



**REPUBLIKA E SHQIPËRISË
AGJENCIA E SIGURIMIT TË CILËSISË NË ARSIMIN E LARTË
BORDI I AKREDITIMIT**

**Regulation on the internal functioning of the
Accreditation Board**

Approved upon Decision Extra No. 1, dated 02.02.2018 of the Accreditation Board



Regulation on the internal functioning of the Accreditation Board

Article 1: Purpose

The present regulation sets forth the rules and procedures of the ASCAL Accreditation Board. Therefore, it defines the duties and responsibilities of the Accreditation Board, its internal organisation, organisation of its meetings and decision-making procedures, potential conflict of interest and its confidentiality.

Article 2: Legal ground

The present regulation is enacted pursuant to Law 80/2015 “On Higher Education and Scientific Research in the Higher Education Institutions in the Republic of Albania”; Law. No. 44/2015 “On of Administrative Procedures in the Republic of Albania”; Law No.8480, dated 27.05.1999 “On the Functioning of Collegial Bodies of the State Administration and Public Entities” as amended; Law No. 9367, dated 07.04.2005 “On the Prevention of Conflict of Interest in the Exercise of Public Functions”, as amended; *Decision No.109, dated 15.02.2017 “On the Organisation and Functioning of the Quality Assurance Agency in Higher Education and the Accreditation Board and Determination of Tuition Fees for Quality Assurance Processes in Higher Education”*.

Article 3: Definitions

For the purpose of this regulation, the following terms and acronyms shall have the following meaning hereinafter:

- ASCAL – Quality Assurance Agency in Higher Education
- Standards – Approved State Quality Standards for Institutional or Study Cycle Evaluation

Article 4: Mission

The Accreditation Board is the national collegial body assuring external quality of higher education institutions and their study programmes, through accreditation decisions and monitoring of the maintenance of quality standards and continuous enhancement of academic quality in the Republic of Albania.

Article 5: Board Composition

5.1 The Accreditation Board is composed of 11 members, out of which a minimum of 3 and a maximum of 5 shall be foreign members. The members of the Accreditation Board shall have at least 10-year experience in academic and research institutions either in Albania or abroad. They must hold a scientific degree or academic title or have at least five years of experience in the field of quality assurance in higher education. The Accreditation Board chairperson and members shall also have command of the English language both in speaking and in writing.

5.2 The appointment and dismissal of the Accreditation Board Chairperson and members are made by Order of the Prime Minister upon proposal of the Minister responsible for education. The members of the Accreditation Board are appointed for a 4-year-term.

Article 6: Duties and Responsibilities

The duties and responsibilities of the Accreditation Board are as follows:

6.1 To **make the final decision on the accreditation of a certain programme and/or an institution**. The Accreditation Decision of may be **either affirmative or negative**.

6.2 To support its accreditation decisions by taking into account the following **data and evidence**: legal background of the institution, key data on the institution and its programmes, self-evaluation reports and supporting evidence, external evaluation report by the review team, eventual oral reporting by members of the review team at the meeting of the Accreditation Board, information on the evaluation procedure, results and outcomes from previous reviews/accreditations, information on the adoption of the recommendations resulting from previous reviews/accreditations, and any other relevant information.

Prior to taking a decision, the Accreditation Board may request additional information.

6.3 To **determine the accreditation validity in terms of duration and expiry date**, in case of a positive decision.

The guiding criteria for determining the validity of an institutional or programme accreditation are:

- extent at which accreditation standards have been met;
- results from previous accreditation procedures and the adoption of potential recommendations;
- results from monitoring following licensing and between accreditation periods;
- information about the institutional stability, especially in terms of processes, resources and staff;

The duration of accreditation is stated in academic years. The expiry date is determined in day/month/year format.

6.4 To pursue the Code of Administrative Procedures in order to take its decisions. The Decision of the Accreditation Board shall be considered final.

6.5 To **decide, upon the request, evidences and documentation** of a higher education institution, the approval to undergo external review by a **foreign quality assurance agency**.

