



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

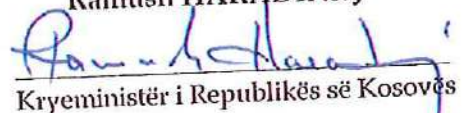
Nr. 11/95
Datë: 26.03.2019

Në mbështetje të nenit 92 paragrafi 4. dhe të nenit 93 paragrafi (4) të Kushtetutës së Republikës së Kosovës, duke u bazuar në nenin 4 të Rregullores Nr. 02/2011 për Fushat e Përgjegjësisë Administrative të Zyrës së Kryeministrit dhe Ministrive, e ndryshuar dhe e plotësuar me Rregulloren Nr. 15/2017, me Rregulloren Nr. 16/2017, me Rregulloren Nr. 07/2018, me Rregulloren Nr. 26/2018 dhe me Rregulloren Nr. 30/2018, në pajtim me nenin 19 të Rregullores së Punës së Qeverisë së Republikës së Kosovës Nr. 09/2011, Qeveria e Republikës së Kosovës, në mbledhjen e mbajtur më 26 mars 2019, nxjerr këtë:

V E N D I M

1. Aprovohet Koncept Dokumenti për Agjencinë e Kosovës për Akreditim.
2. Obligohet Ministria e Arsimit, Shkencës dhe Teknologjisë dhe institucionet tjera kompetente për zbatimin e këtij vendimi, në pajtim me Rregulloren e Punës së Qeverisë së Republikës së Kosovës.
3. Vendimi hyn në fuqi ditën e nënshkrimit.

Ramush HARADINAJ


Kryeministër i Republikës së Kosovës

Iu dërgohet:

- Zëvendëskryeministrave
- të gjitha ministrive (ministrave)
- Sekretarit të Përgjithshëm të ZKM-ës
- Arkivit të Qeverisë



Republika e Kosovës

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Ministria e Arsimit, Shkencës dhe Teknologjisë - Ministarstva za Obrazovanje Nauku i Tehnologiju - Ministry of Education, Science and Technology

Agjencia e Kosovës për Akreditim

Agencija Kosova za Akreditaciju

Kosovo Accreditation Agency

Concept document for the Kosova Accreditation Agency

Concept document for the Kosova Accreditation Agency

Prepared by:

Ministry of Education, Science and Technology of the Republic of Kosova (MEST)

Department of Higher Education and Science

Department for European Integration

Legal Department at MEST

Division of Finance at MEST

Kosova Accreditation Agency

Ministry of Finance

Office of the Prime Minister

Representatives from civil society

Representative from USAID

Representatives from the HERAS Project

Representative from the University of Prishtina

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Summary of the concept document

General information	
Title	Concept document for Kosovo Accreditation Agency
respective Ministry	Ministry of Education, Science and Technology;
Contact Person	Fehmi Hysenaj- Head of the Working Group for KAA - +383 38 20020077 Avni Gashi- Acting Director at Kosova Agency for Accreditation - 038 213 722 Shpresa Mehmeti- officer at the DHES / MEST, contact person for public consultation
PVPQ	It is foreseen with the work plan of MEST for 2019 and KESP
Strategic priority	Creating a specific KAA legal framework in order to ensure the full independence of the Agency's functioning KESP 2017-2021

Decision	
Key issue	Institutional instability of the KAA in relation to the duties and responsibilities for the accomplishment of its mission and quality assurance in higher education as well as the need for normative regulation of the institution's area for accreditation of institutions and higher education programs in the Republic of Kosova.
Summary of consultations	At this stage of the drafting the CD we had consultations with the representative of the Ministry of Finance and the representative of the Coordinating Secretariat of the Government, representatives from the civil society and international organizations who are also a members of the Commission for drafting the CD. During the preliminary and public discussions, we will also consult ministries, higher education institutions and other stakeholders dealing with this area.

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Proposed option	<p>Second option:</p> <p>The special regulation of the functioning of the KAA is the best way of ensuring full KAA independence, creating legal stability (avoiding the possibility to continuously amend the AI for Accreditation), and approval of the new functional KAA structure. Based on the justice principle, that particular law excludes general law by regulating this matter by a special law, the criteria and procedures would be set, which would allow the KAA to address the many problems faced by KAA so far in its work, to provide merit solutions by a special law, such as the issue of staff who are not citizens of Kosova, etc. Practically to ensure independence, stability and professionalism, the KAA issue should be regulated by a special law, in which case quality assurance will be ensured.</p> <p>The total budget for 5 years for the implementation of the CD is 5,910,240.91 euros.</p>

Main expected impacts	
Budget Impacts	<p>Option 1: Status quo option (no change). This option of this concept has no additional costs for the budget of the Republic of Kosovo. Any activity related to the implementation of this legislation is planned in the MEST budget projections, as it continues with the status of the actuary, the proposed option is covered by budget appropriations in the amount of € 552,318 within the current MEST boundary.</p> <p>Option 2: Changing the existing approach from the current situation to the second option will have additional implications in the Kosovo Budget, to implement this concept document (after the entry into force of the law on KAA) costs € 5,910,241 (per five years 2019-2023), while the allocation of budget funds for this concept document is in the amount of € 2,839,930 for the years 2019-2023, while additional costs for the implementation of this concept are in the amount of € 3,380,742.81 for the period 2019-2023 which funds are not planned in the Medium Term Budget Framework 2019-2021, the draft budget 2019 and the budget estimates 2020-2023 in MEST.</p> <p>According to the budget analysis, the second option has additional implications in the budget of the Republic of Kosovo in the amount of € 3,070,311 for the period 2019-2023 (for 2019 the additional cost is in the amount of € 840,786, for 2020 the additional cost is € 834,822, for 2021 the additional cost is in the amount of € 408,232 for 2022, and for 2023 the additional cost is in the amount of € 419,396). This additional cost is not planned in the 2019 draft budget and budget estimates</p>

	<p>for 2020-2023 in the Ministry of Education, Science and Technology.</p> <p>Option 3: Changing the existing policy (to be done), this option has additional costs in the Kosovo Budget for 2019-2021 in the amount of EUR 86,274, for drafting legal basis and developing activities related to the implementation of this concept which are not planned in the draft budget of 2019 and the 2020-2021 evaluations at MEST.</p> <p>Changing the approach of implementing the current legislation between stakeholders such as KAA, MEST and all others, or increasing the number of staff required by the Government / Ministry of Finance and Public Administration in the sense that the human resources in the KAA and the budget increase would be strengthened, but even this again is not a sufficient option to address the problems because it does not ensure the main purpose of KAA's independence. Therefore, option 2 for drafting the law on KAA is recommended, as we have mentioned in the above-mentioned problems where frequent change of sub-legal acts brings us implementing policy difficulties. It also causes confusion to HEI the issue of acts and supplement-amendment in relation to the requests for accreditation and implementation of these acts.</p>
<p>Economical impacts</p>	<p>Kosovo has the youngest population in Europe, therefore it is a challenge but also a real opportunity for ALs to ensure quality education and the preparation of new generations for the labor market that affects the economic and social development of the country. Based on the Mid-Term Expenditure Framework point 1.2. and 1.2.1 Priority Areas in the MTEF 2019-2021. The priorities are specifically presented and derive from the National Strategy for Development, paying attention also to the measures presented in the Economic Reform Program 2018-2020, as well as the National Program for the Implementation of the SAA. The priorities below are also based on other sectoral strategical documents, enabling Budget Organizations a flexibility measure to determine the most appropriate structure and the most adequate funding levels to achieve these goals. During the preparation and submission of their budget requests for 2019 with forecasts for medium-term periods (2019-2021), budget organizations are expected to show how their budget plan responds to the priorities of the Government presented below. Against the priorities given, budget organizations are encouraged to improve spending efficiency through reallocation within the existing boundaries.</p>

	<p>While point 1.2. 1. Education: The quality and competitiveness of higher education is aimed to increase through the completion of the legal framework for higher education, as well as the completion of accreditation with a process of ranking programs and institutions under the European Multidimensional Framework. This will help to improve transparency in Higher Education Institutions (HEIs), further development of quality assurance mechanisms, more meaningful reporting for universities, and provide objective information for employers and thus improve employability of young people. In addition, the Government is committed to the full functionalization of the Information Management System in Higher Education (EMIS), which together with the further development of other information systems will enable the use of this system's data to ensure that study programs in higher education are in line with labor market needs. Funding for Higher Education and Vocational Education Programs will be increased by reviewing the current funding formula and by reorienting spending from less priority areas to more priority ones. Finally, as regards to the linkage of research work to HEIs with industry through access to wise specialization and investment in research and development, the main focus will be on improving the legal framework for transferring innovation and technology and financing of scientific research activities.</p> <p>By carrying out the accreditation procedures, AARK also affects the country's economy because accredited institutions, besides employing a large number of citizens, also bring the latest technology and equipment to the economic development of the country.</p>
<p>Social impacts</p>	<p>The advancement of the legal framework related to the accreditation of university study programs has many implications. Kosovo has a large number of institutions of higher education - 32 institutions, most of which are colleges. Together, all higher education institutions offer 358 study programs, including three cycles of study according to Bologna. About 140,000 students are registered in these institutions. The impacts are social and individual and coincide with the development of 'human capital'. Knowledge, skills and judgment that are forged through education find expression in professions and jobs, but also in everyday life. Generally speaking, social influences can refer to these dimensions. Firstly, the advancement of the legal framework in accreditation has a direct impact on the processes of Europeanization of Kosovo because it provides a perspective for a qualitative, comparable and compatible education with the education and diplomas obtained in Kosovo with those in the European Higher Education Area. Maintaining the member's status of KAA in the European Association for Quality Assurance in Higher Education - ENQA and the return of the agency to other international mechanisms, such as EQAR, enhances institutional credibility and transparency in decision-making. This return would contribute to the</p>

