1
19 Official website of the Kosovo Accreditation Agency, link: http://www.akreditimi-ks.org/new/index.php/sq/
20 Official website of the Agency of Statistics in the Republic of Kosovo, link: https://ask.rks-gov.net/
21 Official website of the Agency for Employment in the Republic of Kosovo, link: https://aprk.rks-gov.net/

LACK OF STAFF IN THE AGENCY

Currently the KAA functions through eight officials, apart from the director of the KAA, but according to the agency they need an additional eight. The agency does not have a legal officer, and they need additional officers for monitoring, accreditation, and evaluation.

According to the *Law on budget for 2021*[22], the Kosovo Accreditation Agency has budget for 32 positions, similarly to the 2020 budget. They expect that during 2022, they will employ 18 additional officers.[23]

Administrative difficulties in recruitment, criteria, the quality of evaluation of cases, and many others, have made it impossible for the KAA to complete its necessary staff, and as a result they cannot start the monitoring to the HEIs.

As a result of lack of staff, the KAA currently looks at the minimal criteria for accrediting study programs and institutional accreditation. So, they only look at the professor-student ratio, number of equipment, and the buildings of the HEIs.

While the KAA is supposed to also review the scientific work of the institutions, the policies of academic staff development, internal organizations and the HEIs approach to quality assurance, monitoring the progress of students and more.

22 Law on the budget appropriations of the Republic of Kosovo for year 2021, link: https://gzk.rks-gov.net/ActDetail.aspx?ActID=36153

23 Përmbledhje e aktiviteteve kryesore të Agjencisë së Kosovës për Akreditim (AKA) gjatë vitit 2021, linku: https://akreditimi.rks-gov.net/wp-content/uploads/2022/02/22.01.2022-Conference-Annual-Report-Description-ALB.pdf

LACK OF MONITORING OF HIGHER EDUCATION INSTITUTIONS

One of the recommendations of the European Association for Quality Assurance in Higher Education (ENQA) is the approval and functionalization of the Methodology of Monitoring of Higher Education Institutions in Kosovo.

The monitoring methodology fulfils the Standard 2.3 of the European Standards and Guidelines for Quality Assurance in Higher Education (ESG), which requires the quality assurance agencies to complete the cycle of accreditation with follow-up procedures that aim to continuously improve the quality of higher education institutions.

Monitoring is a formal process that should be done by the Kosovo Accreditation Agency (KAA), through which they can verify if the higher education institutions are implementing the recommendations of the international experts and maintaining the standards through which they were accredited.

This component of the Kosovo Accreditation Agency was not active in 2021 either, and the lack of proper monitoring by the KAA for HEIs they accredit was evident throughout the years.

Through QAINT project funded by the Austrian Development Agency (ADA), the Kosovo Accreditation Agency worked on an initial draft of the monitoring methodology of higher education institutions, which was not approved by the previous board.

But with the appointment of the new members of the SQC and the new director of the KAA, this document was approved in February 2022.

RECOMMENDATIONS

The Kosovo Accreditation Agency needs to recruit more staff that is necessary for the administrative processes conducted in the agency.

Monitoring of higher education institutions in Kosovo, is one of the components of this agency that has not started implementation yet, and this leaves loopholes for defraud of students by the higher education institutions that operate in our country.

It is very important that the agency starts the necessary preparations and starts the monitoring of these institutions, to prevent the deception of students and to start taking measures against those higher education institutions that surpass or violate the conditions for which they received institutional or program accreditation.

It is of utmost importance the approval of the Law on the Kosovo Accreditation Agency, which would guarantee the independence of the accreditation process from indirect interferences of education ministers, thus far allowed to happen through Administrative Instructions.

The State Quality Council has the necessary members through which the decisions can be considered legitimate despite the challenges they faced with the resignations of the international members[24], but this body should focus on creating new policies, in order for higher education in Kosovo to be based in labour market needs, and to continuously improve the quality so that the graduates can be prepared with the necessary skills for labour.

The agency is expecting a decision after the evaluation for the re-membership in the European Association for Quality Assurance in Higher Education (ENQA) and the European Quality Assurance Register for Higher Education (EQAR).