- 6.6 To **review the evaluation reports**, upon request of the responsible Ministry of education for the preliminary evaluation in case of establishment and/or the re-organisation of higher education institutions and study programmes and **recommends to the responsible Ministry of education for the establishment and/or reorganisation of higher institutions or study programmes**.
- 6.7 To **issue an official Certificate of Accreditation** within a month from the date of an affirmative accreditation decision. The templates of the certificate are approved by the Accreditation Board and hold a unique identification code referring to the certificate register. The certificate is co-signed by the Chairperson of Accreditation Board and the Director of ASCAL. The decision and certificate is forwarded to the Head of the higher education institution or any other authorised person, and must be made public in the official website.
- 6.8 To request ASCAL to **monitor the performance** of higher education institutions and their study programmes based on the results of accreditation process.
- 6.9 To **re-evaluate and re-consider its accreditation decisions** should the following cases arise:
- 6.9.1 ASCAL identifies lack of compliance with standards or possible deviations from them, following initial accreditation or during the accreditation period.
- 6.9.2 The Accreditation Board has reasonable doubts on a decline in quality, a deviation from quality standards or from legal regulations.
- 6.9.3 The responsible Ministry of education supplies the Accreditation Board with information and documents on possible breaches of quality standards or legal requirements.
- The Accreditation Board establishes an *ad hoc* commission to review the identified cases in cooperation with representatives from ASCAL, the Accreditation Board and, if is needed, collaborates also with external experts. The commission reviews existing information and may request further evidences or additional meetings with different parties. The commission drafts a report and submits it to the Accreditation Board for further decision-making.
- Should the Accreditation Board identify legal breaches or any other deviation from legal provisions, it shall notify the responsible Ministry of education for further inspection. This provision is also applicable to those higher education institutions that have undergone a previous accreditation.
- 6.10 To take into consideration the accreditation of foreign higher education institutions in the country of origin, in order to make a decision about the accreditation of **joint study programmes**, offered by Albanian and foreign ones, as well as affiliated branches of foreign higher education institutions operating in the Republic of Albania. Therefore, ASCAL verifies the official status of accreditation of the partner institution/s. The Accreditation Board may require further information on the higher education institutions involved.

6.11 To **examine complaints** concerning the external review process of quality assurance and takes a **decision** to either accept or reject the complaint, as set forth in the Code of Administrative Procedures.

6.11.1 The complaint must be related to a specific procedure within the competence of the Accreditation Board. The complaint shall be supported with arguments and accompanied with supporting evidence.

6.11.2 The Accreditation Board establishes an *ad hoc* committee composed of three members (two members of the Accreditation Board with at least one foreign member and one representative from ASCAL).

6.11.3 The *ad hoc* committee reviews the complaint and might request a meeting with different parties involved in the process to provide explanations and arguments.

6.11.4 The *ad hoc* committee drafts a report about its findings and conclusions, supported with evidence, and submits it to the Accreditation Board.

6.11.5 The Accreditation Board decides on the complaint, based on the report of the *ad hoc* committee and explanation of its decision.

6.12 To **approve the annual report** about its own and ASCAL's performance, this shall be published within the first quarter of the following calendar year. The report shall contain at least the following chapters:

- Preface (by the Chairperson of the Accreditation Board and the Director of ASCAL);
- Recent developments in the Albanian higher education system;
- Activities, procedures and projects:
 - accreditation procedures and decisions, national student survey;
 - reports and analyses of the general findings of QA procedures (ESG 3.4);
 - participation in international projects and networks;
 - cooperation with stakeholders (Responsible Ministry of education, higher education institutions, students' union, economy sector, ...);
 - Information and communication activities: Conferences, workshops, events;
 - Human and financial resources (ESG 3.5);
 - Internal quality management and organisational development, staff development (ESG 3.6).

6.13 To **approve** ASCAL's **mission statement** and any revision of it.

6.14 To **approve the specific criteria for selection of** local and foreign **experts** for institutional and study programmes' evaluation. The criteria undergo a review process on an annual basis. The criteria may be subject to revision and/or modification by the Accreditation Board at any time.

