REPUBLIC OF ALBANIA

COUNCIL OF MINISTERS

DECISION

No. 109, dated 15.02.2017

ON THE ORGANIZATION AND FUNCTIONING OF THE QUALITY ASSURANCE AGENCY IN HIGHER EDUCATION AND THE ACCREDITATION BOARD AND DETERMINATION OF THE FEES FOR THE QUALITY ASSURANCE PROCESSES IN HIGHER EDUCATION

amended with the Decision of the Council of Ministers No. 562, dated 31.07.2019 "On some changes and additions on the Decision No. 109, dated 15.02.2019, of Council of Ministers, "On the organization and functioning of the Quality Assurance Agency in Higher Education and the Accreditation Board and determination of the fees for the quality assurance processes in higher education"

Based on the Article 100 of the Constitution and Articles 14, 15 and 106 of Law no. 80/2015 "On Higher Education and Research in Institutions of Higher Education in the Republic of Albania", with the proposal of the Minister of Education and Sports, the Council of Ministers,

DECIDED:

- 1. The Reorganization of the Public Agency for Higher Education (APAAL) into the Quality Assurance Agency in Higher Education (ASCAL).
- 2. The Quality Assurance Agency in Higher Education is a central public institution, a legal person, based on Tirana and financed by the state budget and other legitimate incomes.
- 3. The Quality Assurance Agency in Higher Education performs the activity within the scope of responsibility of the responsible minister for education.
- 4. The Quality Assurance Agency in Higher Education has independence in:
- a) drafting and approval of its procedures, criterions and evaluation formats;
- b) the selection of experts and special committees of evaluation;
- c) compilation of the content and results of the academic quality evaluation reports.

- 5. The Quality Assurance Agency in Higher Education bases its activity on the internal guidelines and the Code of Quality Assurance in Higher Education, which is updated with the Standards and Guidelines for Quality Assurance in the European Higher Education Area and has as mission:
- a) the quality assurance in higher education through external, objective and independent evaluation;
- b) maintaining the quality standards;
- c) promoting and improving the quality assurance of higher education institutions and study programs They offer.
- 6. The Quality Assurance Agency in Higher Education is headed by the Director, who is Head of the Institution and represents it in the relations to third parties. He organizes and directs all the activities of the institution.
- 7. The Director of the Quality Assurance Agency in Higher Education is appointed, released/discharged from duty with the proposal of the responsible minister for education, by the Order of the Prime Minister. The Director of the Quality Assurance Agency in Higher Education must meet the following criteria:
- a) To possess an academic title or PhD, earned at universities of the OECD or EU member countries.
- b) To have 5 (five) years of work experience in management of:
- i) main units of higher education institutions;
- ii) higher education institutions;
- iii) structures of institutions that perform the activity in the field of higher education.
- 8. The structure and organization of the Quality Assurance Agency in Higher Education is approved by the Order of Prime Minister, within 1 (one) month from the entry into force of this Decision.
- 9. The Labor relations for the Director and ASCAL's employees are regulated according to the provisions of the Labor Code.
- 10. The Quality Assurance Agency in Higher Education has object of activity:
- a) the external quality evaluation for first and periodic accreditation of higher education institutions and the study programs they offer;

- b) monitoring, evaluation of the academic quality and the compliance with the quality standards of institutions and programs they offer, before the evaluation for first accreditation and the following;
- c) the preliminary evaluation in the framework of opening and/or reorganization of the higher education institutions and study programs, at the request of the responsible ministry for education:
- ç) the preliminary evaluation and recognition of study programs, offered at accredited albanian higher education institutions from foreign higher education institutions of one of the states of European Union, United States of America, Canada and Australia;
- d) periodic evaluation every three years, of the quality of teaching in higher education institutions and continuous monitoring through its National Students Survey, in accordance with its guidelines;
- dh) the evaluation of internal quality assurance systems (audit) at higher education institutions, in accordance with its guidelines and Standards and Guidelines for Quality Assurance in the European Higher Education Area;
- e) thematic, analytical and comparative evaluations of institutions and/or study programs, in function of higher education policies, autonomously or at the request of the responsible ministry for education.

