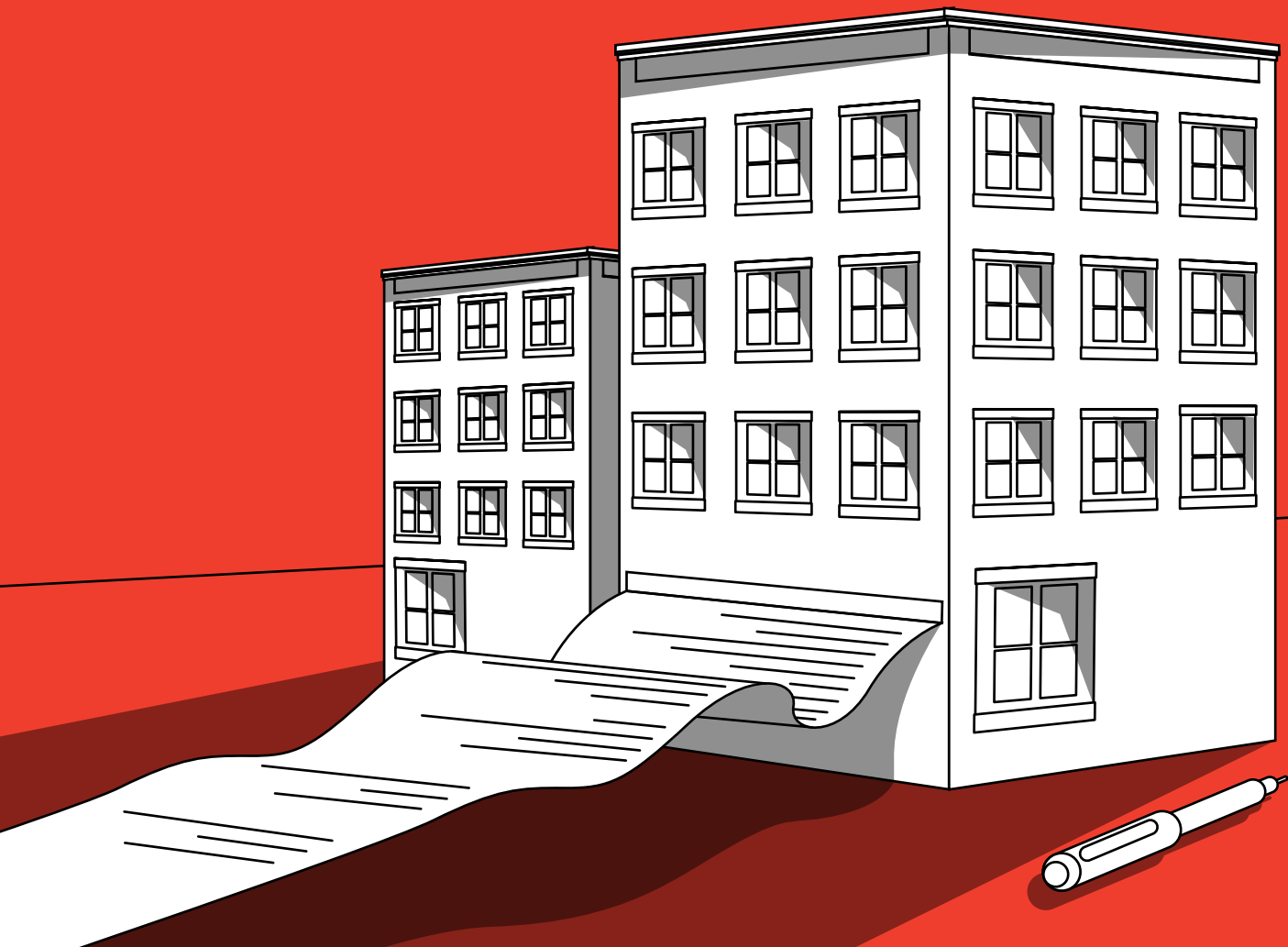


PRISHTINA, FEBRUARY 2021

STATE COUNCIL OF QUALITY MONITORING REPORT 2



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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
- **SCQ** - The State Council of Quality 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.
- **MES** - Ministry of Education and Science

INTRODUCTION

The Kosovo Accreditation Agency and the State Council of Quality continue to face series of interferences and various challenges in their work.

