DECISION
No.424, date 02.6.2010

ON THE APPROVAL OF THE REGULATION OF ACCREDITATION SYSTEM,
ORGANIZATION AND OPERATION OF INSTITUTIONS OF EXTERNAL QUALITY
ASSURANCE

DECISION
No.368, date 14.4.2011

FOR SOME AMENDMENTS AND CHANGES IN DECISION NO. 424, DATE 06/02/2010,
OF THE COUNCIL OF MINISTERS ' ON THE APPROVAL OF THE REGULATION ON
ACCREDITATION SYSTEM, ORGANIZATION AND OPERATION OF INSTITUTIONS OF
EXTERNAL QUALITY ASSURANCE ", AMENDED

Pursuant to article 100 of the Constitution, paragraph 2 of article 60 of Law no.9741,
date 21.5.2007 "On higher education in the Republic of Albania", amended with the
proposal of the Minister of Education and Science, the Council of Ministers

DECIDED:
1. Approval of the Regulation "On the system of accreditation, the organization and
operation of institutions of external quality assurance", according to the text
attached to this decision.
2. Composition, structure, organizational structure and functioning of the Public
Agency for Higher Education Accreditation (PAAHE) and the Accreditation Council
are rearranged within 2 (two) months from the entry into force of this decision.
3. The Public Agency for Higher Education Accreditation has to begin the procedures
for conducting its first internal assessment, as part of the application process to
become a member of the European Network for Quality Assurance in Higher
Education, ENQA or EQAR.
4. The decision No.303, dated 07.01.1999 of the Council of Ministers "On the
establishment of accreditation system in higher education", amended, is repealed.
5. The Ministry of Education and Science, Accreditation Council and the Public Agency
for Higher Education Accreditation are in charge of the implementation of this
regulation.

This decision shall enter into force after publication in the Official Journal.

PRIME MINISTER
REGULATION
ACCREDITATION SYSTEM, ORGANIZATION AND OPERATION OF
INSTITUTIONS OF EXTERNAL QUALITY ASSURANCE

PART I
ORGANIZATION, OPERATION, RIGHTS AND DUTIES

Article 1
Field of Application
1. This regulation defines the operation of the Public Agency for Higher Education Accreditation and other agencies of higher education evaluation in the field of external quality assurance, Accreditation Council, and their organization in the Republic of Albania.
2. External quality assurance in higher education institutions is realized through the processes of external quality assessment and accreditation.
3. External quality assessment in higher education institutions is conducted by the Public Agency for Higher Education Accreditation (PAAHE), or / and by other agencies of higher education evaluation, which are members of the European Network for Quality Assurance in Higher Education (ENQA and EQAR).
4. This regulation also defines PAAHE relations and other agencies in relation to the Accreditation Council (AC), Ministry of Education and Science, public and private institutions of higher education and other stakeholders in the field of higher education.

Article 2
Organization of the Public Agency for Higher Education Accreditation
1. Public Accreditation Agency for Higher Education is an institution with a public legal person status, under the Minister of Education and Science. Its organizational structure is approved by order of the Prime Minister with the proposal of the Minister of Education and Science. The number of agency is within the number of employees approved for MES. PAAHE budget is covered by the budget allocated to the Ministry of Education and Science.
2. Public Accreditation Agency for Higher Education collaborates with the network of quality assurance agencies in the European area of higher education.

**Article 3**

Duties and activities of the Public Agency for Higher Education Accreditation

1. Public Agency for Higher Education Accreditation (PAAHE) is responsible for promoting and external quality assessment in public and private higher education. In its activity, PAAHE rely on state standards of quality and standards and guidelines of quality in the European area of higher education and international education.

2. In conducting and monitoring the assessment process, PAAHE enjoys autonomy in relation to assessment procedures, the contents of the reports of the evaluation results, the choice of evaluation methods and instruments, creation and composition of expert groups of assessment, and in the compilation of reports and evaluation results, in accordance with laws and regulations in force.