11. ASCAL has the following specific duties and responsibilities:

- a) Assists in the establishment and operation of the internal quality assurance systems at the higher education institutions, in accordance with the Quality Code. It cooperates with the higher education institutions and maintains continuous relations with these units.
- b) Cooperates with the responsible ministry for education for the preparation of national state standards and their following update as part of the Quality Code.
- c) Drafts out the guidelines of evaluation, criteria, procedures, evaluation formats and other acts for its internal functioning.
- ç) Proposes to the responsible minister for education amendments of legal framework in the field of quality assurance in higher education.
- d) Is the responsible authority for the administration and the exchange of information related to results, quality and accreditation in higher education.
- dh) Makes public, through its official webpage, the final reports of external evaluation, continuous quality monitoring, National Students Survey and acts of Accreditation Board. Gives updated information on the status of higher education institutions/programs regarding the evaluation and accreditation and makes known, before each academic year, the list of accredited higher education institutions and study programs.
- e) Publishes national and international materials and information, on quality assurance in higher education.

- h) Administers the electronic database in the function of monitoring process and quality assurance.
- f) Administers the requests of higher education institutions for external evaluation by agencies, members of the European Association for Quality Assurance in Higher Education (ENQA), which are submitted for approval to the Accreditation Board.
- g) Collaborates and coordinates its activity with counterpart agencies, part of (ENQA) and/or the European Quality Assurance Register for Higher Education (EQAR), by conducting joint and/or coordinated evaluations, whose selection is made according to the profile and characteristics of the relevant involved evaluation.
- f) Follows procedures for membership of ASCAL with full rights into the European Association for Quality Assurance in Higher Education (ENQA) and/or European Quality Assurance Register for Higher Education (EQAR).
- h) Coordinates its activity with the responsible ministry for education and its subordinate institutions, in service of policies related to quality assurance in higher education, scientific research evaluation, financing of higher education institutions and exchange of data in the field of higher education.
- i) Cooperates and coordinates with the National Agency for Research and Innovation, including the scientific research activity evaluation results of AKKSHI for the external quality assurance processes.
- 12. For the evaluation procedure, the Quality Assurance Agency in Higher Education acts as follows:
- a) Establishes special evaluation commissions, composed of national and/or foreign experts, who should have:
- scientific degree or academic title;
- documented previously experience of work at institutional evaluation and / or in the field of study programs, in the framework of external quality assurance in Albania and/or abroad.

Additional criteria for selection of these experts in specific and certified cases, depending on the type of external evaluation, program and the study cycles, are determined in the internal Regulation of the Accreditation Board.

b) The experts in the composition of these committees, are selected according to the internal regulation of ASCAL from the annual lists approved by the Accreditation Board. The composition of the special commissions for evaluation, number of experts for each kind of evaluation and their remuneration are determined according to Annex 1 and tables 1/a. and 1/b. attached to this Decision and are its integral part.

- c) Temporary commissions for thematic, analytical and comparative evaluation are composed of local and/or foreign experts, with academic qualifications, with experience in higher education and scientific research and knowledge in quality assurance processes, according to the main fields of higher education in the natural sciences, engineering and technology, medical, agricultural, social and human sciences, from the approved lists by the Accreditation Board.
- 13. Near ASCAL is established and functions the Accreditation Board, as a collegial decision-making body, independent in its activity.
- 14. Accreditation Board is composed of 11 members, out of which a minimum of three and maximum of five must be foreign members. The members of this board must have at least a 10-year experience in the academic and research institutions inside of the country and abroad, scientific degree/academic title or at least 5 years of knowledge and experience in the field of quality assurance in higher education. The Chairman and members of the board should also have knowledge in advanced level of written and spoken English.
- 15. The appointment and dismissal of the Chairman and members of the Accreditation Board is made by the Order of Prime Minister, with the proposal of responsible minister for education. The mandate of the members of this Board is 4 years.
- 16. Accreditation Board meets not less than 6 (six) times a year. The member who is absent without reason for 1/3 of the meetings is replaced.
- 17. Members of the Accreditation Board must respect the laws and sub laws that regulate conflict of interest.
- 18. The Accreditation Board meeting is held when there are no less than 8 (eight) members. It does not take place, if at least, two foreign experts are not present. Board decisions are taken with a qualified majority out of 3/4 of the members present.
- 19. Accreditation Board approves the regulation of its internal functioning.
- 20. Accreditation Board is supported by technical secretariat, employees of ASCAL appointed by ASCAL's Director.
- 21. Accreditation Board has the following duties and responsibilities:
- a) Reviews the final external evaluation reports of quality assurance for first and periodic accreditation, for institutional accreditation and study programs and takes the final decision for their accreditation.

