

CASE TITLE
**“LEGAL FRAMEWORK FOR HIGHER EDUCATION QUALITY STATE
STANDARDS”**

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The scope and level of education from which the case is taken: Quality state standards in Higher Education in accordance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area.

Description of the Case:

In the last decade, higher education in Albania is facing both quantitative and qualitative changes. At present, the higher education landscape is very dynamic. The number of higher education institutions (HEI), especially private institutions, has noticeably increased.¹ The increase in number of private HEI has clearly affected the higher education quality.

The quality assurance both in public and private HEI, within a framework with clearly defined standards, represents a challenge in the context of European processes that the Albanian education is going towards as required by the participation in the Bologna process in 2003. This includes the signing of the Stabilisation and Association Agreement done between Albania and the EU Member States in June 2006 (Art.100).²

Facing a reality in which increasingly requires a higher education system closer to the European Higher Education Area standards, the Albanian Government, pursuant to Art. 61 of Law No. 9741, dated 21 May 2007 “On Higher Education in the Republic of Albania”³, adopted the higher education quality state standards which have been considered as the ‘Legal framework for quality state standards’ and which comprises of:

1. Minister of Education and Science Order No. 126, dated 17 March 2011, “On the adoption of quality state standards for the assessment and institutional accreditation of higher education institutions”.

¹ Higher Education Quality Assurance Agency, www.ascal.al

² Law No. 9590, dated 27 July 2006, On the Ratification of “Stabilization and Association Agreement between the Republic of Albania and the European Communities and their Member States”, June 2006.

³ No. 9741/2007 “On Higher Education in the Republic of Albania” is abrogated with Law no.80/2015 “For Higher Education and scientific research in the HEI in the Republic of Albania”

2. Minister of Education and Science Order No. 134, dated 21 March 2011 “On the adoption of quality state standards for the assessment and accreditation of higher education institutions’ first cycle study programs”.
3. Minister of Education and Science Order No. 135, dated 21 February 2011 “On the adoption of quality state standards for the assessment and accreditation of higher education institutions’ second cycle study programs”.
4. Minister of Education and Science Order No. 136, dated 21 February 2011 “On the adoption of quality state standards for the assessment and accreditation of higher education institutions’ third cycle study programs”.

Legal framework of quality standards in the area of higher education

“The legal framework of quality state standards” is focused in two main directions:

Standards to be met by a higher education institution in order to be evaluated and accredited, called “institutional standards”.

Standards to be met by study programs in the three study cycles in order to be evaluated and accredited, called “standards of study programs”.

The Minister of Education and Science Order No. 126, dated 17 March 2011 “On the adoption of quality standards for the assessment and institutional accreditation of higher education institutions”, states: “Quality State Standards represent the bulk of requirements and criteria an institution shall meet and they serve as a series of recommendations which assist higher education institutions achieve a certain development rate”.

Each standard in itself consists of a list of criteria/requirements which the order cited above defines as: “Examples of best practices arranged in a non-final form (which have not been assessed thoroughly). They shall assist the institution in fulfilling standards in favour of quality improvement”.

Based on the definition given to the “standards”, it might be said that they are not of a binding nature and their application is subject to the institution’s discretion. The same thing also applies for their criteria which serve as an example on showing how the standards may be met.

Institutional standards

Institutional standards are focused on three main directions:

- study programs;
- scientific activity;
- management of the institution.

The list of standards addressed to the study programs in this order is very long and it includes a variety of criteria/requirements in itself.

Thus, the standards of the **study programs** include the following:

1. The institution shall provide study programs in compliance to its mission and capacities.
 2. The continuous education shall be an integral part of study programs.
 3. Study programs shall be provided in compliance with the institution's development strategy.
 4. The study programs shall be provided in compliance with local, national, and international trends.
 5. Study programs shall be provided in compliance with the institution's capacities.
 6. Study programs shall be easily understandable and their objectives shall be clearly defined.
 7. First cycle study programs shall equip students with basic knowledge on general scientific methods and principles.
 8. First cycle study programs shall be drafted in such way to facilitate the adaptation of the student with the university environment.
 9. Second cycle study programs shall be based on research, and for the purpose of their fulfilment, the institution shall cooperate with stakeholders in the economic area.
 10. Study programs shall be aimed at achieving the mobility of Albanian students in Europe and beyond.
 11. Study programs shall enable the practical application of knowledge and abilities gained by students in theoretical courses.
 12. The announced study program shall be applied in adequate conditions.
 13. Higher education institutions shall equip students, who meet all the requirements of a study program, with the relevant diploma which is an official document.
 14. Study programs shall be subject to continuous improvement for the purpose of quality improvement.
 15. The institution shall follow a clear policy regarding the education quality improvement.
- Their applicability is subject to the discretion of the institution to which they are recommended.