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	<p>internationalization of higher education in Kosovo, the increase of academic mobility and the recognition of Kosovo higher education diplomas in Europe and beyond - the Lisbon Convention on Recognition https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168007f2c7).</p> <p>Secondly, social impacts relate to economic benefits. Qualitative education enables employment and, as a result, a quality education society has low levels of unemployment and poverty. Qualitative education may result in higher rates of innovation, production and application of new technologies as a prerequisite for economic growth. Also, social influence has to do with academic mobility and 'brain circulation' as the location of a dynamic process in building knowledge and innovation across the public and private sectors.</p> <p>Finally, social benefits refer to the potential for developing an active citizenship for the public good, respect for human rights and equal opportunities in academic and professional development in higher education.</p> <p>With the approval of the CD and then the legal act by which the KAA will be functionalized, will have social implications because in this case it would create a legal independence of this institution which would keep it away from political influences and that society would implement rights under equal conditions in this Institution without any external influences.</p>
Environmental Impacts	There are no relevant impacts expected in this category.
Environmental Impacts	There are no relevant impacts expected in this category.
Administrative charges for companies	<p>Pursuant to Article 31, point 3 of the AI for Accreditation (No.15 / 2018, dated 28.09.2018), Higher Education Institutions are obliged to carry out their financial obligations for obtaining Accreditation in the following amounts:</p> <ol style="list-style-type: none"> 1. Initial institutional accreditation..... 3 000 € 2. Institutional re-accreditation.....2 000 € 3. Accreditation of the study program..... ..1 000 € 4. Re-accreditation of the study program..... 500 € 5. Payment for an external assessor (expert)..... ..3 300 € 6. Payment for an external assessor (student) 2 400 € <p>Administrative fees should be met according to the accreditation / re-accreditation cycle based on the administrative instruction 15/2018 dated</p>

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	28.09.2018.
SME test	<p>Is not done the SME test because it does not have a direct impact unless the liaison is done through accredited programs that are related to the labor market and student competences.</p> <p>During the consultation process we will see the impacts that may arise.</p>

Future steps	
Short-term	<p>The most important activities to be developed within one year after the adoption of this concept document are:</p> <ul style="list-style-type: none"> - Drafting the law - Drafting sub-legal acts for implementation of the law. - Drafting standards for the monitoring proces - Informing HEI with the new legislation - Completion the KAA staff
Mid-term	<p>The most important activities that will take place within two to five years after the adoption of the concept document will be:</p> <ol style="list-style-type: none"> 1. Adoption of primary and secondary legislation that regulates this area. 2. Harmonization of HEI acts with the legislation in force. 3. Drafting the documentation that covers this area. 4. Accreditation of HEI based on the new Legislation. 5. Membership in relevant International Organizations.

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Entry

Figure 1: Table with general information about the concept document

Title	Concept document for Kosovo Accreditation Agency
Respective ministry	Ministry of Education, Science and Technology
Contact person	Fehmi Hysenaj- Chairperson of the working group for drafting the CD Avni Gashi-Acting Director in KAA Shpresa Mehmeti, Contact person for public consultations: 038 38 211923
PVPQ	It is foreseen with the work plan of MEST for 2019 and KESP
Strategic priority	Establishing specific legal framework for KAA in order to ensure the full independence of the Agency's functioning Strategic education plan (KESP 2017-2022)
Working group	Fehmi Hysenaj- Advisor to the Cabinet of the Minister, chairperson of the drafting group Gazmend Luboteni- representative, State Quality Council at KAA Vjollca Krasniqi- representative, State Quality Council at KAA Rozafa Koliqi Lila- representative, State Quality Council at KAA Avni Gashi, representative, KAA Elmi Kelmendi- representative, legal office in KAA Flamur Hyseni, University of Prishtina Drita Kadriu- representative, Department of Higher Education and Science at MEST Bekim Samadraxha- representative, Division for Management, Standard and

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	<p>Quality Assurance in Higher Education</p> <p>Mevlide Shamolli- representative, Ministry of Finance</p> <p>Ferit Idrizi, representative, Department for European Integration, policy coordination and legal affairs</p> <p>Isni Kryeziu, representative, legal office in MEST</p> <p>Fehmi Zylfiu, representative, finance office at MEST</p> <p>Mirlinda Lushtaku, representative, OPM</p> <p>Qamile Sinanaj, representative, Division for International Cooperation in Higher Education and Science, MEST</p> <p>Shpresa Mehmeti, representative, Division for International Cooperation in Higher Education and Science, MEST</p> <p>Rron Gjinovci, representative from civil society</p> <p>Merita Teliqi, representative from USAID</p>
<p>Additional information</p>	<p>The recommendations of international organizations such as EQAR and ENQA, CEENQA are one of the main conditions for revision and drafting of the legislation.</p> <p>Assembly Recommendations / Legislation VI, Spring Session, dated 07.03.2018 Assembly Recommendation, point 7: „ The Assembly recommends to the Minister to start drafting a new draftlaw on the accreditation of higher education institutions, which ensures the autonomy of the Agency.</p> <p>EQAR Report - Exclusion of KAA from EQAR</p> <p>On 27 February 2018, EQAR announced the decision to exclude KAA from their register. The decision was based on existing evidence that the decision of the Minister for the Discharge of the KAA Board (September 2017) was not based and as a result it has affected the ESG standards. Discharge was reflected by a public discussion, media coverage and had an intermediate impact on the Minister's agenda to take the lead and to turn the situation under control. It is worth noting that the issue was discussed in a very constructive manner at all levels and most importantly, the Kosovo Assembly in an Extraordinary Session (March 9, 2018), which was widely discussed on AKA / EQAR developments and as a result , they charged the Ministry of Education, Science and Technology (MEST) to implement their conclusions aimed at returning the KAA to the</p>

EQAR register. In accordance with the conclusions of the Kosovo Assembly, the Minister established a working group for the drafting of a new AI for selection procedures for board members and this was successfully completed. The new board was approved by the Kosovo Assembly on 12 April 2018. On 24-26 September 2018, the EQAR delegation visited Prishtina where it held a number of discussions on the steps needed to restore the independence of the Kosovo Accreditation Agency (KAA) and to open its way for recognition by EQAR as an agency that complies with the Quality Assurance Standards and Guidelines of the European Higher Education Area (ESG). KAA will be subject to an external review against ESG in March 2019 and until then it has been agreed to have a special law on KAA.

EQAR Report

https://backend.deqar.eu/reports/EQAR/2018-02_Exclusion_Decision_C22_KAA.pdf

Chapter 1: Definition of the problem

Normative regulation of the Institution's area on Accreditation of Higher Education Institutions and Programs in the Republic of Kosovo.

Increasing the importance of the quality assurance system, and KAA

Kosova Accreditation Agency (KAA) is an independent agency established by the Law on Higher Education no. 2002/3 by MEST. Article 4.3, 4.4, 4.5, 4.6, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9 and Article 23.3 of the Law on Higher Education is foreseen the establishment of KAA with sub-legal act and short points some paragraphs have defined the rights, obligations and responsibilities of the KAA.

With Administrative Instruction no. 11/2004, dated 16.02.2004, is established the Kosova Accreditation Agency (KAA) and in detail are adjusted the rights, obligations and responsibilities of the KAA as well as the accreditation procedures of the Higher Education Institutions

The Law on Higher Education in force No. 04 / L-037, Article 7, paragraph 1, stipulates that KAA is an independent agency responsible for assessing and promoting the quality of higher education in Kosovo. Through professional and transparent assessment and quality control processes or other appropriate means that meet international best practices, KAA ensures that standards and quality of higher education in Kosovo meet the requirements and the expectations of the European Network of the Association for Quality Assurance in Higher Education (ENQA). However, the regulation of KAA competencies is made through the Law on Higher Education, only in thick lines.

With the Law on Higher Education, in force no. 04 / L-037, Article 7, paragraph 1, the following issues are not regulated in detail:

1. Selection and discharge procedures of the State Quality Council;

2. Procedures for the decision-making and filing of complaints;
3. The form of cooperation with the Institutions of the respective fields (similar institutions) as well as the Higher Education Institutions.
4. Has not determined the organizational structure of KAA and
5. The way of KAA funding and the payment of SQC members for their work as well as the cost of the Accreditation Process.

Article 4 paragraph 2.6 of AI No.15 / 2018 on Accreditation of HEI regulates the SQC mandate but does not precisely specified the selection of a number of members with rotation.

This issue should therefore be regulated by legal provisions.

Article 4 paragraph 3 also stipulates that the administrative structure of the KAA is managed by the Director of KAA but does not determine which is the administrative structure of KAA with which at no point has there been a sub-legal act that has regulated the organizational structure or the Organogram of Internal Organization and the systematization of KAA workplaces. The adjustment in thick lines of the organizational structure or the Organogram of Internal Organization and the systematization of KAA's workplaces with legal provisions is necessary.