- b) In cases when external evaluation is carried out by foreign agencies, at the request of higher education institutions, according to point 3, article 15 of Law No. 80/2015, the Board preliminarily reviews and approves the request of the higher education institution for the accomplishment of relevant evaluation by the foreign agency.
- c) Takes the final decision, which may be:
- "positive", when the relevant institutional or program standards and criteria are met.

Duration and the term of validity of institutional accreditation are determined by the scale of fulfillment of quality standards., while for study programs, depending also on their duration. The maximum duration of the validity of institutional accreditation and/or study programs cannot be more than 6 years;

- "negative", when is found a low level of quality and standards are not met, and the institution's inability to fulfill them.
- ç) Before making the final decision, based on the evaluation results and opportunities of the institution, the board may require amendments, put conditions and deadlines for their fulfillment.
- d) Reviews preliminary evaluation reports in the framework of opening and/or reorganization of higher education institutions and study programs and recommends to the responsible minister for education, the opening/reorganization or not, of the higher education institutions and study programs.
- dh) Reviews complaints on the quality assurance external evaluation process and makes a reasoned decision regarding such complaints, deciding to accept or reject it, as defined by the Code of Administrative Procedures.
- e) Issues the official Certificate of Accreditation within one month from the date of the decision-making.
- ë) Administers, for effect of decision making and review of previous decision making of accreditation, cases when from ASCAL or the responsible ministry for education are observed standards deviations from higher education institutions.
- f) In the accreditation decision-making of joint study programs, which are offered among national higher education institutions and foreign higher education institutions, as well as affiliated branches of foreign higher education institutions operating in the Republic of Albania, takes into consideration their accreditation into the origin country.
- g) In its decision making, the Board follows the Code of Administrative Procedures. The Decision of the Board is final, definitive and mandatory to be followed. Appeals against the decisions of the Board may be filed in court by the party having a legitimate interest, according to the deadlines provided in the legislation in force, for judicial objections of administrative acts.
- gj) Make the preliminary evaluation and recognition of study programs offered in Albanian accredited institutions of Higher Education from foreign institutions of Higher Education in one of European Union countries, United States of America, Canada and Australia.
- h) Approves the annual report of Board and ASCAL activity, which is published within the first three months of the following calendar year and is immediately submitted for knowledge to the responsible Ministry for education.

- i) Approves the specific criteria for selection of national and international experts for evaluation.
- j) Approves the annual list of national and international evaluation experts, who are engaged within the special or temporary commissions according to the academic areas, based on the lists of ASCAL and those of international experts, provided from ENQA/EQAR.
- k) Approves guidelines on internal and external quality assurance system processes, drafted and proposed by ASCAL.
- 1) Approves the internal regulation for the functioning of ASCAL.
- Il) Based on the results of accreditation, requires from ASCAL to undertake special processes in monitoring of quality assurance of higher education institutions or study programs and reviews their outcome.
- m) Approves the methodology and instruments on National Students Survey for teaching quality assurance, proposed by ASCAL.
- n) Reviews the final reports on National Students Survey prior to their publication.
- a) Approves the model and the format of the accreditation certificate prepared by ASCAL.
- 22. ASCAL and Board Accreditation financing is carried out by the state budget, as well as the income generated by its activities, such as: evaluation fees, incomes from trainings, incomes from provided services, incomes from national and international programs and projects, donations of physical and juridical subjects, national and foreign, as well as any other legitimate source.
- 23. Fees for external quality evaluation and accreditation, which are paid by higher education institutions, are according to Annex 2, as attached to it and are its integral part.
- 24. ASCAL has the right to use 90 percent of incomes from its activities. Unused incomes during a fiscal year, go to the successive year. The incomes are used for payments of consultants and external experts engaged, fees and expenses of the Accreditation Board, investments, payments and operating expenses of ASCAL, activities abroad, including membership into international networks.
- 25. The scheme of using incomes is approved by the Ministry of Finance.
- 26. The members of the Accreditation Board are paid for every participation in the meeting for no more than 9 (nine) meetings during a calendar year.
- 27. The amount of compensation for every meeting has to be as follows:
- a) National members, in the amount of 30 000 (thirty thousand) lekë;
- b) International members, in the amount of 600 euro (amended with the DCM No. 562, dated 31.07.2019);