3. PAAHE accepts and records HEIs applications for assessment and accreditation. It prepares the annual schedule of assessments and submits it for approval to the Minister of Education and Science. This calendar is made public for all public and private HEIs.

4. Agency organizes assessments all the technical and content parameters of the higher education system, the institutional activities of institutions of higher education, the quality of programs of study, as well as research and technological development activities.

5. The Agency carries out a preliminary assessment of new programs of study for public and private institutions of higher education. This assessment is carried out in order to open new programs of study or institutions and is conducted by field experts, under the direction and responsibility of the agency. Within the evaluation of programs in applied sciences and medical sciences, assessment experts together with PAAHE employee’s undertake inspections of laboratory facilities and practical training, and express their opinions wether they comply with the requirements of the program of study.

6. Agency carries on activities of external quality assessment in order to accredit the program / s of study or institution (public and private) and makes the reports and the results of evaluations performed public.

6.1. A PAAHE function is to guarantee the quality assurance continuously in the period between two accreditations processes. PAAHE verifies and checks during the ranking process. Relevant field experts and PAAHE staff perform direct control of
documentation, are present in auditors during the exams and graduation sessions, as well as scientific conferences, etc.

7. PAAHE defines selection criteria and procedures for the evaluation experts or consultants, domestic or foreign, which are made public, after receiving the consent of the Ministry of Education and Science. Their selection is done through a public competition. The expert List is updated at least every year.

8. Implementing higher education policy, and at the request of the Minister of Education and Science, the agency can perform analytical and comparative assessments of institutions, programs and fields of study in higher education, according to set indicators and in relation to existing standards, domestic or international. Based on these assessments the agency writes analytical reports of the higher education system related to one or several aspects of the indicators. Based on clear, accurate and reliable data and the results of assessment, PAAHE, in collaboration with CA, conducts and proclaims ranking of HEIs or similar degrees. The frequency of conducting the ranking process and its criteria are approved by the Minister of Education and Science.

9. The Agency collaborates with public and private institutions of higher education for the establishment and functioning of the internal quality assurance system, recommending criteria, methods and general indicators as well as appropriate criteria and methods for periodic self-assessment of the system. It instructs and trains internal quality assurance units and maintains ongoing relationship with these units.


11. Public Accreditation Agency for Higher Education collaborates with higher education institutions in the country and related institutions, professional organizations, institutions related to the labor market, to exchange information and expertise actively involving them in the process of external evaluation.

12. Public Accreditation Agency for Higher Education also collaborates with the student councils of HEIs and the National Student Council, established according to the Law no. 9741, date 21.5.2007 "On higher education in the Republic of Albania", amended, including these actors in the process of external evaluation, as well as in collecting information and data that serve the evaluation and quality assurance in HE in general.

13. In cooperation with the CA, at the end of each year PAAHe writes an annual report on its activity, which is sent to the Minister of Education and Science and then made public within the first 4-month period of the following year.
14. Through its official site PAAHE provides updated public information on the status of HEIs/programs in connection with assessment and accreditation, and makes known the list of accredited study programs and accredited institutions of higher education before the start of each academic year.

15. PAAHE issues the final certificate of accreditation after the accreditation decision made by the Minister of Education and Science. The model of the certificate is approved by the Minister of Education and Science.

**Article 4**

**Duties of the director and employees of the Public Accreditation Agency of Higher Education**

1. The Director of the Public Accreditation Agency for Higher Education is its leading authority.

2. The Director is appointed by the Minister of Education and Science, on a competition basis, which takes place in accordance with the law No.8549, date 11.11.1999 "Civil Servant Status". He must have at least the scientific degree "Master of Science" in the field of education or "Doctor", over three years experience as a teacher in higher education and gained experience in Western schools.

3. The Director of the Public Accreditation Agency for Higher Education is responsible for the agency's internal organization and its activities, and relationships with other institutions that participate in the evaluation process.

4. The Director of the Public Accreditation Agency for Higher Education directs the preparation of all documents which are the duty of the Public Accreditation Agency for Higher Education, a duty defined by legal acts and regulations in force, and this regulation.