Outside political interferences and issues from within, have resulted in low quality higher education institutions and their study programs.

Despite the fact that this agency is independent in decision-making, political interventions from the outside and disorder on the inside, influenced the degradation of the quality of higher education institutions and their study programs.

This report is the result of the monitoring of the work of the State Council of Quality (SCQ) in the Kosovo Accreditation Agency (KAA) during 2020.

ORCA has participated in the meetings held by the SCQ, 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, despite the difficulties that rose from March 2020 with the spread 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, which would result in the KAA becoming a member again of the European Association for Quality Assurance in Higher Education (ENQA) and the European Quality Assurance Register in Higher Education (EQAR).

The Agency and its board need a special law through which they would ensure that indirect influence of the policies of education ministers are prevented, sufficient staff who would fulfil the tasks of the agency quicker and more efficiently, creating and maintaining databases for the labour market and the policies of the State Council of Quality, and more.

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

The 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 Council of Quality (SCQ), which is a policymaking and decision-making authority, and its permanent administrative structure of the KAA.

The State Council of Quality is composed of nine members, six of which are local: Gazmend Luboteni – head of SCQ, Vjollca Krasniqi – deputy head of SCQ, Dukagjin Zeka, Rozafa Koliqi, Arta Basha Jakupi, and Binak Beqaj, and of three international members, Jeffery Butel, Magdalena Ziolo and Herbert Amato. The members of the SCQ 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

The Kosovo Accreditation Agency currently works based on the *Law on Higher Education in the Republic of Kosovo*¹, 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 Kosova*², 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)*³, through which the functioning, composition, decision-making procedure, duties and the manner of work (calling meetings, holding meetings, manner of decision-making) 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.

¹ 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

² 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>

³ Regulation on the work of the State Council of Quality, June 2018, link: <https://drive.google.com/file/d/0B7etG-3bh-SBVVkt4T2J5bmZuOTdYVFN4bFZmMnFwaxx3Z0tR/view>

In the *'Regulation for the work of the Appeals Commission'*⁴, 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 Kosova"*⁵, 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 Kosovo*⁶, 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.

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

5 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>

6 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 is 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.

DECISIONS OF THE STATE COUNCIL OF QUALITY (SCQ)

During 2020, the SQC issues 12 decisions for rejection of accreditation of programs and institutions, where 8 of them are rejections for institutional accreditations of private HEIs, and 4 are decisions for programs of some private HEIs.

In this time, the SQC gave institutional reaccreditation to 4 Higher Education Institutions, 1 private and 3 public HEIs. It also rejected the institutional reaccreditation of 4 private HEIs. Among them are FAMA College, Iliria College, and Tempulli College, which are private HEIs that have failed the second round of institutional accreditations.

According to the Law on Higher Education in the Republic of Kosovo⁷, 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 Kosovo⁸, 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 MES to proceed with the withdrawal of this institution's license.

If we compare the number of accredited programs before the current board's mandate, in 2018, we can see that there were 220 public HEI programs accredited, and 122 private HEI programs. While in the past year the number of accredited programs in public HEIs were 233, and private HEIs had 128 accredited programs.

⁷ Law on Higher Education in the Republic of Kosovo, September 2011, link: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2761>

⁸ 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>

In 2020, 9 public HEIs and 12 private HEIs had institutional accreditations, while 10 private HEIs did not have institutional accreditations this year. In 2018, when the current board started its work, 9 public HEIs and 21 private HEIs had institutional accreditations.

During this time, the KAA accepted a lawsuit from a private HEI. The HEI sued the KAA because they did not accredit a program, despite the positive evaluation by the experts. According to the legislation in power, the SQC can decide contrary to the experts' recommendation in cases when they can conclude that the factual situation is different from the final recommendation of the external evaluators.

Appeals Commission

In September 2020, the Kosovo Accreditation Agency appointed five members in the Appeals Commission (AC)⁹. Three of them are permanent members and two are alternative members.

The permanent members are Faton Merovci, Muhamet Qerimi and Krenare Sogojeva Dërmaku, while the alternative members are Bujar Pira and Haki Demolli. This commission has a two year mandate.