Also the legal position of KAA should be clearly defined by legal provisions whether it is the executive body of the Assembly, the Government or the Ministry. Then with legal provisions it should be determined which body elects the director of the Agency because with the legislation in force the director of the agency is elected by the prime minister.

Article 31 of AI No.15 / 2018 on Accreditation of HEI determines the cost of HEI accreditation process, this matter should be regulated by law since Financial Obligations for HEIs are better to be defined by law rather than by sub-legal acts which can change easily and thus the financial cost for the HEI accreditation process can be increased.

The functioning of the Complaints Commission has been dysfunctional with Article 22 paragraph 6 of AI No. 9/2017, because in the Commission one of the members was designated to be a former international SQC member, in which case the complaint procedures were complicated. With Article 22, paragraphs 6, 7 and 8 of AI no. 15/2018 has changed the representation of members in SQC where no former international representative from SQC is required. Therefore, this matter should be regulated by the Law in order not to have frequent changes that could undermine the decision-making authority of the Complaints Commission.

With the Administrative Instruction on Accreditation of HEIs no. 15/2018 in Kosova are regulated in detail the rights, obligations and responsibilities of KAAs and the procedures for accreditation of Higher Education Institutions. Given that the quality assurance system in Kosovo is evolving every day, higher education institutions are being developed and KAAs must comply with European quality assurance standards to respond to these developments. It is necessary that KAA to be strengthened more in terms of its functioning. The KAA's role since 2009 is becoming increasingly important given that KAA is the key quality assurance regulator in Kosovo. Since its establishment, KAA has taken consistent actions in terms of its processes, working methodology, adaptations and legislative improvements, and so on, in order to ensure that Kosovo's system complies with European quality assurance standards. Therefore, it is necessary that after all this time KAA has its own law regulating all issues that are the domain of this agency.

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This field is also related to the legislation of the following areas:

By the Law on General Administrative Procedure, which regulates the appeals procedures and the bodies dealing with the review of complaints as well as the legal deadlines for filing complaints and the administrative acts that extract. The liaison between these two areas exists because the KAA is also obliged to respect all the complaints procedures and the bodies dealing with the review of the complaints as well as the legal deadlines for filing complaints as well as the administrative acts that extracts.

With Articles 22-26 and 51-55 of the Law on Organization and Functioning of State Administration and Independent Agencies are regulated the rights, obligations and responsibilities of Agencies in Kosova.

With the Law on Salaries in the Public Sector are determined the salaries of all public sectors, therefore considering that Kosova Accreditation Agency is within the public sector the interconnection between these two fields exists in the realization of the rights to salaries and allowances in the basic salary.

With the Law on Gender Equality No. 05 / L-020 and the Law on Protection from Discrimination no. 05 / L-021 Gender equality and non-discrimination are regulated.

The Draft Law on Higher Education partially regulates the rights, obligations and responsibilities of the KAA, but in article 13, paragraph 15 it is foreseen that the organizational structure of KAA will be regulated by a special law.

Considering that with the Draft Law on Higher Education it is foreseen that the organizational structure of the KAA will be regulated by a special law and considering that with the legislation in force there is also uncertainty about the form of functioning, the selection of the State Council of Quality, competencies between MEST and KAA in the area of Licensing and Accreditation where often one or other institution has undertaken actions that have led to the qualification of the works, such as the case when both the Institutions were taken with the evaluation of the spaces for the development of the activity, then the number of students, libraries, laboratories as well as spaces and other equipments as well as the KAA Financing form, we consider that the existing provisions have many shortcomings and have created a conflict of competences. These

shortcomings and this conflict of competence lead to the conclusion that a new law should be adopted which would clearly regulate the functioning of the KAA as well as its full independence from the frequent changes of the legislation in force.

The Law on Higher Education in force has provisions for the Accreditation Agency (Article 3, paragraph 1.1, paragraph 1.16), Article 5 paragraph 1.1.1.4,1.5,1.6, Article 7 is a special article for KAA but does not provide clear provisions in some of the paragraphs, for example as follows:

Article 7, paragraph 4. KAAs should be governed by a board composed of not less than five and not more than nine persons, appointed by the Ministry for a certain term, which shall consist of the ranks of persons of two genders who are active in the academic work of higher education and / or in the professions within and outside of Kosova and who must have at least three (international experts) who are not employed by any higher education provider in Kosova. This board will be called the KAA's Quality Council. Its members are ratified by the Assembly. Decisions or recommendations regarding accreditations shall be taken by the Council by a majority vote of its members. The Council reports annually to the Ministry and the Assembly regarding its accreditation activities and the adequacy of the supporting infrastructure it has available. 5. If more than one third of board members are replaced for any reason within a year, the Ministry shall report this to the Assembly.

So it is not defined whether there will be a competition process for the Board, in which cases it can be discharged, so the discharge must be clear and understandable and not as outlined for any reason. AI in force no.06 / 2018 for SQC has outlined basic criteria for locals but there is not defined the procedure for selection of international SQC members.

Compliance with European Quality Assurance Standards (ESG)

According to the European Standards and Guidelines for Quality Assurance in Higher Education (ESG), which KAA has to fulfill in order to be part of European and international higher education institutions, respectively standards 3.2 and 3.3, require that *"agencies should have a proven legal basis and should formally be recognized as quality assurance agencies by the competent public authorities "(3.2) and" Agencies should be independent and act autonomously. They should have full responsibility for their actions and decisions / outcomes of those actions without the intervention of third parties "(3.3). According to the latter, being an independent is considered an agency which has:*

- organizational independence which is demonstrated with official documentation (eg governance instruments, legislative acts or organization statutes) which determine the independence of the work of the agency from third parties, as well as by higher education institutions, governments and other organizations of interest;
- operational independence: the definition and implementation of agency procedures and methods of work as well as the selection of external experts should be done in an independent form from third parties such as higher education institutions, governments and other stakeholders;
- Independence of Formal Decisions / Results: While experts from stakeholders, especially students, participate in quality assurance processes, Agencies need to be independent and

act autonomously. They should have full responsibility for their actions and decisions / their outcomes without the influence of any third party.

If these two standards are specifically analyzed, we can say that the Kosovo Accreditation Agency (KAA) is not fully independent from the organizational, operational, but also from in terms of independence and its operation as an autonomous agency. Being part of the civil service as an independent sub-program in the Ministry of Education, Science and Technology, KAA is not completely independent to make its internal organization in accordance with its needs. Some KAA procedures related to the Director's activities depend on the approval of MEST, or other relevant ministries in terms of increasing or changing positions within the agency, as well as job descriptions of KAA officials.

Regarding operational independence, KAA according to the Law on Higher Education in Kosovo is independent in drafting its policies in accordance with European Standards but in most cases the handling of some important issues for the accreditation process is regulated by general laws and consequently the provisions of the administrative instruction for accreditation in relation to general laws do not apply. KAA is obliged to adapt some of its methodology in accordance with the general legal provisions which in certain cases seriously affect the quality of the evaluation and accreditation process.

Recently, KAA has paid great importance to the academic staff issue by ensuring that the number of academic staff is fully in line with the number of study programs provided by relevant HEIs. Due to the lack of local academic staff, private HEIs have engaged a massive number of Albania and Macedonia citizenship who, despite having regular engagements in their home universities, have been declared regular even in private higher educational institutions in Kosovo. The engagement of the professors from the region is an added value for the higher education system in Kosovo, as this contributes that the Albanian speaking states to come close to each other in terms of exchange of good experiences in the academic area. However, such persons can not be considered for the evaluation and accreditation process, since KAA asks HEIs only to meet the minimum criteria regarding the academic staff. Fulfillment of minimum criteria should not be entirely dependent on regional staff, because it is evident that they are regularly engaged in their home universities. KAA through a double verification process has set some standards and requirements in relation to their engagement in Kosovo. Given that the employment issue, which in some cases is considered the employment, is regulated by the general labor law and the law on foreigners causes problems with regular employment of foreign nationals. So the legislation in force has no clear criteria, therefore this will be addressed in this concept document as the basis for issuing the Law on KAA. If KAA sets clear criteria through a this law on the issue of academic staff engagement, without prejudice to foreign nationals, but that ensures that the staff really works in Kosovo, a large number of obstacles will would be avoided and consequently the KAA would return the confidence to the private HEIs.