5. The Director determines the composition of the Evaluation Expert Group, in a transparent manner, for every external evaluation process and forwards it for approval to the Accreditation Council.

6. The salary of the director and the staff of PAAHE is in accordance with the level and relevant category of addiction under the line ministries.

**Article 5**

**Activities of other assessment agencies**

1. External quality assessment can be also performed by other assessment agencies, which are members with full rights of the European Network for Quality Assurance in Higher Education (ENQA) or the European Register of Quality Assurance Agencies (EQAR). External evaluation conducted by these agencies is done in order to accreditate, rate or rank the study program/s or institutions of higher education.
The external evaluation conducted by these agencies is done in accordance with standards and procedures adopted by the MES.

2. External evaluation can also be carried out in cooperation with a foreign agency, part of the ENQA of EQAR's Room, and the Public Accreditation Agency for Higher Education.

3. An accreditation agency, a member of ENQA or EQAR's, during the external quality assessment can also use local evaluation experts from the approved list of experts, according to their areas of expertise.

4. The evaluation reports of these agencies are made public on the official website of the Public Accreditation Agency for Higher Education.

5. Upon the institution's request, or the Ministry of Education and Science, or Public Accreditation Agency for Higher Education, other agencies could perform the instruction, training and supervision of assessment activities of the internal quality insurance units in a higher education institution.

6. The activity of these agencies in the Republic of Albania may be temporary or permanent. When they exert a permanent activity, they must acquire legal personality according to the Albanian law, for commercial companies or nonprofit organizations.

**Article 6**

**The Organization and Functioning of the Accreditation Council**

1. The Accreditation Council works at the Public Accreditation Agency for Higher Education and is organized as defined by the law no. 9741, date 21.5.2007 “On higher education in the Republic of Albania”, amended.

2. The number of Accreditation Council members is 11 (eleven), out of which five members have been nominated by institutions of higher education; 3 (three) experts of the field of study, two of whom are foreigners, proposed by international accreditation agencies; an expert, representative of private sector; a representative from the Ministry of Education and Science; a representative from the Council of Higher Education and Science, and a student nominated by the National Student Council.

3. The Minister of Education and Science appoints the members of the Accreditation Council from the candidates proposed by the represented parties.

4. The Accreditation Council Chairman is selected from the candidates proposed by this council. He is appointed and dismissed by the Prime Minister, upon the proposal of the Minister of Education and Science.

5. The Council carries out its activities independently and in accordance with its regulation, approved by the Minister of Education and Science.
PAAHE Regulation

6. For issues that are not covered by the expertise of board members or when deemed necessary, the Council may ask experts or external consultants to assist in formulating decisions.

7. The Council meets no more than 9 (nine) times per year.

8. The AC member who misses the 1 / 3 of the meetings, is substituted.

9. The Accreditation Council members must respect the laws and regulations that govern conflicts of interest.

10. The Accreditation Council meeting takes place, when there are no fewer than 8 (eight) members. It is not held if the two foreign experts are not present.

11. The Accreditation Council decisions are taken by qualified majority, by ¾ of all members

**Article 7**

**Duties of the Accreditation Council**

The main activities of the Accreditation Council are:

1. Adopts the procedures and evaluation methodology, and key general and specific documents to the external evaluation and accreditation of academic programs and institutions of higher education proposed by the Public Accreditation Agency for Higher Education, based on legal acts in force, and taking into consideration relevant European guidelines and models.

2. Compiles report of activities conducted at the end of each year, in cooperation with the Public Accreditation Agency for Higher Education, which is sent to the Minister of Education and Science and made public.

3. Reviews and approves the composition of the expert group for any external assessment proposed by the agency, after their selection from the general list of experts according to areas that will be assessed.

4. Based on the legislation in force it reviews the assessment made by PAAHE and recommends to the Minister whether to open or not new programs of study at public institutions of higher education.