- 6.15 To **annually approve the list** of local and foreign **experts** to be engaged in evaluation commissions, following proposals from ASCAL and international bodies (e.g. ENQA, EUA, ESU,...). The list of experts is subject to regular updates at the meetings of the Accreditation Board.
- 6.16 To **approve standards and procedures for the evaluation of higher education institutions and their study programmes**, upon proposal of ASCAL.
- 6.17 To **approve the internal regulation for the ASCAL functioning and activity**, upon proposal of ASCAL, as well as the organisational structure of ASCAL before its approval by the Prime Minister.
- 6.18 To **approve the methodology and instruments** of the **National Student Survey** for teaching quality assurance, upon proposal of ASCAL.
- 6.19 To **examine the final reports on the National Student Survey** prior to their publication.

Article 7: Conflict of interest

- 7.1 A conflict of interest arises when a member of the Accreditation Board holds any **close relation to a higher education institution and/or its study programmes** that is subject to a decision by the Accreditation Board. Such close relations include:
- current employment or other services to the higher education institution;
 - participation in any boards or committees of the higher education institution;
 - previous employment or other services (in the last 5 years);
 - current employment or any involvement of family members;
 - current cooperation in projects;
 - previous cooperation in research projects (in the last 3 years).

The members of the Accreditation Board **shall declare on their own** and in advance if any conflict of interest arises.

- 7.2 In case of a conflict of interest, the member of the Accreditation Board shall not be involved in the treatment of the case in question. The member **shall not receive documentation and reports** about the specific procedure. He/she shall **leave the meeting room during the discussions and** when **decisions** on the specific institution are voted.

Article 8: Meetings

- 8.1 The Accreditation Board shall meet **no less than 6 times a year**.

- 8.2 The Accreditation Board meeting shall be held with the presence of **at least eight members**. **At least two foreign members** have to be present.
- 8.3 **Dates of meetings** shall be agreed upon several months in advance.
- 8.4 The **absence of a member** shall be **approved by the Chairperson**. The member shall notify the Chairperson **at least 48 hours in advance** and **justify his/her absence**. Any absence from meetings shall be justified and documented in the minutes. In case of violation of these rules and being absent in more than one third of the meetings during a period of 12 months, the Accreditation Board shall request the Council of Ministers to replace the respective member.
- 8.5 A **draft agenda** shall be forwarded by ASCAL at least 14 days before the meeting. Any member of the Accreditation Board may request **adding items to the agenda at least 7 days before** the meeting.
- 8.6 The **agenda** shall be **approved** at the beginning of the meeting. An **extension of the agenda during the meeting** is possible through voting. A decision on accreditation cannot be added to the agenda if the relevant proceedings have not already been part of the provisional agenda.
- 8.7 An **additional meeting** may be requested by at least six members, along with a proposed agenda, which is scheduled at least 6 weeks in advance.
- 8.8 **Meeting documents** shall be sent by ASCAL at least 7 days before the meeting.
- 8.9 An **extraordinary meeting** can be convened upon request of the Chairperson or six members of the Accreditation Board, along with a proposed agenda, and it has to be scheduled at least 2 days in advance.
- 8.10 **The Chairperson** of the Accreditation Board presides the meeting. In case of **absence**, the **Deputy Chairperson** of the Accreditation Board presides it. In case of absence of both, the eldest serving member does so.
- 8.11 The Chairperson shall **open the meeting, give the floor to members** during the debates, **request to vote** and announce the **decisions**.
- 8.12 The Chairperson may decide on the **participation** of a member **from distance**, via digital technology (e.g. via Skype), in case of an impossibility to be present and when a mandatory quorum of eight members has not been met. The technical arrangements have to be made before the meeting.