The Appeals Commission has considered 15 appeals during 2020, 14 from private HEIs and 1 from a public HEI. 13 appeals were rejected as unfounded and thus confirmed the SQC's decisions, while one appeal was accepted as founded and one was accepted as partially founded.

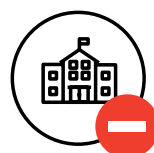
⁹ News article/The Appeals Commission of the Kosovo Accreditation Agency is established, September 2020, link: <https://kallxo.com/lajm/dokument-themelohet-komisioni-i-ankesave-i-agjencise-se-akreditimit/>

LIST OF HIGHER EDUCATION INSTITUTIONS WITH OR WITHOUT INSTITUTIONAL ACCREDITATION

PUBLIC HIGHER EDUCATION INSTITUTIONS



Accredited:



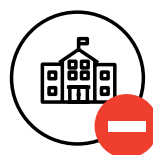
Not accredited:

- ✓ 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



Accredited:



Not accredited:

✓ AAB College

⊖ Biznesi College

✓ AUK (RIT Kosovo)

⊖ Fama College

✓ Dardania College

⊖ Globus College

✓ ESLG College

⊖ Iliria College

✓ Evolucion Academy

⊖ Juridica College

✓ International Business College Mitrovica (IBC-M)

⊖ Tempulli College

✓ Heimerer College

⊖ Kosovo Art Academy

✓ Rezonanca College

⊖ "Pjetër Budi" College

✓ Riinvest College

⊖ Dukagjini College

✓ UBT College

⊖ Universi College

✓ Universum College

⊖ Arbëri College

✓ ISPE College

ACCREDITED STUDY PROGRAMS IN HIGHER EDUCATION INSTITUTIONS

Study programs accredited in public HEIs according to study levels¹⁰ are as follows:

The SCQ has accredited 124 Bachelor level programs: 47 of which are Bachelor of Arts, 65 are Bachelor of Sciences, 2 are Bachelor of Arts (professional), 5 are Bachelor of Law, 2 are Bachelor of music, 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 SCQ has accredited 91 study programs: 28 of Master of Arts, 51 of Master of Sciences, 1 of Master of Arts (professional), 1 of Professional Master, 7 of Master of Law, 2 of Master of Music, 1 of Master of Public Health, and 1 of Master of Public Health (integrated).

In the PhD level, the SCQ has accredited 14 programs, and in Doctor of Science 5 programs were accredited.

If we compare with the previous year's monitoring report¹¹, this time we have more accredited programs in public HEIs since three public universities have since received institutional accreditation and the programs that had accreditation were able to register students, while the other programs were given accreditation.

In 2019, in public HEIs there were 81 Bachelor level accredited programs, 72 in Master level, 14 in Doctorate, and 5 in Doctor of Science. So in 2020, there was an increase of 43 programs for the Bachelor level and 19 programs for the Masters level.

¹⁰ List of accredited programs in public and private HEIs, 2020, link: <https://drive.google.com/file/d/14EwqBrL5Kp-1gdzsgDL7rVdfnQxaaq0CO/view>

¹¹ State Council for Quality Monitoring Report, March 2020, link: <http://orca-ks.org/wp-content/uploads/2017/02/Raporti-Monitorimit-te-Keshillit-Shteteror-06.pdf>

Study programs accredited in private HEIs according to study level¹² are as follows:

In the Fifth Level, which is a higher vocational school, the SCQ has accredited one program.

The SCQ has accredited a total of 87 Bachelor level programs: 38 of which are Bachelor of Arts, 38 are Bachelor of Sciences, 1 is Bachelor of Arts (Professional), 3 of Professional Bachelors, 4 of Bachelor of Law, 2 of Doctor of Dental Medicine, and one of Doctor of Dental Medicine (Integrated).

In the master level, the SCQ accredited 40 programs, 17 of which are Masters of Arts, 14 are Masters of Sciences, 1 is Masters of Arts (Professional), 6 are Masters of law, and 1 is Masters of Public Health.

The number of accredited programs in 2020 was increased for 8 programs in private HEIs. 10 programs were added on the Bachelor of Sciences level, while other levels had an increase of one or two programs.