24 Note: The three international members Alison Felce, Cassie Barnhardt and Werner Stueber resigned from their positions in the SQC, as a result of the request of the Anti-corruption Agency that they declare their assets. The same reason was provided by the previous international members (Jeff Butel, Herb Amato and Magdalena Ziolo) when they resigned.

In order to achieve the re-membership in these two important institutions for the Kosovo Accreditation Agency and higher education in general, they must keep up with their work in improving the quality of higher education and prevent any type of political or other influence which would damage this process.

It is very important that this agency cooperates with relevant institutions in order to analyse the labour market, so that the State Quality Council is based on data for their decisions for accreditations of programs in higher education institutions in Kosovo.

WHAT IS THE KOSOVO ACCREDITATION AGENCY AND THE STATE QUALITY COUNCIL?

The Kosovo Accreditation Agency (KAA) is an independent agency, and its primary mission is the evaluation and accreditation of higher education institutions and their study programs.

The agency is responsible for the process of accreditation of higher education institutions in Kosovo, it establishes the standards and compiles its procedures for quality assurance in accordance with local legislation and international standards for quality in higher education.

The KAA is composed by its board – State Quality Council (SQC), which is a policymaking and decision-making authority, and its permanent administrative structure of the KAA.

The State Quality Council is composed of seven members, six of which are local: Hasnije Ilazi, Dukagjin Zeka, Rozafa Koliqi, Krenare Pireva-Nuçi, Gëzim Tosuni, Seb Bytyçi, and an international member, Klemen Miklavic. The members of the SQC are approved by the Kosovo Parliament and have mandates of three to five years.

The SCQ decides on accreditation with the majority of votes of the general number of its members, but no decision for accreditation/reaccreditation can be taken without the presence of at least one international member.

LEGISLATION

In December 2021, the Kosovo government has proposed the draft-law on the Kosovo Accreditation Agency[25] which was then distributed to the members of parliament and published on the Parliament's official website for further procedures. This draft-law has been approved in the first reading in Parliament and is on track with other necessary procedures.

The Kosovo Accreditation Agency currently works based on the *Law on Higher Education in the Republic of Kosovos*[26], concretely on Article 7 'Kosovo Accreditation Agency', where it is clarified that the KAA is an independent agency responsible for evaluating and promoting quality in higher education in Kosovo, and that it ensures the standards and quality of higher education fulfils the criteria and expectations of the European Association for Quality Assurance in Higher Education.

The KAA is responsible for inspecting higher education institutions and coordinating with the Ministry of Education about the giving, changing or cancelling of licenses, periodical inspections on the quality of the licensed HEIs and taking decisions about their accreditation or reaccreditation, periodic evaluation of the quality of the programs offered by the accredited institutions, and declaring the policies, criteria and standards for accreditation.

The Administrative Instruction for Accreditation of Higher Education Institutions in the Republic of Kosovos[27], determines the competences of the Kosovo Accreditation Agency, the request and procedures for the accreditation of the higher education institutions and their study programs.

The KAA also functions with the *Regulation on the work of the State Council of Quality (SCQ)*[28], through which the functioning, composition, decision-making procedure, duties and the manner of work (calling meetings, holding meetings, manner of decision-making)

25 Draft-law on the Kosovo Accreditation Agency, December 2021, link: https://www.kuvendikosoves.org/shq/projektligjet/projektligji/?draftlaw=348#info-div
26 Law on Higher Education in the Republic of Kosovo, September 2011, Link: http://www.akreditimi-ks.org/docs/LawRegulation/Ligji_AL_RKS_04_L_037.pdf
27 Administrative Instruction for Accreditation of Higher Education Institutions in The Republic of Kosova - First Part, October 2018, link: https://masht.rks-gov.net/uploads/2018/10/ilovepdf-merged.pdf
28 Regulation on the work of the State Council of Quality, June 2018, link: https://drive.google.com/file/d/0B7etG-3bh-SBVVkt4T2J5bmZuOTdYVFN4bFZmMnFwakx3Z0tR/view

of this council are established. In article 7 of this regulation, 'Responsibilities and functions of the SCQ', it says that the SCQ established the primary objectives and deadlines for the process of evaluating higher education institutions (HEIs), it approves the standards, procedures and criteria for external evaluation of HEIs compiled by KAA.

This council also compiles and approves the statute of the KAA, the regulations and other needed documents for the functioning of the Agency.