5. Reviews the final report of an external evaluation and makes relevant recommendations for accreditation, which are sent to the Minister of Education and Science.

6. Investigates the complaints or claims against the external evaluation report by the entity concerned. The Council assesses the materials submitted, as well as the claims of the party interested and decides whether to take them into consideration or not, or decides to send another external assessment group for assessment at the institution. In all cases, the expert and council members’ opinions are expressed in the minutes and the final decision should be grounded. The opposite opinions are attached to the recommendation decision. When making a decision, the
Accreditation Council may require additional information or corrections from the agency or the institution to be assessed.

7. The Director of the Public Accreditation Agency for Higher Education attends, with no voting right, the meetings of the Accreditation Council. One of the sectors of the Public Accreditation Agency for Higher Education plays also the role of the secretary of the Accreditation Council.

8. Formulates its judgment, based on the results of assessments performed by other agencies under section 5 of this regulation. The latter, may be asked in the meeting to argue its opinion, indicating the standards used for external assessment.

9. Supported by the Public Accreditation Agency for Higher Education and based on relevant European recommendations AC defines the principles, criteria and procedures for mutual recognition of accreditation obtained by other agencies, as well as for procedures for accreditation of joint programs between two or more Albanian institutions of higher education, or in cooperation with a foreign institution of higher education.

**Article 8**

**Other activities of the Accreditation Council**

The Accreditation Council performs other activities as:

1. Cooperates with the Council of Higher Education and Science to formulate for the Minister of Education and Science recommendations for quality assurance in higher education and scientific research.

2. Cooperates with the Council of Higher Education and Science to formulate both qualitative and quantitative minimum requirements regarding human, infrastructure and financial resources, suitability of study programs and research capacity, required for opening different categories of new higher education institutions, new and basic units, including the opening of subsidiaries, as well as the required standards for programs of study of three cycles.

**Article 9**

**Payment of members of the Accreditation Council**

1. The chief and members of the Accreditation Council are paid, for any meeting participation, respectively, with 30 percent and 20 percent of the salary of the general secretary in the ministry. Members, foreign experts, are paid with a competitive service fee, not more than 600 (six hundred) euros/day, for any meeting attended.

2. For the Accreditation Council members, foreign experts, travel expenses and stay in the Republic of Albania, for any meeting attended, are covered.
Article 9.1
Payment of foreign experts in external evaluation group

Foreign experts, members of the institutional and study programs external evaluation group are paid a competitive service fee, not more than 600 (six hundred) Euro/day for three days. An evaluation process lasts no more than three days. Travel expenses and stay in the Republic of Albania are covered for foreign experts, for every assessment performed.

Article 9/2
Forms of external evaluation

1. External quality assessment in institutions of higher education is an institutional study programs evaluation.
2. For the external institutional assessment of an institution of higher education in the assessment team there should be at least one foreign expert.
3. Each higher education institution or program of study in higher education, public and private, is subject to the first accreditation process before the issue of the first degree. The first accreditation is institutional.

PART TWO
ACTIVITIES AND ASSESSMENT PROCESS

Article 10
Assessment activities

1. Public Accreditation Agency for Higher Education or some other accreditation agency, conducts activities associated with external evaluation of quality, efficiency and effectiveness of the institutional activities of higher education institutions.
2. All higher education institutions and their programs are subject to preliminary assessment process, assessment and first accreditation, and assessment for periodic accreditation.
3. Public Accreditation Agency for Higher Education in the preliminary assessment and accreditation assesses the institutional and academic aspects suitable for the purpose of evaluation. General and specific evaluation aspects, components and criteria and procedures followed for institutional and / or programs assessment are determined by normative acts of the Minister of Education and Science.
4. During the preliminary assessment process based on documentation and assessment in the framework of the first accreditation, both institutional aspects and the programs that the institution offers are considered. In this process it is also assessed the degree of consistency between objectives, level and aimed professional
competencies of the study program with the curriculum offered. It is also assessed how the recommendations of legal acts in force regarding curricula development and programs of different disciplines are respected.