Kosovo's exclusion from EQAR

The importance of being fully independent in decision-making as well as in agency actions is vital for Kosovo if our country intends to be part of European quality assurance mechanisms in higher education. It was exactly the discharge of KAA and SQC management that in 2018 Kosovo was excluded from the European Quality Assurance Register in Higher Education (EQAR), the most important mechanism of the European Commission for Higher Education. EQAR could not identify any valid justification behind the decision to dismiss the KAA Board and consequently concluded that the KAA does not act independently. Removing Kosovo from EQAR is the throwback of a few years of AKA and represents serious obstacles to academic mobility, recognition of qualifications as well as other important aspects in the European Higher Education Area. On the other hand, the other European quality assurance mechanism, equally important for Kosovo, ENQA, has requested that the KAA be placed as a member under observation and has organized an early assessment for KAA, precisely because of the independence of KAA. Despite serious efforts that have been made recently to testify before the international community, that after the exclusion of Kosovo from EQAR serious steps have been taken in terms of restoring the KAA's image and stabilizing the KAA's core processes, for these mechanisms it is vital that local factors in Kosovo establish the legal base of KAA, if the KAA wants to remain part of these mechanisms. In September 2018, MEST was visited by a senior European delegation, respectively by the EQAR leaders, with the aim of informing on the steps taken by MEST to "restore" the KAA's independence and their efforts to again return KAA in EQAR as an agency that operates in accordance with ESGs. EQAR representatives have learned about drafting an administrative instruction from MEST for the selection of SQC members, however they emphasized the importance of transforming these provisions into a law so that those provisions ensure the stability of KAA independence. They stressed that two issues are of critical importance to the new legal framework: the transparent process of nominating SQC members, as well as the strict conditions for discharge of SQC members. These attitudes of EQAR representatives are published in the form of an official communiqué on the EQAR website, which clearly shows that the only way for Kosovo to return to EQAR and maintain its membership in ENQA is to create a new legal base, with emphasis on ensuring the independence of KAA.

Increase of the KAA staff necessary to fulfill the KAA mission

The Kosovo Accreditation Agency (KAA) counts a very small staff compared to the importance of mandated processes under the Law on Higher Education with about 13 positions, out of which are fulfilled 5 (2 women and 3 males), facing about 32 higher education institutions and about 358 programs. The higher education system has recorded the largest increase in the last decade, even though in the last two years some private higher education institutions have been closed due to non-fulfillment of quality criteria. Nevertheless, KAA's responsibilities in relation to the large number of institutions are extremely large compared to the number of administrative staff within the Agency.

The quality assurance system in Kosovo every day is evolving. Besides the evaluation and accreditation, KAA has drafted standards for ESG 2015 monitoring. The implementation of the monitoring process necessarily increases the quality of KAA's work, but on the other hand requires a larger number of staff that efficiently responds to a large number of higher education institutions. The monitoring process is a complementary part of the accreditation process, given

the number of recommendations or conditions that are given in the course of evaluation and accreditation. It is very important that these two processes are effectively implemented, so that the KAA mission is fully met and consequently to increase the quality of higher education institutions in Kosovo. With the existing situation, it is impossible for such a process to be realized given that the actual number of KAA officials does not meet the needs of the evaluation and accreditation process as well. On the other hand, quality assurance in Kosovo is a relatively new issue and there is not enough staff that can potentially be joined to KAA. The current staff with experience in quality assurance is more involved in higher education institutions, partly as academic staff. Current employment requirements in KAA require work experience, English language skills, and knowledge in the area of quality assurance, which criteria in relation to monthly compensation discourage professional and experienced persons from engaging in KAA. Limited KAA human resources are also considered as problematic in the KAA's external evaluation report by ENQA in 2014, and potentially this issue will be addressed again on the occasion of the KAA's re-evaluation in 2019. Growth of KAA staff, with adequate and professional persons, would positively serve the preservation of Kosovo's membership in ENQA. KAA has compiled its Self Evaluation Report in accordance with the ENQA guidelines for external evaluation and has submitted it to the ENQA Secretariat. This report was drafted by a working group of Higher Education and Security Officers, including members of SQC, KAA, local and foreign experts funded by the HERAS project. This report before being submitted to ENQA was sent for public discussion to all relevant stakeholders and on 19 November it was discussed in a workshop with the participation of all relevant stakeholders, including HEIs, EU representatives and donors, students, civil society, etc.

Figure 2: Relevant policy documents, laws and sub-legal acts

Policy document, law or sub-legal act	Link to politics or planning document through the Internet or legal acts in the Official Gazette	State(s) institution(s) responsible for implementation	The role and duties of the Institution (s)

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Administrative Instruction No.11 / 2004 dt.16.02.2004	https://gzk.rks-gov.net/ActDetail.aspx?ActID=7201	MEST/K AA	Administrative Instruction No.11 / 2004 dt.16.02.2004
Law on Higher Education 04 / L-037	Official Gazette of the Republic of Kosovo: no. 14/2011, dt. 09.09.2011	MEST HEI KAA	<p>Article 5 specifies that any HEI can apply for a license only after being accredited..</p> <p>MEST is the responsible authority and regulator for the issuance of sub-legal acts and their implementation</p> <p>HEIs are responsible to operate only accredited and licensed.</p> <p>KAA is responsible for institutional accreditation and study programs.</p>
Administrative Instruction on Accreditation of Higher Education Institutions no. 9 dated 08/02/2017	www.masht.rks-gov.net	MEST KAA / SQC HEI	<p>HEI Accreditation</p> <p>MEST is the responsible authority and regulator for issuing sub-legal acts for KAA.</p> <p>KAA / SQC apply the principles, criteria and standards of this AI during the accreditation process.</p> <p>HEIs are obliged to respect and implement this AI in the case of accreditation, re-accreditation of the Institution and programs.</p>

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<p>Administrative Instruction On Accreditation of Higher Education Institutions no. 15/2018 dated 28.09.2018</p>	<p>Official Gazette of the Republic Kosovo no. 15/2018 dt. 05.10.2018 (first and second part)</p>	<p>MEST KAA HEI</p>	<p>Regulation and implementation of legal acts (MEST) Determination of clear criteria for accreditation (MEST and KAA). Admission / evaluation and application procedures for HEI (MEST, KAA). Time limits (MEST and KAA) Appointment of the State Quality Council - Role and competences (MEST and KAA) Application for HEI accreditation based on the criteria set out in this AI Appeals Procedures Decision Making (KAA) (SQC / KAA)</p> <p>MEST is the authority and regulator responsible for issuing sub-legal acts for KAA.</p> <p>KAA applies the principles, criteria and standards of this AI during the accreditation process in accordance with European Standards (ESG).</p> <p>HEIs are obliged to respect and implement this AI in the case of accreditation, re-accreditation of the Institution and programs.</p>
<p>Administrative Instruction on Amending and Supplementing AI no. 15/2018 of the date 28.09.2018 on the accreditation of higher education institutions Nr. 16/2018 Dated 02.11.2018</p>	<p>www.masht.rks-gov.net</p>	<p>MEST KAA / SQC HEI</p>	<p>MEST is the authority and regulator responsible for issuing sub-legal acts for KAA.</p> <p>KAA / CSC apply the principles, criteria and standards of this AI during the accreditation process.</p> <p>HEIs are obliged to respect and implement this AI in the case of accreditation, re-accreditation of the Institution and programs.</p>
<p>Administrative Instruction on Criteria and Procedures for Appointment</p>	<p>www.masht.rks-gov.net</p>	<p>MEST KAA/ SQC HEI Assembl</p>	<p>Role of SQC, appointment, etc.</p> <p>MEST is the authority and regulator responsible for issuing subordinate legal acts for SQC and proposing members to SQC.</p>

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<p>of Members of the State Quality Council of Kosovo Agency for Accreditation No. 06/2018 Dated 07/05/2018</p>		y	<p>SQC is the decision-making body in KAA.</p> <p>KAA does accreditation of HEI based on SQC decisions.</p> <p>HEIs takes decisions regarding the accreditation process by KAA / SQC.</p> <p>The Assembly approves the SQC members.</p>
<p>Administrative Instruction on Principles and procedures for the recognition of diplomas, degrees and qualifications of higher vocational and university schools acquired outside the Republic of Kosova No. 12/2018 Dated 09/10/2018</p>	<p>www.masht.rks-gov.net</p>	<p>ENIC / NARIC MEST HEI Employes</p>	<p>Recognition of diplomas obtained abroad is related to credible accreditation bodies or other for the purpose of recognition of foreign diplomas for use / employment in the Republic of Kosovo.</p> <p>MEST is the authority and regulator responsible for issuing sub-legal acts to regulate the recognition / equivalence of studies acquired abroad.</p> <p>The ENIC / NARIC Office in MEST by implementing legislation in force and by communicating with the responsible offices of the countries where the studies are conducted makes recognition / equivalence of HEI studies accredited and licensed recognized by the country of origin.</p> <p>HEIs can hire staff as foreign nationals only if they have verified their studies at MEST.</p> <p>All interested persons who have received academic calls to be part of the academic staff should apply for recognition / equivalence of their studies at MEST for employment purposes.</p>
<p>Standards and Guidelines for Quality Assurance in the European Area of Higher Education ESG 2015</p>	<p>https://enqa.eu/indirme/esg/ESG%20in%20Albanian_by%20KAA.pdf</p> <p>https://enqa.eu/index.php/home/esg/</p>		<p>KAA applies these standards approved by the Ministers responsible for higher education (EHEA) and the Agencies referred to: ENQA and in cooperation with ESU, EURASHE, EUA, EQAR, CEENKA</p>
<p>Administrative Instruction for Higher</p>	<p>www.masht.rks-gov.net</p>	<p>MEST HEI</p>	<p>All HEIs must record the data in the HEMIS electronic system managed by MEST. The system is linked to KAA decisions for HEIs / their programs,</p>