- c) In case when the Chairman is national, to the extent of 30% more than other national members. In the case when Chairman is foreign, to the extent of 30% more than foreign members.
- 28. For the chairman and members of the Accreditation Board, international and Albanians, with permanent residence outside Albania, are covered travel and accommodation costs in Albania, for no more than three calendar days for each meeting (amended with the DCM No. 562, dated 31.07.2019).
- 29. The Chairman and the national members of the Accreditation Board, residing outside the capital city, have their travel costs and accommodation in

Tirana covered, for no more than three calendar days for meeting. Expenses for board activity are covered by ASCAL's incomes.

- 30. ASCAL has its own emblem, logo and official seal, approved by the Head of the Agency.
- 31. The emblem is composed by the Republic of Albania emblem, with the notes: "The Republic of Albania, The Quality Assurance Agency in Higher Education", in compliance with the Decision No. 474, dated 10.7.2003 of the Council of Ministers, "On the use of the emblem of the Republic, and its dimension's size", amended.
- 32. Official seal of ASCAL has the form and elements specified in the Decision No. 390, dated 06.08.1993 of the Council of Ministers, "On the rules of production, management, control and conservation of official seals", amended. The seal of ASCAL is produced, stored and administered in accordance with legislation in force.
- 33. ASCAL structure and organization, is approved by the Order No. 171, dated 27.09.2010 of the Prime Minister, and remains in force until the adoption of the new organizational structure, according to this Decision.
- 34. The Chairman and members of the Accreditation Board are appointed by the Order of the Prime Minister, within one month from the date of entry into force of this Decision.

The Accreditation Council continues to function with the current composition, until the composition of the Accreditation Board

- 35. Decision No. 424, dated 02.06.2010 of the Council of Ministers, "On the establishment and organization of APAAL", is abrogated.
- 36. Ministry of Education and Sports, Ministry of Finance and Quality Assurance Agency in Higher Education are charged with the implementation of this Decision.

This decision enters into force after its publication in the "Official Journal".

PRIME MINISTER

Edi Rama

Annex 1. Payments of foreign and local experts, engaged in the external evaluation process in the framework of accreditation

- 1. Foreign experts, who are engaged in external evaluation of institutions and study programs in the framework of accreditation, are paid 500 euro/day, for a number of days determined according to tables 1/a. and 1/b.
- 2. Local experts, who are engaged in external evaluation of institutions and study programs in the framework of accreditation, are paid 25 000 lekë/day, for a number of days determined according to tables 1/a. and 1/b.
- 3. Foreign experts have their travel expenses and accommodation in Albania covered, but no more than 5 days, while local experts have their travel and accommodation expenses covered when the evaluation is carried out outside his/her residence, for no more than 5 days.
- 4. Expert payment for services done according to point 6, article 104, of law No. 80/2015 "On Higher Education and Research in Higher Education Institutions in the Republic of Albania", is made according to points 1 and 2 and tables 1/a and 1/b of this Annex.
- 5. Temporary commissions are composed of three experts. Payment for the expert for "...analytical and comparative evaluations and other processes which promote and improve quality...", predicted at point 1, of article 104, of law No. 80/2015, "On Higher Education and Research in Higher Education Institutions in the Republic of Albania", is made by category of the academic staff with the title "Professor", in the public higher education institutions, for no more than 5 days for every evaluation.
- 6. Local or foreign experts, engaged in the framework of fulfillment of conditions or preliminary evaluation on the opening and/or reorganization of HEI-s, and study programs, are selected from the responsible ministry for education from the approved list of ASCAL. The number of experts shall be not less than 2 and the fee for all experts shall be not more than 25 % of the fee predicted for the external evaluation of HEI and/or study program, according to tables 2/a. and 2/b. (amended with the DCM No. 562, dated 31.07.2019).