5. During the assessment process for periodic evaluation, there are mainly reviewed the institutional aspects and their progress since the previous accreditation, as well as the institution internal quality assurance system. At this stage it is also reviewed how the recommendations or comments left by previous accreditation are met.

6. In order to guarantee the ongoing quality assurance in the period between two accreditations, Public Accreditation Agency for Higher Education sets the criteria and parameters for continuous assessment of university teaching and research structures, providing for the contribution of self-evaluation and verification conducted. These criteria are the same for cases of assessment following conditional accreditation, towards having the final positive accreditation.

7. In the external assessment (of study programs, aiming their accreditation, in addition to assessment according to point 2) the assessment agency also uses other criteria and assessment indicators, in conformity with the particular disciplinary field. The criteria and indicators are made public before the process of internal quality assessment begins.

8. In the assessment activity, the agency should use the analysis and comparison of qualitative and quantitative indicators, the results of external evaluation experts’ report, as well as the institution self-evaluation report, when the latter is objective.

Article 11
Evaluation procedure

1. Institutions of Higher Education, which require to undergo external evaluation process for their first accreditation, apply for the start of this process to the Public Accreditation Agency for Higher Education and Accreditation Council, at least 1 year before completion of studies.

2. Public Accreditation Agency for Higher Education, in cooperation with the Accreditation Council, designs the accreditation plan for the higher education institutions that have submitted their applications.

3. Public Accreditation Agency for Higher Education, in cooperation with the Accreditation Council, according to the approved accreditation plan, begins the process of external evaluation, no later than two months from the date that the institution has submitted the final report of internal quality assessment.

4. The Minister of Education and Science may ask the Public Accreditation Agency for Higher Education and the Accreditation Council to include in the evaluation plan both new institutions that are on the point of issuing degrees, but have not applied
for this process and already accredited institutions which have passed the six years deadline for re-accreditation, as defined by law, but have not applied.

5. Public Accreditation Agency for Higher Education sets up assessor groups by area and approves them in the Accreditation Council.

6. Public Accreditation Agency for Higher Education supervises the whole process and ensures that it is performed correctly, in accordance with the procedures of evaluation criteria, objectively, transparently and in full equality between HEIs.

7. Other agencies perform this process under the provisions of this regulation, with their assessors and according to the plans which they have agreed upon with the institutions of higher education.

8. PAAHE makes public all evaluations reports, acts of the Accreditation Council and the final decisions for accreditation performed.

9. PAAHE drafts informative documents for the assessment and evaluation process and makes them known to the institutions of higher education.

**Article 12**

**Deadlines of evaluation and accreditation**

1. Institutional evaluation and evaluation of study programs last no more than 6 months, depending on the context of evaluation (preliminary based on documentation, for first accreditation or periodic accreditation), the object of evaluation (institutional, programs, or combined assessment of institutional/programs), and the number of programs in the assessment and/or size of the institution being evaluated.

**Article 13**

**Evaluation experts and external consultants**

1. In exercising its assessment activity, the Public Accreditation Agency for Higher Education and the Accreditation Council hire and cooperate with external evaluating experts and/or consultants.

2. Evaluation experts should have appropriate qualifications for the type of assessment that will perform, and must be independent to give a fair judgment without being influenced, thus avoiding any potential conflict of interest.

2.1 The expert must meet the following criteria:

   a) Must be a well known person in the relevant science field;
   b) Must have experience of at least 5 (five) years in teaching and in scientific research in one the areas;
   c) Must have at least the scientific degree "Doctor"
   d) Must have experience in quality assurance in higher education institutions;
   e) Must have high personal and professional integrity;
1. Each assessment expert must sign a statement guaranteeing the independence in its activities and lack of conflict of interest. Institution under review will be given the opportunity to comment on the assessment experts, before their approval by the Accreditation Council.