In the *'Regulation for the work of the Appeals Commission'*[29], the rules and procedures for reviewing appeals, how work, organization and competences of the Appeals Commission are regulated are established. Article 4 of this regulation, *'The right to appeals'*, clarifies that the parties can file appeals if the decision is taken as a result of a violation of dispositions related to the procedure of the decision making of the SCQ, in case of the wrongful implementation of the law or rules applicable and if the decision is not based on presented facts and evidence.

In the *Administrative Instruction on amendment and supplement of administrative instruction no.15/2018 "on accreditation of higher education institutions in the Republic of Kosovo*[30], in article 2, the part where it says that HEIs whose institutional or program accreditation was withdrawn or rejected, can reapply within 90 days of the final decision, was added. This amendment also allows KAA to verify the HEI data at any time, even if the HEIs are not being reviewed for accreditation or reaccreditation.

While in *Administrative Instruction no 13/2019 for change and fulfilment of the administrative instruction 08/2019 for fulfilment and change of administrative instruction 15/2018 for the accreditation of the higher education institutions in Republic of Kosovoë*[31], they added that the academic staff declared within an institution within the legal deadline and those who are not declared in any HEI, have the right to reapply within 90 days after receiving the final rejecting decision.

29 Regulation on the work of the Appeals Commission, 2019, link: http://akreditimi-ks.org/docs/LawRegulation/Rregullorja_e_komisionit_te_ankesave.pdf

30 Administrative Instruction on Amendment and Supplement of Administrative Instruction on Accreditation of Higher Education Institutions in the Republic of Kosova, August 2019, link: https://masht.rks-gov.net/uploads/2019/05/ua-masht-08-2019-per-ndryshim-dhe-plotesim-te-ua-nr-15-18.pdf

31 Administrative Instruction no 13/2019 for change and fulfilment of the administrative instruction 08/2019 for fulfilment and change of administrative instruction 15/2018 for the accreditation of the higher education institutions in Republic of Kosovo, July 2019, link: https://masht.rks-gov.net/uploads/2019/07/4dd5f6a7-x.pdf

ACCREDITATION/ REACCREDITATION AND WITHDRAWAL OF ACCREDITATION PROCESS

Accreditation can be given to an institution of higher education, a study program, a department, or study programs that are given in that department and recognition of valid international accreditation. The request for accreditation can be made by the HEI itself, for the institutional and program accreditations, by the Ministry of Education (MEST) and the State Council of Quality (SCQ) in specific cases.

Each institution which wants to offer higher education in Kosovo goes through initial accreditation, while accredited HEIs go through reaccreditation periodically.

The Higher Education Institution (HEI) which applies for accreditation/reaccreditation, must submit the request for accreditation with the list of academic staff, for which the SCQ must approve each list of academic staff for each study program.

If the preliminary evaluation by SCQ is positive, it implies that the application fulfils the formal criteria according to the legislation in power authorizing the KAA director to start the procedures for evaluating and accrediting. While, if the preliminary evaluation is negative and the SCQ concludes that the application is lacking and does not fulfil the formal criteria, then the SCQ decides to reject the application.

After the approval of the academic staff list and the application, the KAA receives a self-evaluating report from the institution, which is sent to the team of international external evaluators. This team writes an external quality evaluation report for the institution and its study programs, based on the standards and the accreditation guideline, where it offers the final recommendation for reaccreditation or no accreditation. After this report, the SCQ decides for accreditation/reaccreditation or rejection.

The KAA is allowed to consider the applications within a year of accepting the request for accreditation. These applications must be submitted to the Agency no later than October 31.

The initial institutional accreditation is three years and reaccreditation can be no longer than five years, except for cases when the team of external evaluators recommends a different duration, which is approved by the SCQ. Meanwhile, the duration of the reaccreditation of a study program, is three to five years, except for cases where the recommendation says differently.

The KAA can withdraw its decision for accreditation at any time, if the criteria at the time the accreditation was given are violated, if the applicant submitted false information or documents that may have influenced the decision to be accredited, and if the monitoring report by the international evaluators concludes that the recommendations of the external evaluators were not implemented and the factual situation in the situation has negatively impacted quality.

The appeals submitted by the HEIs against the SCQ decisions are treated by the Appeals Commission, which reviews the appeal and issues a decision within 30 days of receiving the appeal.

DISCLAIMER:

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