¹² List of accredited programs in public and private HEIs, 2020, link: <https://drive.google.com/file/d/14EwqBrL5Kp-1gdzsgDL7rVdfnQxaaq0CO/view>

NUMBER OF STUDY PROGRAMS ACCREDITED IN HEIS

Type of diploma	Public	Private	Total
Bachelor of Arts	47	38	85
Bachelor of Sciences	65	38	103
Bachelor of Arts (Professional)	2	1	3
Professional Bachelor	0	3	3
Bachelor of Law	5	4	9
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	28	17	45
Master of Sciences	51	15	66
Master of Arts (professional)	1	1	2
Professional Master	1	0	1
Master of Law	7	6	13
Master of Music	2	0	2
Master of public health	0	1	1
Master of public health (integrated)	1	0	1
Fifth level	0	1	1
Doctorate	14	0	14
Doctor of Science	5	0	5
TOTAL	234	128	362

Evaluation of higher education institutions by the Kosovo Accreditation Agency

The evaluation of the higher education institutions by the international experts was primarily conducted in May 2020. During this year 14 HEI underwent the process of accreditation:

Public HEI:	Private HEI:
University of Prishtina	Iliria College
University of Ferizaj	UBT College
University of Prizren	Pjetër Budi College
University of Peja	Fama College
University of Mitrovica	Dukagjini College
	Tempulli College
	Biznesi College
	Arbëri College
	Universi College

Because of the extraordinary health circumstances caused by COVID-19, the State Council of Quality 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. Out of 14 visits, in 12 of them the director of the agency himself participated.

9 experts were engaged in evaluating institutions. Based on ENQA's recommendation, 3 of the experts were student experts. The KAA split the experts in three groups, where each group of 3 experts evaluated 2 public HEIs and 3 private HEIs.

The team of experts was composed of: Melita Kovacevic, Maiki Udam, Oana Sarbu, Milan Pol, Janez Vogrinz, Ketj Tsojniashvili, Yelena Istileluova, Elene Jibladze, Delia Gologan.

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.

INTERFERENCES AND IRREGULARITIES IN THE KOSOVO ACCREDITATION AGENCY AND THE STATE COUNCIL OF QUALITY

Expulsion from ENQA and EQAR

The Kosovo Accreditation Agency was expelled from the European Quality Assurance Register for Higher Education (EQAR) in 2018 and from the European Association for Quality Assurance in Higher Education (ENQA) in 2019¹³, as a result of political interferences in the agency's independence.

ENQA also criticized the agency for not hiring enough staff to fulfil the tasks that the KAA offers, for not developing a strategic plan, the methodology of their work, inclusion of students, monitoring of the standards implementation, improving the quality of the reports with in-depth analyses and the independence of their work.

Surpassing quotas in student registrations

In January 2020, the MES Inspectorate filed a criminal complaint against the UBT College in the Basic Prosecution in Prishtina, where investigations were opened under the allegations that the college had surpassed the maximum number of registered students in their study programs¹⁴.

In June 2020, a petition of 293 signatures of students of Heimerer College was filed in the General Secretary of MES, after they had found that they were not registered as students in that college in the System of Managing Information on Higher Education (SMIAL).

¹³ ENQA AGENCY REVIEW: KOSOVO ACCREDITATION AGENCY (KAA), September 2019, link: <https://enqa.eu/wp-content/uploads/2019/10/KAA-external-review-report.pdf>

¹⁴ Investigation/The prosecution starts investigations against UBT college, it registered 1236 excessive students, January 2020, link: <https://frontonline.net/prokuroria-nis-hetimet-ndaj-kolegjit-ubt-regjistroi-1236-studente-meshume/>

Registration of students in unaccredited programs

In 2020, an investigation by a local media was published where a student of Rezonanca College alleged that she was defrauded by this college. She alleged that they told her that the program where she was registered in had accreditation, even though it didn't¹⁵.

The college had declared that they believed that the SCQ will accredit them in the academic year 2019/2020, since they were allowed to reapply according to the new administrative instruction, and that if they wouldn't be given accreditation, they would sue the agency. The SCQ did not accredit the specific program in 2019/2020 but they did for the year 2020/2021.