4. Evaluation experts are obliged to treat all materials and assessment results as strictly confidential.

5. Based on the file of self assessment and visits at the institution, the assessors compile the report of external quality assessment, which is further submitted to the Public Accreditation Agency for Higher Education for further proceedings. Foreign experts can also be members of assessment groups.

6. The Public Accreditation Agency for Higher Education and the Accreditation Council may call upon external consulting experts to help with ideas and proposals for evaluation criteria and methods, the ways and forms of increasing quality in higher education, and drafting of documents that help the whole process.

7. The Public Accreditation Agency for Higher Education Accreditation Council propose data so that to extend and update the database for assessing experts and consultants, domestic or foreign.

**Article 14**

**Service fee**

1. Fees for services performed by Public Accreditation Agency for Higher Education, by external experts, domestic or foreign, and consultants, are determined by joint decision of the Minister of Education and Science and Minister of Finance.

2. Fees for services from other agencies are defined by those agencies themselves and are deposited entirely in their budget.

3. Revenue from services rendered by the Public Accreditation Agency for Higher Education are paid 90% to the Agency’s budget and 10% in the state’s budget. Ways and schemes of use of these revenues is determined by joint decision of the Minister of Education and Science and the Minister of Finance.

**PART THREE**

**ACCREDITATION, THE RIGHT OF APPEAL AND LEGAL CONSEQUENCES**
Article 15

The decision of the Minister of Education and Science

1. The Minister of Education and Science, following the evaluation and recommendation of the Accreditation Council and after checking if there are complaints from the institution concerned, takes the final decision on accreditation, which can be accreditation:

2. "positive" or "accredited", when it meets the relevant institutional and study program criteria and standards.

3. "Negative" or "not accredited" when it is found a low level of quality and standards are not met, as well as the institution's inability to meet them in a short time.

4. In those cases when judged, and based on evaluation results and recommendations of the CA, the Minister of Education and Science sets the conditions for accreditation by setting deadlines that are compatible with the capacities and capabilities that the institution has, so that within the prescribed period the institution must meet the required conditions.

5. PAAHE, through a continuity plan, follows case after case the completion of the conditions, in accordance with the set deadlines. After the fulfillment of the conditions within the time specified, the Minister of Education and Science grants the final positive accreditation. In the event of noncompliance, the final decision is negative. For cases when the institution does not meet the deadline, but it is underway, the Minister, before taking a final decision, may set a second deadline for their completion.

6. The Minister of Education and Science should express himself with a decision regarding the recommendations of the Accreditation Council within one month of their notification, or return the report to the Council on the cases provided for in this Regulation, within one month of receiving notice of them.

7. The Minister’s decision is made public in the official website of MES and the Public Accreditation Agency for Higher Education.

8. When the Minister of Education and Science does not express himself, the Accreditation Council makes its decision public, as defined by law.

Article 16

Appeal Procedure
1. When there are complaints against the assessment process, the subject concerned, having exhausted the appeal to the Accreditation Council or assessing agency, has the right to approach the Minister of Education and Science.

2. The Minister of Education and Science proposes the establishment of an ad-hoc tripartite commission, composed of representatives of the Accreditation Council, the assessing agency and the Ministry of Education and Science.

3. The decision of this commission is forwarded to the Accreditation Council, which formulates the final opinion after the appeal and sends it to the Minister of Education and Science in the form of a recommendation.

**Article 17**

**Consequences of a negative accreditation**

1. When the decision for institutional and/or study program/s accreditation granted by the Minister of Education and Science is negative, the institution is subject to closing the program of study and does not accept new students. In case of closure of the HEI and/or study program/s, or cases of suspension of their activity for up to two years (non-acceptance of new students) or revokal of the license, the Ministry of Education and Science asks the HEIs to act in accordance with paragraph 9 of Article 44 of the amended Law no. 9741, date 21.5.2007 “On higher education in the Republic of Albania”.

2. The Ministry of Education and Science provides additional funding for the institution or study program when it is public, aiming its reorganization according to the required quality or decide to permanently close that program of study or institution.

*Prime Minister*

*Sali Berisha*