Table 1/a: Payment of experts for institutional evaluation

No.	Study Programs	Foreign Expert		Local Expert	
		Days/expert	No. of experts	Days/expert	No. of experts
1	Professional College	1 to 3	1	1 to 3	1
2	Academy	2 to 4	1	2 to 4	1

3	University College	3 to 5	1	3 to 5	1
4	University	4 to 6	2	4 to 6	2

Table 1/b: Payments of experts for evaluation of study programs

No.	Study Programs	Foreign Expert		Local Expert	
		Days/expert	No. of experts	Days/expert	No. of experts
1	2 years Professional	-	-	1 to 2	2
2	Bachelor	-	-	2 to 3	2
3	4 years Bachelor	-	-	2 to 4	2
4	Professional Master 1 year	-	-	1 to 2	2
5	Professional Master 2 years	-	-	2 to 3	2
6	Master of Science	1 to 2	1	1 to 2	1
7	Integrated Master of Science	3 to 4	1	3 to 4	1
8	Executive Master 1 year	1 to 2	1	1 to 2	1
9	Executive Master 2 years	2 to 3	1	2 to 3	1
10	SPA 2 years	1 to 2	1	1 to 2	1
11	SPA 3-4 years	2 to 3	1	2 to 3	1
12	Doctorate	2 to 3	2	1 to 3	0

Annex 2. Fees for institutional evaluation and accreditation of higher education institutions

1. Fees, paid by the HEIs for institutional evaluation and accreditation, are calculated at the rate of basic fee determined for types of institution over which are applied increments in % depending on the number of study areas where HEI operates, levels of study and the number of students at the moment of submission of the relevant request for the external evaluation in the framework of accreditation. The base-rate and the corresponding calculations are presented in table 2/a. With s decision of the Accreditation Board, can be excluded from the payment of fees for institutional evaluation and accreditation, the higher education institutions which have no more than 30 students in all study cycles.

2. Fees paid by the HEIs for the evaluation and accreditation of study programs according to their type are presented in table 2/b.

The external evaluation in the framework of the first accreditation of professional study programs as well as first and second cycle study programs in public HEIs shall be grouped, where is possible and for no more than three programs, by cycle and field of study at basic unit

level. The evaluation fee in the framework of the first accreditation of these programs shall be 65% of the fee of each program to be assessed grouped, according to table 2/b.

In cases where the basic unit offers one professional study program or one study program for the first and/or second cycle, the evaluation fee in the framework of the first accreditation of these programs shall be as 65% of the fee of the relevant program, according to table 2/b.

External evaluation experts, in the framework of the first accreditation of professional study programs, as well as first and second cycle study programs in public HEIs, are paid 70% of the value of each study program assessed grouped, according to table 1/b" (amended with the DCM No. 562, dated 31.07.2019).

- 3. Evaluation and program accreditation fee for study program is for no profile programs or with one profile program. For the study programs that have more than one profile and the evaluation is done at the same time, the fee for program evaluation is added with 10 % of the basic-fee-value for every added profile. The profiles, which are not evaluated and accredited together with the program, are subject of the full fee of the program at the moment of their evaluation and accreditation.
- 4. Fees paid by HEIs, in the framework of the fulfillment of conditions for preliminary evaluation or opening and/or reorganization of higher education institutions and study programs, is at the amount of 30% of the basic fee as predicted for the external evaluation of HEI and/or study program, according to tables 2/a. and 2 / b.
- 5. Study programs according to point 5, of article 35, of the law No. 80/2015 "On Higher Education and Research in Higher Education Institutions in the Republic of Albania", pay 50 % of the evaluation and accreditation fee of the same type and cycle study program.
- 6. For the evaluation of the request and the approval of foreign evaluation agency, according to point 3, of article 15, of law No. 80/2015, "On Higher Education and Research in Higher Education Institutions in the Republic of Albania", the fee is at the amount of 120 000 lekë.
- 7. For the review of the external evaluation and decision making for accreditation according to point 3, article 15, of law No. 80/2015, "On Higher Education and Research in Higher Education Institutions in the Republic of Albania", the fee is at the amount of 180 000 lekë.
- 8. The fee for the application review for the evaluation in the framework of accreditation is at the amount of 3 000 lekë.
- 9. The calculation of the fee for each evaluation requested by HEIs is made by ASCAL and is notified to HEI, which prior to the start of the evaluation process, collects it to the banks of the second level on behalf of ASCAL, in the treasury branch of Tirana.