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<p>Education Management Information System (HEMIS) Nr. 13/2018 Date 21.09.2018</p>			<p>number of students, academic and other staff. It is also related to the verification of student documents for use abroad.</p> <p>MEST is the authority and regulator responsible for issuing sub-legal acts to regulate the HEMIS system, which obliges all HEIs to register the required data and report according to this AI.</p> <p>HEIs are obliged to register the required data (students, staff, programs, etc.) in this electronic platform and submit student registers in physical copy to MEST according to the deadlines set out in this AI and only for valid accredited programs.</p>
<p>Strategic Education Plan in the Republic of Kosovo 2017-2022 Action Plan of Strategic Plan 2017-2022 KESP</p>	<p>WWW. masht.rks-gov.net</p>	<p>MEST, KAA, HEI</p>	<p>MEST in cooperation with higher education institutions and KAA aim and are responsible for achieving the objectives set out in this strategy.</p> <p>MEST, HEIs are responsible for carrying out activities according to the action plan</p>
<p>Strategic Priorities (KESP 2017-2022)</p>	<p>WWW. masht.rks-gov.net</p>	<p>MEST, KAA, HEI</p>	<p>Objective 7 ("Higher Education"). In this objective, the focus is on external quality assurance that is achieved through the support of KAA and system application</p> <p>Result 7.3: Quality Assurance Mechanisms in Higher Education are fully functional 7.3.1. Develop and expand the KAA's human and financial capacities to implement the European standards and guidelines for quality assurance in the European Higher Education Area.</p> <p>7.6.4. Review of existing study programs</p>
<p>Strategic Plan 2016 -2020</p>	<p>https://enqa.eu/index.php/about-enqa/strategic-plan-2016-2020/ Dt.17 April 2015</p>	<p>ENQA and all institutions that are members</p>	<p>Approved by the General Assembly of ENQA. The vision of the European area for higher education is that students have access to quality education and respected and accepted qualifications at home and abroad.</p>

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		of ENQA	
ENQA Recommendations for Ministeries Responsible for Higher Education	https://enqa.eu/wp-content/uploads/2018/05/ENQA_message_Paris_2018.pdf https://enqa.eu/wp-content/uploads/2015/04/ENQA_report_Yerevan_2015.pdf	ENQA	The role of MEST and KAA is to fulfill and improve legislation, standards and others, based on the requirements and recommendations of international partners
European Quality Assurance Approach for Joint Programs	https://www.eqar.eu/assets/uploads/2018/04/European_Approach_QA_of_Joint_Programme_sv1_0-2015.pdf approved by the Ministers responsible for the European Higher Education Area (EHEA) https://www.eqar.eu/assets/uploads/2018/04/EQAR_Statutes_ENv3_0-2017.pdf	EQAR, ENQA, ESU, EUA, EURASHE, CEE NKA	Rules set for joint programs and implementation of ESG standards for all higher education institutions. KAA operates based on applicable legal provisions and ESG standards set by these European quality assurance mechanisms. HEIs during the accreditation process are required to meet these standards.
National Development Strategy 2016-2021	http://www.kryeministri-ks.net/repository/docs/Strategjia_Kombetare_per_Zhvillim_2016-2021_Shqip.pdf , Janar 2016-	Office of the Prime Minister, Kosovo Institutions	Linking the education system to the labor market as a priority of the government where the focus has to do with education programs and defining the priority areas
Law on General Administrative Procedure	www.map.rks-gov.net	MPA	The liaison between these two fields exists because the KAA is also obliged to respect all the complaints procedures and the bodies dealing with the review of complaints as well as the legal deadlines for filing complaints and the administrative acts that extracts.
Law no. 06 / 1-113 on the Organization and Functioning of	www.map.rks-gov.net	MPA	Articles 22-26 and 51-55 where the establishment, organization and functioning of the Agencies is defined.

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<p>State Administration and Independent Agencies</p>			
<p>Law 06 / L-114 on Public Officials</p>	<p>www. map.rks-gov.net</p>	<p>MPA</p>	<p>Given that the employees in the Kosova Accreditation Agency are in the category of civil servants, Articles 2 and 31-67 of the Law on Public Officials these two areas are interrelated because the rights, obligations and responsibilities of KAA officials are regulated with the Law on Public Officials</p>

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Law on Salaries in the Public Sector	www. map.rks-gov.net	MPA	Given that Kosovo Accreditation Agency is within the public sector, the interconnection between these two areas exists in the realization of the rights to salaries and allowances in the basic salary.
Assembly Recommendations for MEST	www. Assembly of Republic of Kosova	Assembl y of Republic of Kosova	



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Kuvendi -Skupština-Assembly

Legislation VI

Assembly of the Republic of Kosova

Pursuant to Article 65.9 of the Constitution of Kosova and Article 52 of the Regulation of the Assembly, after the parliamentary debate developed in the plenary session, held on March 7, 2018, according to the request of PG of LDK and PG of LVV and harmonization of the text aslo with PG of PDK, PG of AKK and PG of "Nisma", issues this:

RECOMMENDATION

1. Within the deadline of complaint to be taken all appropriate actions to make KAA as regular member of EQAR.
2. Minister to report at the Assembly for:
 - a. Reasons for the Board discharge, by providing information for the Functional Commission (reporting with close doors, if necessary),
 - b. For actions that are undertaken toward former members of the Board for alleged violations that they may have committed.
3. The minister to withdraw from the Assembly for verification the draft decision on the Board members.
4. Within seven (7) days, a working team composed of all parties (education experts, representatives of the Ministry, representatives of the organizations monitoring higher education work and other), to prepare the Administrative instruction adopted by the minister, which will determine criteria and transparent procedures for selection of the Board members.
5. Based on this Administrative instruction, list of Board members is proceeded at the Assembly for adoption.
6. The Assembly is obliged within ten (10) days, from submitting draft decision by the Government, to be placed on the agenda of the plenary session for approval.
7. The Assembly recommends to the minister to begin with compilation of a new draft law for accreditation of higher education institutions, which ensures the autonomy of the Agency.

No. 06-DO-485
Prishtina, 07.03.2018

Chairperson of the Assembly

Kadri Veseli

Recommendations are sent to:

- Government of the Republic of Kosova,
- MEST,
- Parliamentary group and
- Archive of the Assembly

Figure 3: The tree of the problem, which presents the main problem, its causes and effect

Main problem	Institutional instability of KAA in relation to the duties and responsibilities for accomplishing its mission and ensuring quality in higher education
Causes	<ul style="list-style-type: none">Frequent change of sub-legal actsInterventions in KAA independenceFrequent changes of KAA managementLack of human resourcesLack of KAA spacesFailure to carry out the proper monitoring process due to the lack of financial means and human resourcesExclusion of Kosovo from EQAR as a result of the violation of its independenceLack of KAA LawInsufficient budgetLack of harmonization of the accreditation process with the HEI licensing processLack of profiling the HEIs
Effects	<p>The frequent change of the Administrative Instruction on Accreditation creates uncertainty and instability among the higher education institutions and does not contribute to the sustainable development of the higher education system</p> <p>Lack of special law in cases violates the operational and decision-making independence of the State Quality Council which has recently become vital for Kosovo in relation to European quality assurance mechanisms (ENQA; EQAR; CENKA).</p> <p>Limited human, financial, and infrastructural resources of KAA make it difficult to fully implement the KAA's mission and jeopardize the quality assurance processes.</p> <p>The absence of a special law prevents KAA in setting its own methodology that matches specific characteristics of the evaluation, accreditation and monitoring proces.</p>

Figure 4: Overview of stakeholders based on the definition of the problem

Name of the interested party	The cause(s) related to the party	Effect(s) related to the party	The manner in which the party is related to this cause (causes) or effect (effects)
The Ministry of Education, Science and Technology of the Republic of Kosovo (MEST)	Failure to clearly define legislation results in unreliable higher education institutions / programs for continuing studies, the labor market at home and abroad, and the inability for academic mobility. Political interference of interest groups.	Unclear definition of legal acts may result in inadequate decisions with consequences for the education system. Great opportunity of dealing with the initiation of appeal procedures from the damaged parties which may have great financial cost.	MEST is responsible for drafting legislation and policymaking for the entire education system in the Republic of Kosovo and is related to all stakeholders such as students, higher education institutions, local and international institutions and organizations, and others.
Kosovo Accreditation Agency (KAA)	According to the Law on Higher Education, and AI for Accreditation, KAA is the bearer of the institutional accreditation process and HEI study programs	Failure to properly define the procedures and the frequent amendments to sub-legal acts have caused legal consequences for KAA, to the extent so that HEIs to initiate also court proceedings on these matters	KAA performs the accreditation process based on the Law on Higher Education, and AI for Accreditation
Higher Education Institutions (HEIs)	Lack of KAA's full independence from politics, that affects the requirements set by HEI for accreditation, as well as increase of the efficiency and effectiveness of	The effect(s) by which the party is related to are as follows: 1. Repeated Legal Infrastructure which ensures that KAA will make independent	HEIs are affected by the causes, the effects of CD for KAA because they are obliged to apply for accreditation in legal terms and by using the right to require from KAA as an