Pressures from the (at the time) prime minister to speed up the accreditation process

In January 2020, the at-the-time Prime Minister Ramush Haradinaj, once more, interfered in the Kosovo Accreditation Agency¹⁶, through a letter that he sent to the head of the SCQ and the acting director of the KAA, in which he accused the KAA of prolonged procedures and administrative obstacles for accrediting some private colleges.

After this letter was published, the director of the European Quality Assurance Register for Higher Education (EQAR), Colin Tück, called on the board of the KAA to be careful in how they consider this letter¹⁷, adding that the KAA's decisions can only be reviewed by the courts.

Suspicious of manipulations in the accreditation process

Three local members of the SCQ, Dukagjin Zeka, Arta Jakupi and Rozafa Koliqi, left the meeting of the SCQ held in January 2020, under allegations that the accreditation process of some study programs of three private colleges was manipulated¹⁸.

The head of the SCQ, Gazmend Luboteni¹⁹ and the (at the time) acting director of the KAA, Avni Gashi, denied these allegations that the accreditation process of some programs of

15 Investigation/ Rezonanca College explains why it registered students in unaccredited programs, January 2020, link: <https://kallxo.com/lajm/kolegji-rezonanca-tregon-pse-i-nisi-studimet-ne-programet-qe-nuk-ishin-akredituar/>

16 News Article/Haradinaj interferes again in the Kosovo Accreditation Agency, January 2020, link: <https://kallxo.com/lajm/dokument-haradinaj-i-perzihet-serish-puneve-te-agjencise-se-akreditimit/>

17 News article/EQAR concerned with the actions of the previous government, calls for caution, February 2020, link: <https://www.koha.net/arberi/209066/eqar-i-i-shqetesuar-me-veprimet-e-qeverise-se-kaluar-kerkon-kujdes/>

18 News article/Allegations of misconduct in the accreditation of some private HEIs' programs, January 2020, link: <https://www.koha.net/arberi/204577/dyshime-per-dallavere-ne-akreditimin-e-programeve-te-disa-kolegjeve-private/>

19 On February 4, 2021, the head, the vice-head and the three international members resigned from their positions in the State Council of Quality. While the international members resigned because they did not accept to declare

the Rezonanca College, Hemierer College and ISPE College were manipulated²⁰, but the members of the SCQ that raised these concerns alluded to the fact that the evaluation reports of these programs of these colleges were done in record time.

In March 2020, the three aforementioned members of the SCQ filed a criminal complaint in the Basic Prosecution in Prishtina for abuse of official duty against the former acting director of the Agency, Avni Gashi, the head of the SCQ, Gazmend Luboteni, and the vice-head of the SCQ, Vjollca Krasniqi.

However, in June the Prosecution dismissed the criminal charge saying they had not found any evidence²¹. The complaining parties said this happened because the prosecution delayed the review and the decision, since by the time the prosecution took the decision all the points raised in the complaint were fulfilled.

The odyssey of threats and pressure against the KAA director

In April 2020, the director of the Kosovo Accreditation Agency, Naim Gashi, reported the owner of the ISPE College, Avni Mazreku, to the Kosovo Police and the State Prosecution, saying that since he had accepted the position of director of the Agency, he was impeded by the pressure and threats of Mazreku.

On April 4 2020, a few hours after a SCQ meeting, director Gashi received some threatening messages from the owner of the ISPE college, Avni Mazreku, who had gone to Gashi's house and destructed his yard furniture while Gashi and his family were not home. After the threatening messages and the destruction of private property, the Kosovo Police arrested Avni Mazreku and held him for 48 hours. The case is now in court.