- 8.13 The meetings shall **not be open to the public** and the topics discussed shall be treated in **confidentiality**. Opinions and votes of individual members shall not be disclosed to third parties or the public.
- 8.14 The **Director of ASCAL shall attend** the meeting with no voting right. Further staff members may attend the Board meetings, on request.
- 8.15 **External** members (e.g. review experts, representatives of higher education institutions, other experts) **may be invited** to provide information and evidence concerning specific items of the agenda. Information shall be kept confidential.
- 8.16 **Minutes** are kept after each meeting by ASCAL. The minutes include the agenda of the meeting, the presence and absence of members, and the **main results and decisions (including the number of votes)**. The contents of evaluation reports and debates are only to be referred to in so far as they seem necessary to understand the resolutions adopted. The **draft minutes** shall be sent to the members along with the invitation of the next meeting at the latest. The submission may be accompanied by a deadline for comments in writing. The minutes shall be **approved at the next meeting**. The approved minutes shall be signed by all Accreditation Board members.

Article 9: Decisions

- 9.1 Each member is entitled to the right to **one vote**. A voting right **cannot be transferred** to another member.
- 9.2 The **decision shall be valid** when the **majority** of the attended members in the meeting **votes pro**. The **Chairperson shall vote last**.
- 9.3 In cases when the necessary **quorum is not met**, the voting shall be **postponed** for the next meeting.
- 9.4 **Distance voting** may be done on **items that do not require debate and decided before the next meeting**. Requests for decisions shall be submitted in writing and shall include a justification. The item needs to be elaborated in a way that allows for an affirmative or negative decision. A decision shall be made if at **least eight members have submitted their votes**. If a member **shall request discussion on the topic**, it shall be included on the agenda of the subsequent meeting. The vote shall be performed **electronically via e-mail** within a period of a minimum 7 days and a maximum of 14 days. The result of the vote shall be communicated at the next meeting.

Article 10: Sub-committees

10.1 The Accreditation Board may decide to set up **permanent and temporary committees** and determine their tasks. The sub-committees may invite external experts. These must be committed to confidentiality.

10.2 The sub-committee shall elect a **chairperson** from among its members. The chairperson of the sub-committee shall regularly report to the Accreditation Board on the activities of the sub-committee.

10.3 The Accreditation Board shall decide on the **rules of procedure of a sub-committee**.



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VENDIM

Ekstra Nr. 1, datë 02.02.2018

PËR

MIRATIMIN E “RREGULLORES SË BORDIT TË AKREDITIMIT”

Bordi i Akreditimit, bazuar në Ligjin Nr. 80, datë 17.09.2015, “Për arsimin e lartë dhe kërkimin shkencor në institucionet e arsimit të lartë në Republikën e Shqipërisë”, Ligji Nr. 8480, datë 27.5.1999 “Për funksionimin e Organeve Kolegjiale të Administratës Shtetërore dhe Enteve Publike”, Ligjin Nr. 44/2015 “Kodi i Procedurave Administrative i Republikës së Shqipërisë”, Vendimin e Këshillit të Ministrave Nr. 109, datë 15.02.2017 “Për organizimin dhe funksionimin e Agjencisë së Sigurimit të Cilësisë në Arsimin e Lartë e të Bordit të Akreditimit dhe për përcaktimin e tarifave për proceset e sigurimit të cilësisë në arsimin e lartë”, pas shqyrtimit të Draft-Rregullores së BA në mbledhjen e tij të datës 02.02.2018, të përgatitur nga grupi i punës i posaçëm dhe pas reflektimit të ndryshimeve të propozuara nga Bordi i Akreditimit dhe Agjencia e Sigurimit të Cilësisë në Arsimin e Lartë, në mbledhjet e mëparshme të tij,

VENDOSI:

1. Të miratojë “**Rregulloren e Bordit të Akreditimit**”, sipas Shtojcës bashkëlidhur këtij Vendimi.
2. Ngarkohet Agjencia e Sigurimit të Cilësisë në Arsimin e Lartë për publikimin e tij në faqen zyrtare të ASCAL.

Ky Vendim hyn në fuqi menjëherë.