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	KAA's work in reviewing Accreditation Claims as well as appeals against KAA decisions	decisions when reviewing HEI Applications. 2. Performing established legal procedures when reviewing the complaints of HEI by the Complaints Commission in KAA	institution that is a member of ENQA and EQAR to make decisions within the established legal deadlines as an independent body, because this institution is directly monitored by these organizations if with its performance meets ESGs or not.
Citizens of the Republic of Kosovo	Incompatibility of accredited programs with the needs of the labor market	Preparation of staff inconsistent with the labor market needs	Citizens as taxpayers are not offered sufficient qualitative education.
Students	Discrepancies in the content of accredited programs with their practical implementation Student-teacher ratio in response to needs	Lack of adequate quality of study Lack of quality in teaching	Inability to access the labor market Limited Achievement of Competences
International institutions	Lack of KAA's full independence from politics, which affects the requirements and conditions set forth by international institutions	Partial legal infrastructure that violates the full membership of the KAA in international organizations	KAA is a member of ENQA and EQAR and is monitored directly by these organizations if their work fulfills ESGs or not
Assembly	Lack of information needed for KAA's scope of work	Inadequate decision-making in relation to the needs and performance of KAA	The Assembly mandates the SQC and monitors periodically the work of the SQC.
Businesses	Lack of criteria for the functionalization of industrial boards	Inadequate Profile Planning	Lack of legal infrastructure that sets clear criteria for appointing industrial boards does not reflect the

			need of businesses to design study programs
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Chapter 2: Objectives

Figure 5: Relevant objectives of the government

Relevant objective	Name of the relevant planning document (source)
Strategic objectives	
1. Ensure quality at HEI, so that established institutions play an important role in the development and oversight of the accreditation process in all HEIs;	<p>Law on Higher Education No. 04 / L-037 published with dt.09.09.2011</p> <p>https://gzk.rks.gov.net/ActDetail.aspx?ActID=2761</p> <p>Strategic Education Plan 2017-2021</p> <p>Strategic Objective / OS 3: Quality Assurance Development of a Functional Quality Assurance System, in line with international standards.</p> <p>Strategic Objective / OS 7: Higher Education Increase of quality and competitiveness of higher education through the promotion of excellence in teaching, scientific research, artistic creativity, innovation and internationalization.</p> <p>Rezultati 7.3: Quality Assurance Mechanisms in Higher Education are fully functional 7.3.1. Development and expansion of the KAA's human and financial capacities to implement the European standards and guidelines for quality assurance in the European Higher Education Area.</p>

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	<p>https://masht.rks-gov.net/uploads/2017/02/20161006-psak-2017-2021_1.pdf</p> <p>AI for EMIS</p> <p>Strategic Education Plan 2017-2021 (Quality Assurance Offices)</p>
<p>2. Provision of legal infrastructure that will enable the accreditation process to be administered independently and autonomously so that the designated institutions have full responsibility for their processes, management and decisions.</p>	<p>The relevant planning documents are: Law on Higher Education No. 04 / L-037 published on 09.09.2011</p> <p>The law that is planned to be drafted for KAA</p> <p>Administrative Instructions that will come out of law for KAA</p> <p>Strategic Education Plan 2017-2021</p>
<p>3. Full institutional independence of KAA in decision-making as well as the fulfillment of obligations and responsibilities with efficiency and effectiveness within the deadlines set by legislation.</p>	<p>Strategic Education Plan 2017-2021</p> <p>Assembly Recommendation</p> <p>ENQA, EQAR</p> <p>SQC Regulation</p>
<p>4. Monitoring the work of the HEI for the fulfillment of the obligations arising from the Accreditation Decisions within the deadlines set for monitoring.</p>	<p>Law on Higher Education No. 04 / L-037 published on 09.09.2011</p> <p>The law that is planned to be drafted for KAA</p> <p>Administrative Instructions that will come out of law for KAA</p> <p>Strategic Education Plan 2017-2021</p>

Chapter 3: Options

The options that may be presented would be: 1. Option without change; 2. Second option of special regulation for the functioning of KAA and 3. Option for changing the existing situation

The first option (option without change): This option does not change the existing situation, as the poor condition has forced the competent mechanisms (the Assembly through the Recommendation) to think about advancing the KAA's status.

The second option, regulation of special law for the functioning of KAA is the best way of ensuring full KAA independence, creating legal stability (avoiding the possibility of continuously changing the AI for accreditation), and approval of the new functional KAA structure. Based on the principle of justice that a particular law excludes general law, by regulating this issue with a special law, the criteria and procedures would be set, which would allow the KAA to deal with many problems by which the is faced until now in its work, to give merit solutions by a special law, such as the issue of the academic staff who are not citizens of the Republic of Kosovo, etc. Practically in order to ensure independence, stability and professionalism, the KAA issue should be regulated by a special law, in which case quality assurance will be ensured.

The third option for changing the existing situation (amendment of the Law on Higher Education); Even if it were possible to amend the Law on Higher Education and to complete the part for KAA, it is not practical with this law to define the functioning of independent agencies as KAA claims to be. In addition, the KAA's legal status is not in line with the requirements and criteria of the international mechanisms part of which is KAA, therefore changes are required in terms of advancement of the position of this institution not its degradation.

Changing the approach of implementing the current legislation between stakeholders such as KAA, MEST and all others, or increasing the number of staff required by the Government / Ministry of Finance and Public Administration in the sense that the human resources in the KAA and the budget increase would be strengthened. But even this again is not a sufficient option to address the problems because it does not ensure the main purpose of KAA's independence. Therefore, option 2 for drafting the law on KAA is recommended, as we have mentioned in the above-mentioned problems where frequent change of sub-legal acts brings us implementing policy difficulties. It also causes confusion to HEI the issue of acts and supplement-amendment in relation to the requests for accreditation and implementation of these acts in practice, as each change causes legal consequences in procedures that are being developed by KAA.

Chapter 3.1: Option without change

This option does not change the existing condition. The accreditation process as a separate process from licensing to HEI in Kosova has started in 2009 with the establishment of KAA for accreditation. Each HEI under the current law of the HE and sub-legal acts all HEIs are subject to institutional accreditation / re-accreditation and of the programs. Frequent changes in sub-legal laws, frequent interventions in KAA function have created instability at KAAs and all HEIs. As a result we also have the exclusion of KAA from EQAR. Also the lack of human resources has resulted in the stagnation of the performance of a very important quality assurance segment such as monitoring of HEI. The functional part of KAA is re-regulated with primary and secondary legislation as follows:

Law on Higher Education no.2002 / 3, Law on Higher Education 04 / L-037, Administrative Instruction no.11 / 2004 dated 16.02.2004 - Establishment of Kosovo Accreditation Agency, Administrative Instruction on Criteria and Procedures appointment of members of the state quality assurance agency of Kosovo Accreditation Agency no.06 / 2018 dated 07.05.2018, Administrative Instruction on Amending and Supplementing of AI no.15 / 2018 dated 28.09.2018 on the accreditation of higher education institutions. no.16 / 2018 dated 02.11.2018.

The first option is not seen as a solution by international partners and the Assembly of the Republic of Kosovo because it does not change the current condition.

Chapter 3.2: The option for improvement of implementation and execution

The option for 'enforcement and execution improvement' is an option that should be considered in each Concept Document in accordance with the Guide on Drafting the Concept Documents

The legal and sub-legal provisions have not been harmonized with each other and with the international standards regulating KAA activity, therefore it is proposed to have a separate law that ensures fair, efficient and independent functioning of this agency. This law would ensure legal stability, approval of the new organizational structure of KAA, increase of professional capacities, efficiency of KAA's work in dealing with functional issues.

In the legal aspect, this law would regulate the functioning of KAA, and would establish a framework for issuing administrative acts, only for issues that would not be defined by this law. Through this law, the KAA's mission and scope in relation to other institutions would be precisely defined in order to avoid collisions, both in terms of law and administrative acts, as well as in the areas of competence.

Through this law, KAA aims to approve the new organizational structure in order to increase the professional capacities that would ensure the realization of KAA's mission in all segments where KAA has been unable to fully meet up to now, as is the monitoring component of HEIs.

Failure to clearly define the organizational structure has affected the inefficiency and ineffective functioning of the KAA, as well as stagnation in the process of full monitoring after accreditation. In addition, legal gaps in acts that have regulated the functioning of the State Quality Council have resulted in unclear criteria regarding the appointment and discharge procedures which then resulted with consequences in the accreditation process. Standards and Guidelines (ESG 2015) regarding human resources as standard are listed: Agencies should have adequate and proper resources, both in human and financial terms, to carry out their work (see the website https://enqa.eu/indirme/esg/ESG%20in%20Albanian_by%20KAA.pdf).

Agencies in the region have a high number of staff compared to the number of KAA staff in Kosovo, for example: Croatia has a staff member for one institution, while KAA has had a staff member for six institutions, and this has brought difficulties in monitoring or overseeing the HEI.

As a statistic on the ratio of staff number and institutions in other countries are:

Slovenia: staff: 32 - HEI: 50

Croatia: staff: 45 - HEI: 50

Bulgaria: staff: 34 - HEI: 50

Kosova: staff: 13 - HEI: 32 (explanation, KAA had 5 completed positions, and 8 incomplete due to staff recruitment problems. So far, KAA has several times opened vacancies, but in some cases has been forced to cancel the competition in the absence of meeting the criteria by the candidates. Another reason that may be mentioned in the failure to vacate the vacancy is the fact that the KAA from November 2014 is with the acting director, a fact which does not depend on the KAA and the frequent change of these persons as an Acting Director has made this process never to be completed. The reason that larger staff is required below in the proposed option is because if with the new law is clearly defined and the proposed divisions are allowed, then the administrative staff should be separated from the professional one, in order to increase efficiency in carrying out activities in KAA without the need to approve different budget requirements through MEST. The proposed staff would directly impact on quality growth by being active in monitoring and evaluating HEIs and by cooperating with relevant HEIs.