It all started when the owner of ISPE college started pressuring the Kosovo Accreditation Agency to accredit two of his college's study programs, 'BSc in Nursing', for which they had received a negative recommendation from the international evaluators, and for 'BA in Security Studies', for which the SCQ had decided to not include it in the accreditation process since they did not fulfil the legal criteria of having three PhD managing staff. These

their wealth on the Anti-corruption Agency, as required, the local members resigned because of the impossible task of improving the quality of higher education. News article/ The full resignation letter of the two local members of the SCQ, February 2021, link: <https://kallxo.com/arsim/dokument-letra-e-plote-e-doreheqjes-se-dy-anetareve-vendore-te-kshc-se/>

20 News article/Leaders of accreditation deny that the accreditation process of colleges was manipulated, January 2020, link: <https://www.koha.net/arberi/204777/udheheqesit-e-akreditimit-mohojne-se-procesi-i-akreditimit-te-kolegjeve-eshte-i-manipuluar/>

21 News article/The criminal charge against the directors of the board of SQC is dismissed, July 2020, link: <https://kallxo.com/News article/rrezohet-kallezimi-penal-ndaj-drejtuesve-te-bordit-te-kshc-se/>

decisions from the KAA and the SCQ were taken before Gashi was appointed as director of the agency.

ISPE college had tried to blackmail the KAA through an illegal wiretap of a meeting with two officials of the agency, for which the police and the prosecution have been informed. In the wiretapped meeting, the officials explained to ISPE college the criteria that need to be fulfilled for accreditation of programs, but they have continually tried to pressure the Agency to ignore the criteria and illegally favour the college.

After this response, the secretary of this college, Leonis Gashi, started pressuring the director of the KAA through emails, accusing him of illegal orchestrations to prevent the college from accrediting its program. These emails were forwarded to the police and the State Prosecution and will be part of a court proceeding.

They further added false statements saying the director had said them, recording conversations with the Agency's staff, sending emails to local and international institutions containing accusations against the director of the Agency.

For this and more, the Director of the Agency regularly notified the Kosovo Police, who in July 2020 did a risk evaluation for the director of the KAA. After the evaluation, the Kosovo Police offered close protection for the director of the Agency and set up safety measures for his family.

Minister Likaj illegally decides to increase the number of students in the Faculty of Medicine in the University of Prishtina

On November 19, 2020, the Minister Rame Likaj illegally decided to increase the number of students in the Faculty of Medicine for the academic year 2020/21.²² According to Likaj, this decision was taken based on the request of the Minister of Health, Armend Zemaj, and of the parliamentary commission for education and science, and in consultation with the State Council of Quality. The Parliamentary Commission on Education denied that they proposed such a thing.²³ The head of the SCQ, Gazmend Luboteni, also declared

²² News article/Likaj illegally decides to increase the number of students in Medicine, November 2020, link: <https://www.koha.net/arberi/246299/likaj-jashteligjshem-merr-vendim-te-shtohet-numri-i-studenteve-ne-mjekesi/>

²³ News article/ Eliza Hoxha: The Commission for Education has not proposed to increase the number of students in Medicine, November 2020, link: <https://kallxo.com/arsim/eliza-hoxha-komisioni-per-arsim-nuk-e-ka-bere-propozimin-per-rritjen-e-numrit-te-studenteve-ne-mjekesi/>

that the SCQ was not informed about this.²⁴ The Rector of the University of Prishtina²⁵ and the Dean of the Faculty of Medicine²⁶ were also against this decision. Since the SCQ is the only authority that can decide on the number of students that can be registered in study programs, this decision of Minister Likaj was illegal and was not implemented by the University of Prishtina.

The minister illegally appoints Binak Beqaj as member of the State Council of Quality

Minister Likaj in August 2020 illegally appointed Binak Beqaj as member of the State Council of Quality, since according to article 7, point 4, of the Law on Higher Education, the members of the SCQ must be ratified by the Parliament. Furthermore, Binak Beqaj is a member of the political party AAK, of which the Minister of Education, Rame Likaj, is also a member of²⁷. In 2019, Xhavit Rexhaj had resigned from the State Council of Quality, precisely because he was a member of a political party²⁸. He had sent a request of clarification to the Anti-Corruption Agency who had decided that the members of the SCQ must not be politically affiliated.

Creation of a working group to work on issues in public and private higher education

The acting minister of education, Rame Likaj, in November 2020, created a working group which aimed to review the unaccredited programs in public and private higher education institutions from 2010 to now.

They aimed to retroactively accredit programs that had registered students but had no accreditation. This was rejected by the Director of the KAA and the head of the SCQ, and ultimately the recommendations of this working group were not implemented.