The second focus of institutional standards is **scientific research**. The standards comprising it include the following:

1. The department, as a basic unit of the institution, shall identify its strengths and weaknesses in the area of scientific research.
2. The institution shall encourage development, dynamism and scientific research.
3. The institution shall focus on the internationalisation of scientific research.
4. The institution shall specify the primary areas of scientific research.
5. The institution shall apply the scientific research priorities.
6. The institution shall provide continuation in the area of scientific research.
7. The institution shall inform over the results in the area of scientific research.
8. The institution shall follow a policy for the evaluation and transfer of results in the area of scientific research.

In accordance with the legal document, **the management of the institution** is focused on some main standards:

- Autonomy;
- Organisation of higher education institutions;
- Partnership;
- Management of human resources;

- Management of the institution’s activity;
- Financial management;
- Management of information systems.

Regarding these standards, we may say they represent a change and they are aimed at producing the modern concept of management for HEI in Albania.

Quality assurance in higher education institutions

Quality assurance for HEI is based on the existence of standards which serve as reference or as a system of criteria when it comes to external evaluation (quality assurance), or as a guideline on the internal organisation (quality management).

The first mechanism is the internal quality assurance by HEI themselves. Articles 6, point 24 and 103 of Law no.80/2015 in combination with each other’s provided:⁴ “An internal quality control unit shall be established and operate with HEI”. On the other hand, the standards of study programs (orders 134, 135, and 136) include the existence of this mechanism.

The second mechanism for the higher education quality assurance in Albania is the Higher Education Quality Assurance Agency, which applies the external quality assessment.⁵ It includes the Accreditation Board as a *permanent* mechanism which prepares the decision regarding evaluation and institutional accreditation as well as accreditation of study programs.

Finding:

- The legal framework of quality state standards represents a positive step to ensure the quality of higher education in Albania. Such a framework makes HEI face the challenge of meeting quality state standards which, even though are not mandatory, are necessary for those HEI that want to create a clear physiognomy and become distinct in the higher education market.
- The legal framework is similar to the Standards and Guidelines for Quality Assurance in the European Higher Education Area.

Source:

- Law No. 9590, dated 27 July 2006 On the Ratification of “Stabilization and Association Agreement between Republic of Albania and the European Communities and their Member States”, Official Gazette of the Republic of Albania, no. 87/2006.
- Law no.80/2015 “For Higher Education and scientific research in the HEI in the Republic of Albania”, Official Gazette of the Republic of Albania, no. 164/2015.

⁴ This rule was also foreseen in the abrogated law No. 9741/2007 “On Higher Education in the Republic of Albania”, Art. 59.

⁵ Art. 14 & Art.15 of Law no. no.80/2015 “For Higher Education and scientific research in the HEI in the Republic of Albania” This rule was also foreseen in the abrogated law No. 9741/2007 “On Higher Education in the Republic of Albania”, Art.60

- Law No. 9741, dated 21 May 2007 “On Higher Education in the Republic of Albania,” as amended, Official Gazette of the Republic of Albania, no. 68/2007 & Official Gazette no.111/2010.
- Minister of Education and Science Order No. 134, dated 21 March 2011 “On the adoption of quality state standards for the assessment and accreditation of higher education institutions’ first cycle study programs”, URL: <http://www.mash.gov.al>
- Minister of Education and Science Order No. 135, dated 21 February 2011 “On the adoption of quality state standards for the assessment and accreditation of higher education institutions’ second cycle study programs”, URL: <http://www.mash.gov.al>
- Minister of Education and Science Order No. 136, dated 21 February 2011 “On the adoption of quality state standards for the assessment and accreditation of higher education institutions’ third cycle study programs”, URL: <http://www.mash.gov.al>
- Minister of Education Order No. 503, dated 7 October 2011 "On the start of third cycle study programs, PhD studies in economic, social, and legal sciences by the European University of Tirana", URL: <http://www.mash.gov.al>
- Standards and Guidelines for Quality Assurance in the European Higher Education Area, (2009), 3rd edition Helsinki