Kosovo has been operating so far with an extremely small number in 2018 (source: <http://www.kec-ks.org/wp-content/uploads/2018/10/Ndikimi-i-procesit-t%C3%AB-akreditimit-n%C3%AB-SC-n%C3%AB-AL-n%C3%AB-Kosov%C3%AB-1.pdf>)

Goals for membership in the European area of higher education and respect for European standards, as well as the Assembly's recommendation for law-making and recommendations of

international mechanisms are that KAA has its own law where all criteria and standards for increase and quality management in HE.

By special law it is intended that the purpose, objectives and principles of the law that through the accreditation process KAA supports and guarantees equality before the law for all institutions of higher education and students, the diversity and quality of study programs.

Also are determined the competencies of the Kosovo Accreditation Agency as an Independent Agency where its main mission is the assessment, monitoring and accreditation of higher education institutions and their programs.

This option is proposed to ensure stability and security among SQC members, and to ensure that the quality assurance system in Kosova is sustainable and can not be shaken when governments change, it is extremely important that the selection of the SQC members to be regulated by the Law of the Agency.

As seen from the lack of staff in KAA, the organizational structure of KAA will be determined as it is:

The permanent administrative structure of the KAA, which is managed by the Director of KAA. The KAA Director is elected according to the procedures set out in the Law on Civil Servants.

But if it is thought that the KAA should be completely independent in all spheres of its functioning, this requirement derives from all the international mechanisms where KAA is a member (ENQA, EQAR, etc.) and aims to return to EQAR, then the number of staff needed should increase at least 19 additional positions from the current approved number, since then three departments should be established, in seven divisions, and positions that currently do not exist:

1. Department for accreditation, evaluation and monitoring (two divisions: division for evaluation and accreditation, and division for monitoring),
2. Department for Administration and Finance (three divisions: Division for Budget and Finance, Procurement Division, Division of Human Resources and Division for Technical Services)
3. Department for legislation (two divisions: Division for Legislation and Division for Monitoring the Implementation of Legislation).

The organizational structure of KAA is comprised of:

- State Quality Council (SQC), and
- Permanent and Administrative Structure of KAA.

The KAA's permanent and administrative structure is led by the KAA Director. This structure will have this composition: KAA Director, two departments, with five divisions.

KAA Director is the main administrative person in this institution, and is responsible for the smooth running of the permanent staff of KAA. The KAA Director is also a member of SQC ex-officio, without the right to vote. The entire KAA staff respond to the Director for their work.

According to the proposal, KAA will have three departments, namely: Department for evaluation, accreditation and monitoring, which will have two divisions. 1. Division for evaluation and accreditation (5 officials), and 2. Monitoring Division (5 officials), and Department of Administration and Finance will have three divisions: 1. Division for Budget and Finance, (5 officials) and 2 Procurement Division (3 officials), 3. Human Resource Division and Division for Technical Services (3 officials) and Department for legislation, which will have two divisions: Division on Legislation (3 officials) and 2. Division for monitoring of the legislation implementation (3 officials).

Also, as part of the KAA structure will also be these positions, KAA Director, Executive Assistant at KAA Director's Office and KAA Internal Auditor.

As part of the KAA structure is also the Complaints Commission, which consists of five members, respectively from 3 permanent members and two reserve / alternate members.

With this CD should be justified the fact of the inclusion of official positions in this law and meritorious treatment based on the specifics that KAA has. This law should correctly define the coefficient for positions of particular importance for KAA, and not to remain as they are. Officials who participate in the accreditation, evaluation and monitoring process due to the sensitivity of the process should, with the law on KAA to foresee the coefficient be regulated according to the laws in force.

This law will also have a budgetary impact as this will once and permanently regulate the functional structure of KAA, by foreseeing the new organogram and coefficients for each position in KAA.

The State Quality Council (SQC) as the KAA's policy-making and decision-making body. The SQC will have no less than seven (7) members and no more than nine (9) members, at least three of whom will be international. Also in the composition of decision-making structures such as the SQC and the Complaints Commission, the Law on Gender Equality is respected. The Director of KAA ex-officio is an additional member of SQC without the right to vote.

SQC decisions will be taken by majority of votes of the total number of members. No decision can be taken for accreditation / re-accreditation without the participation of at least one international member. SQC will be led by the SQC Chairman and in its absence will be led by the deputy chairman. SQC carries out its duties according to the law on KAA, the administrative instructions deriving from this law that is expected to be adopted, and the SQC regulation. Compensation of the SQC members is based on: AI for Accreditation (No. 15/2018, dated 28.09.2018).

The criteria and procedures for appointing SQC members will be as follows:

The SQC should have at least three members of the opposite sex and one from the minority communities. The composition of SQC will have at least one local member for each of the following groups of study areas:

- a. Education and Human Sciences and Arts
- b. Social sciences, business and justice
- c. Natural sciences, mathematics, computer science and engineering, manufacturing and construction
- d. Health and wellbeing and agriculture and veterinary

The SQC mandate will be:

Three (3) international members are appointed for a five-year mandate;

Three (3) local members are appointed for a five-year mandate;

The other three (3) local members are appointed for a mandate of three (3) years only for the first mandate.

The definition of SQC mandates for the first time is done by lot.

Determination of the SQC Chairman or Vice Chairman mandate for the first time is determined for three (3) or five (5) years depending on the lot, and other times depending on the remaining mandate of the SQC member.

SQC members may be re-elected for a second mandate.

Criteria for the selection of SQC members are: Must be citizen of the Republic of Kosovo, international members are excluded, to have a Doctor of Science degree with relevant academic experience or ten (10) years in the field of quality assurance of higher education, English language skills. Also, if local members are graduates outside the Republic of Kosovo, they must have diploma recognition in MEST.

This law will determines who cannot be a SQC member as follows:

- The person who has held a political post in the last two (2) years;
- is a founder, co-founder, shareholder, board member or holder of the managerial function in any higher education institution in the Republic of Kosovo;
- Mostly three (3) local SQC members may have current engagement in the same institution;
- Has committed a criminal offense;
- Is ascertain that there is conflict of interest.

This process for the proposal of SQC members will be followed through open public competition where MEST makes a public call for nomination of SQC members.

The right to nominate will be open to all legal persons registered in the Republic of Kosovo and physical persons who are citizens of the Republic of Kosovo, whereby the deadline for nomination is 15 working days. This process is seen as a transparent and open process by giving access for equal competition.

For the evaluation procedures, the Minister (MEST) will form a Commission which will be responsible for reviewing the nominated candidates' documentation and will make a shortlist of candidates, which should be at least twice of members that are elected by respecting the areas and the gender composition. This short list is sent to the Minister to appoint the members of the SQC, which will be made public and forwarded for approval to the Assembly.

Appointment for international members is done through consultations and proposals with international partners.

Part that is required by the entire local and international community as a very necessary and clear process will also be provision as to when a SQC member may be discharged. This is, however, accompanied by deadlines for complaints as legitimate right of the discharged person.

According to the Law on Higher Education in Kosovo, no Institution can act without having accreditation from KAA and a license from MEST. So there are two processes that are closely interlinked with each other, which means, if one is missing, HEI cannot start the work.

In order to coordinate the above activities and to provide a preparation deadline for the beginning of the academic year for HEIs on 1st October, SQC will hold the last meeting in January of the current year when the institution intends to start work in October this year, where from February to April, HEIs can also complete the licensing procedure at MEST. This will be done in order to harmonize and set clear deadlines for accreditation but also for licensing.

Through the criteria and procedures established for all HEIs operating in Kosovo, KAA will provide relevant information at country level and more on the application and documentation required, evaluation, deadlines for application and assessment, SQC decisions, deadline for complaint, payment fees, monitoring and what are the standards required to be met by a HEI, such as the ESG standards.

Through this law, the following provisions will be drafted:

The purpose

The purpose of the Law is the strengthening and independence of decision-making of the Kosova Accreditation Agency (KAA), as well as increased efficiency of request review, application of procedures and standards for the assessment and accreditation of higher education institutions and their study programs in the Republic of Kosova through a transparent and accountable process.

Definitions

The definitions will include the description of all relevant institutions in this CD.

Objektives

- Quality assurance in higher education;
- Increase transparency and accountability by MEST, KAA and HEI;
- Standard-based competency between HEIs and study programs of interest to students, labor market and society;
- Encouraging innovation in higher education;
- Implementation of strategic objectives for higher education;
- Membership of Kosovo in the European Higher Education Area;
- Internationalization of higher education;

Principles

Through the accreditation process, KAA guarantees, supports and recognizes:

- Academic Freedom, as defined in the Constitution of the Republic of Kosovo and subsequent interpretation by the judiciary;
- Equality before the law of all higher education providers;
- Equal opportunities for all students and staff in higher education institutions without discrimination;
- Diversity and quality of study programs;
- Creativity, Innovation and Entrepreneurship as main purposes of higher education providers and study programs;
- European and international access to all areas of higher education to enable students and staff mobility and comparability of diploma and qualification standards;
- Dedication to research and scientific knowledge to support learning, and to expand the boundaries of knowledge and understanding within and outside Kosova;
- Increasing quality and competitiveness through improved teaching, scientific research, innovation and internationalization;
- Active engagement of students both individually and collectively, in the life of their institution and in their learning.