- 10. Fees for other services provided by ASCAL for individuals, experts or institutions are listed, as predicted in table 2/c.
- 11. The incomes generated from evaluation fees and other services provided by ASCAL, are used for:
- a) payments and expenses for experts engaged as in Annex 2;
- b) payments and expenses for the Accreditation Board;
- c) coverage and operative costs for Accreditation Board;
- ç) investments for ASCAL and AB;
- d) annual membership fees of ASCAL in international networks;
- dh) payments for evaluation and membership of ASCAL into ENQA, EQAR or any other international networks;
- e) additional bonuses for ASCAL employees.

Table 2/a: Basic fees for external evaluation and institutional accreditation of HEIs

No.	Type of Higher Education Institution	Basic fee	The increase over the basic fee
1	Professional College with 1-2 study fields, up to 200 students	791 500 lekë	Basic fee increases with 10 % for every added field and 5 % for every 200 students above the prediction of the basic fee.
			(Basic fee + 10% of basic fee for every study field + 5% of basic fee for every 200 students plus)
2	Academy for I and II Cycle, up to 300 students	910 875 lekë	Basic fee increases with 15% in cases when offering study programs of third cycle and 5% for every 300 students above of what is predicted by basic fee. (Basic fee + 15% of basic fee for
			offering the third study cycle + 5% of basic fee for every 300 students plus)
3	University College with 1-2 study fields up to 600 students	1 205 250 lekë	Basic fee increases with 10 % for every added field and 5% for every 600 students above the prediction of the basic fee.
			(Basic fee + 10% of basic fee for every study field + 5% of basic fee for every 600 students plus)

4	University with 1-2 study	1 888 625 lekë	Basic fee increases with 10 % for every
	fields up to 2000 students		added field and 5 % for every 2000
			students above the prediction of the basic
			fee.
			(Basic fee + 10 % of basic fee for every
			study field + 5 % of basic fee for every
			2000 students plus)

Table 2/b: Fees for external evaluation and accreditation of study programs

No.	Study programs	Fee
1	2 years professional	204 260 lekë
2	Bachelor	265 585 lekë
3	4 years Bachelor	326 910 lekë
4	Professional Master 1 year	204 260 lekë
5	Professional Master 2 years	265 585 lekë
6	Master of Science	428 844 lekë
7	Integrated Master of Science	706 994 lekë
8	Executive Master 1 year	362 844 lekë
9	Executive Master 2 years	428 844 lekë
10	SPA 2 years	428 844 lekë
11	SPA 3-4 years	567 919 lekë
12	Doctorate	718 224 lekë

Table 2/c: Fees for other services

No.	Description	Time of payment	Lekë
1	Fee for external evaluation of internal	Fee is paid at the moment that	100 000
	quality assurance system	the application is submitted at	
		ASCAL	
2	Fee for special activities by the request of	Fee is paid at the moment that	20 000
	HEIs in the framework of quality	the application is submitted at	
	evaluation	ASCAL	
3	Fee for verification and information/per	Fee is paid at the moment that	200
	page	the application is submitted at	
		ASCAL	
4	Fee for providing documentation related	Fee is paid at the moment that	10
	to the evaluation and accreditation which	the application is submitted at	
	are not included in the law for public	ASCAL	
	information/per page		
5	Annual fee for services performed by	Each academic year	50 000
	ASCAL for HEIs (special publications,	beginning	
	workshops, training etc.)		

6	Annual fee for services performed by	Each academic year	5 000
	ASCAL for experts (special publications,	beginning	
	workshops, training etc.)		