²⁴ News article/SCQ: The Minister has not consulted us for the increasing of the number of students in Medicine, November 2020, link: [https://kallxo.com/News article/kshc-ministri-nuk-eshte-konsultuar-me-ne-per-rritjen-e-numrit-te-studenteve-ne-mjekesi/](https://kallxo.com/News%20article/kshc-ministri-nuk-eshte-konsultuar-me-ne-per-rritjen-e-numrit-te-studenteve-ne-mjekesi/)

²⁵ News article/The rector of UP against Zemaj's request to increase the number of students in Medicine, November 2020, link: [https://kallxo.com/News article/rektori-i-up-se-kunder-kerkeses-se-zemajt-per-rritjen-e-numrit-te-studenteve-te-mjekesise/](https://kallxo.com/News%20article/rektori-i-up-se-kunder-kerkeses-se-zemajt-per-rritjen-e-numrit-te-studenteve-te-mjekesise/)

²⁶ News article/Requests to increase the number of students in medicine, the dean of the Faculty responds to Zemaj, November 2020, link: [https://kallxo.com/News article/kerkesat-per-rritjen-e-numrit-te-studenteve-te-mjekesise-dekanja-e-fakultetit-i-pergijgjet-zemajt/](https://kallxo.com/News%20article/kerkesat-per-rritjen-e-numrit-te-studenteve-te-mjekesise-dekanja-e-fakultetit-i-pergijgjet-zemajt/)

²⁷ News article/ The professor who is a member of AAK is appointed to the State Council of Quality, August 2020, link: [https://kallxo.com/News article/professori-anetar-i-aak-se-emerohet-ne-keshill-shteteror-te-cilesise/](https://kallxo.com/News%20article/professori-anetar-i-aak-se-emerohet-ne-keshill-shteteror-te-cilesise/)

²⁸ News article/Political affiliations not allowed, the member of the State Council of Quality resigns, May 2019, link: <https://kallxo.com/shkurt/nuk-i-lejohet-angazhimi-partiak-jep-doreheqje-anetari-i-keshillit-shteteror-te-cilesise/>

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

Addressing ENQA's recommendations

The Kosovo Accreditation Agency has developed a Working Plan to address the recommendations of ENQA and the developing of KAA. In September 2019, this agency received the final decision of ENQA where it said that the KAA would be discontinued as a member, with the reasoning that they do not fulfil the standards anymore, and that they have significant shortcomings in its leadership²⁹. Apart from that, the agency was offered recommendations for addressing the standards and guidelines for quality assurance in the European Zone of higher education (ESG standards). The standards that were totally unfulfilled are mainly on quality assurance, institutional independency, resources, methodology to achieve objectives, appeals and complaints, etc.

To address the ENQA recommendations, the KAA has taken several steps. They have contracted a group of four experts to draft a strategic plan and are currently in the final phase of drafting the Manual for External Experts. The KAA has also participated in drafting the law for the KAA in the Ministry of Education and Science. As for recruiting more staff, they have initiated the recruitment procedures.

Difficulties in verifying managing academic staff of study programs

According to Article 26, point 5.3.4. of the Administrative Instruction for accreditation of higher education institutions, for a study program of bachelor and master level to be accredited, they must have “for every 60 ECTS of the study program, the institution must have at least one academic staff with a full time position and a PhD title in the field of the

²⁹ ENQA AGENCY REVIEW: KOSOVO ACCREDITATION AGENCY (KAA), 2019, <https://enqa.eu/wp-content/uploads/2019/10/KAA-external-review-report.pdf>

study program”. The Kosovo Accreditation Agency has difficulties in verifying the staff if they are working elsewhere full time too.

Lack of database for the labour market needs

So far a document/database has not been prepared by the Ministry of Education³⁰, the Ministry of Labour and Social Welfare³¹, the Kosovo Accreditation Agency³², the Kosovo Agency for Statistics³³ and the Employment Agency³⁴, which analyses the labour market needs.

This database, would be published in the KAA website, through which, people interested in university studies, would be informed and oriented for the programs which are needed by the labour market. It would also serve the SCQ during the decision making process for accrediting study programs.

Lack of exchanging of information for academic staff in the regional level

A database is needed, which would serve as an information tool for public and private HEIs, within and outside the country, for the composition of the academic staff in accredited institutions, so that professors cannot be employed by more than one HEI in different countries. It would also serve the SCQ during the process of reviewing academic staff of HEI which apply for accreditation or reaccreditation.

Lack of staff in KAA

Currently the KAA functions through seven officials: the director of the KAA, the official for administration and personnel, the official for budgeting and finances, the official for monitoring and evaluation, and three officials for evaluation and accreditation. The administrative difficulties in recruiting, the criteria, the workload compared to their pay, the quality of case review, and many other reasons, have caused the KAA not to be able to hire necessary staff, and as a result they cannot conduct the monitoring process of HEIs.

³⁰ The official website of the Ministry of Education and Sciences of the Republic of Kosovo, link: <https://masht.rks-gov.net/>

³¹ The official website of the Ministry of Labour and Social Welfare of the Republic of Kosovo, link: <https://mpms.rks-gov.net/>

³² The official website of the Kosovo Accreditation Agency, link: <http://www.akreditimi-ks.org/new/index.php/sq/>

³³ The official website of the Statistics Agency of the Republic of Kosovo, link: <https://ask.rks-gov.net/>

³⁴ The official website of the Employment Agency of the Republic of Kosovo, link: <https://apr.k.rks-gov.net/>

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.

According to the Law on budget for 2020³⁵, the Kosovo Accreditation Agency has budget for 32 positions, while in 2019 they had budget only for 13 positions. The KAA has already initiated the recruitment procedures for more staff.

The need to improve the legal infrastructure

A separate law for the Kosovo Accreditation Agency is proposed, through which total institutional independency would be guaranteed, so that the function of the Agency is in accordance with the criteria of the European Quality Assurance Register in Higher Education (EQAR) and it would enable the KAA to create its own policies.

As a result of the lack of a separate law, MEST has compiled Administrative Instructions that influence the work of the KAA, for example the two change-supplements of the AI for accreditation of the institutions of higher education, which enable HEIs to reapply after 90 days of receiving a rejection.

The Kosovo Accreditation Agency currently works based on the Administrative Instruction No. 15/2018³⁶. According to the director of the Agency, the two amendments to this instruction, AI 08/2019³⁷ and AI 13/2019³⁸, were approved without consideration of the legal basis and have created extraordinary difficulties, since there are rules in these instructions that are technically impossible to fulfil.

³⁵ Law on the budget appropriations of the Republic of Kosovo for year 2020, link: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=27690>

³⁶ 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>

³⁷ 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>

³⁸ 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>

The Director of the Agency has asked from the Minister of Education to repeal the AI 08/2019, which allows HEIs to reapply for accreditation within 90 days of rejection from the KAA. This doesn't allow for proper evaluation, since this deadline can cross-over with the deadline of registering students in SMIAL.

The Agency has also asked to repeal the AI 13/2019. According to the director of the agency, this amendment is illegal and allows for engaging academic staff beyond the established deadlines, and allows for staff hiring that have not been verified by the agency and may work in other institutions. This procedure has allowed for the same people to be declared in several HEIs as academic staff after the procedure is over.

The Kosovo Accreditation Agency has not received any response from the Ministry of Education for these requests.

NEXT STEPS

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

Another ENQA recommendation includes finding proper spaces for the KAA to conduct their work. This is an urgent need that the Kosovo institutions should address.

A separate law that regulates the work of the agency, the State Council of Quality, and the Appeals Commission, which would guarantee the independence of the accreditation process from indirect interferences of education ministers, thus far allowed to happen through Administrative Instructions. To ensure institutional independence, the new law must create financial independence for the KAA too.

The State Quality Council currently has only four members, one of which was not approved by the Kosovo Parliament as required by the legislation of the Agency and the board. It is impertinent that the board is equipped with the necessary local and international members so that the board can be functional, to continue its accreditation processes.

The Kosovo Accreditation Agency is currently in a critical phase since the time to reapply for membership in the European Association for Quality Assurance in Higher Education (ENQA) and the European Quality Assurance Register for Higher Education (EQAR) is fast approaching. The Agency is continuously working to fulfil the European standards required for membership in these two agencies.

DISCLAIMER:

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