KAA Status

Independent Executive Agency

KAA Scope

Quality assurance in higher education through the process of evaluation, accreditation and monitoring of HEIs.

The organizational structure of KAA (Management and staff of KAA, SQC)

The organizational structure of KAA is comprised of:

- The State Quality Council (SQC) and
- Permanent administrative structure of KAA
- Appeals Commission

SQC Scope

The SQC applies the strategic policies of higher education of the Government of the Republic of Kosova / MEST.

SQC is the policy-maker and decision maker of KAA;

SQC drafts and approves the KAA statute, regulations and other documents required for the functioning of KAA;

SQC approves and implements ESG standards;

SQC reports to MEST and the Assembly of the Republic of Kosova

Duties and responsibilities of management and staff of KAA

The KAA's permanent administrative structure is responsible for fulfilling all KAA's administrative duties.

The main tasks are:

- organization and supervision of the evaluation and accreditation process
- organization and supervision of the evaluation and monitoring process
- Co-ordinates KAA's actions with MEST and SQC related to the evaluation and accreditation process.
- Coordinates the preparation of summary reports from the recommendations of evaluation reports during the accreditation and monitoring process and submits them to the SQC for approval.
- Implements all SQC decisions.

The KAA's permanent administrative structure is managed by KAA Director.

Appointment and discharge of SQC members

The Minister appoints the members of the SQC from the list of nominated candidates drafted by the Commission after having previously obtained the personal written consent of each of them. The decision on the appointment shall be made public and forwarded for approval to the Assembly of Kosova. Details on the appointment and discharge process are specified in AI no.06 / 2018, dated 07.05.2018 which will be included during drafting of the Law.

The Complaint Commission.

According to AI for Accreditation No.15 / 2018 dated 28.09.2018.

KAA funding

KAA will be funded from the budget of the Government of Kosova

Request for accreditation

Accreditation can be requested by:

1. The institution itself of higher education for the institution level and / or its study programs;
2. Ministry of Education, Science and Technology (MEST);
3. The KAA's State Quality Council (SQC) in specific cases.

Initial accreditation and re-accreditation

1. Each institution which claims to offer higher education in Kosovo is subject to initial accreditation.
2. Accredited Higher Education Institutions are subject to re-accreditation on a periodic basis in accordance with the duration specified in SQC decisions.

Application for accreditation by HEI

According to legal provisions in force and the KAA Manual

Accreditation / Re-accreditation Procedure

According to legal provisions in force and the KAA Manual

Selection of external evaluators

The KAA Director will draw up the list of external evaluators and propose them to the State Quality Council (SQC) for annual approval.

The composition of the external evaluation team

1. Each external evaluation team consists of a minimum of 2 to a maximum of 7 external evaluators, depending on the number of study programs being evaluated.
2. At the team of external evaluators, at least one student will be appointed to evaluate student affairs during the assessment of the higher education institution.
3. The same external evaluators can be used to evaluate similar programs in different institutions.
4. One of the team members of the external evaluators will be appointed as a team leader and is responsible for overseeing and coordinating the drafting of the Evaluation Report.
5. Higher education institutions are notified of the composition of the team of external assessors and their reconciliation is required.

Duties of external evaluators

1. The main tasks of external evaluators are:
 - 1.1. Review of documents submitted by the institution before visiting the institution;
 - 1.2. Realization of a visit to the higher education institution arranged by KAA;
 - 1.3. Compilation of a draft assessment report after conducting the site visit;
 - 1.4. Review of comments submitted by the institution on the factual situation of the draft report;
 - 1.5. Finalization of the evaluation report for the Higher Education Institution.
 - 1.6. Submission of evaluation report to KAA.

Visit to the institution of external evaluators team

Visits to institutions should be structured to meet the requirements of the specific accreditation process (initial institutional accreditation, new academic programs or re-accreditations) and should be coordinated with the institution.

Evaluation report

1. The External Evaluation Team compiles the Evaluation Report based on the evidence collected during the on-site visit, the content of the Self-Assessment Report and other attached documentation.
2. The external evaluators team adheres to KAA Guidelines for drafting evaluation reports provided by KAA.

Decision on Accreditation

1. KAA Director compiles a summary of the report based on the evaluation report of the external evaluators team and submits it to the SQC.
2. Based on recommendations from the report of external evaluators, SQC takes a decision on accreditation or non-accreditation.
3. KAA will publish on its web site the re-accreditation decisions as well as the external evaluators report for each institution of higher education and study program, by respecting the legal provisions in force.
4. KAA will notify MEST of all SQC re-accreditation decisions in order for MEST to continue the licensing procedure under the AI for Licensing.

Duration of accreditation

1. The duration of initial (preliminary) accreditation is three (3) years and of a re-accreditation no more than five (5) years, unless the team of external evaluators recommends another duration and when that recommendation receives SQC approval.
2. The duration of the program's re/accreditation is three (3) to five (5) years, unless the team of external evaluators recommends other duration and when that recommendation gets the consent of the SQC.

Procedures after receiving reaccreditation

Accredited institutions must submit to the KAA at the beginning of each academic year an inclusive annual report on their activities, including the improvement plan (follow-up activities) based on the recommendations contained in the report of the External Evaluators Team.

Revocation / withdrawal of accreditation

1. KAA reserves the right to monitor and control the quality of accredited institutions at any time by prior notice.
2. KAA may reconsider its accreditation at any time and / or subsequently withdraw its decision on accreditation if the conditions granted in the case of accreditation have been violated.

The right to appeal

According to the Law on General Administrative Procedure, AI for Accreditation 15/2018 of 28.09.2018, and the Rules of Procedure of the Complaints Commission

Study programs with international accreditation

1. Each institution may propose to provide study programs in Kosova (frashiza), which lead to obtaining an academic degree or a foreign diploma, provided that these study programs of a foreign institution of higher education are accredited by one recognized quality assurance agency from ENQA, EQAR and CHEA.
2. All these proposals and requests must be approved by KAA.

Accreditation standards

1. Accreditation standards are rules that define the obligatory level to be achieved by higher education institutions.
2. Accreditation standards are based on European and global quality assurance policies in higher education, but not limited to, European Quality Assurance Guidelines and Standards.

Higher education institutions must meet the standards set by law;

- Quality standards for institutional accreditation
- Quality standards for study programs
- Quality standards for vocational study programs
- Quality Standards for accreditation of branches and study programs in the branch

Quality assurance and monitoring

1. KAA performs monitoring and quality control at accredited HEIs.
2. Monitoring and quality control in the professional aspect of the field / programs is carried out by international external evaluators.
3. Quality monitoring and control in the administrative aspect is carried out by KAA staff.

4. The cost of the monitoring process is covered by KAA.
5. Monitoring of accredited HEIs is organized by KAA.
6. KAA will make public regulations, standards and monitoring policies.

Declaration of the academic staff for engagement

HEIs must submit engagement statements about the academic staff's employment relationship no later than 31 October of the calendar year through the Electronic Platform: E-Accreditation.

KAA can at any time verify the data presented in the academic staff engagement statements.

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False statement under the Criminal Code of the Republic of Kosovo, according to Article 392, will be officially processed by the competent authorities.

Expenditure on accreditation / reaccreditation process

1. The institution will bear all the costs for the process of institutional accreditation and reaccreditation and for the programs.
2. If Higher Education Institution in agreement with the KAA withdraws its application prior to the external evaluators visit, after covering the costs of the accreditation process, the institution will be compensated 50% of the amount paid for the accreditation expenses.

Compensation of SQC members

SQC members for their work will be compensated according to the relevant legislation in force for salaries in the public sector..

Chapter 3.3: The third option

Changing the KAA's legal basis, through amendments of the Law on Higher Education, and other sub-legal acts, does not ensure independence in KAA functioning.

Even if there was a possibility to change the Law on Higher Education, and be completed with the part for KAA, it is not practice with this law to define the functioning of independent agencies as the KAA claims to be. Also KAA functioning through Administrative Instructions which have been continuously amended have influenced the KAA's work performance. In addition, the KAA's legal status is not in line with the requirements and criteria of the international mechanisms part of which is KAA, therefore changes are required in terms of advancement of the position of this institution. The legal and sub-legal provisions have not been harmonized among themselves and with the international standards regulating the accreditation area.

Failure to clearly define the KAA's position and the goals for integration into the European higher education area result in the necessity for strengthening KAA through drafting the law and approving it within the deadlines required for re-membership in ENQA and EQAR.

Exclusion from these international mechanisms may also result from the departure from the European Qualifications Framework (EQF) in which Kosovo is a member, and endangers the rejection of higher education diplomas supported by the Lisbon Convention on Recognition.

Changing the approach of implementing the current legislation between stakeholders such as KAA, MEST and all others, or increasing the number of staff required by the Government / Ministry of Finance and Public Administration in the sense that the human resources in the KAA and the budget increase would be strengthened, but even this again is not a sufficient option to address the problems because it does not ensure the main purpose of KAA's independence. Therefore, option 2 for drafting the law on KAA is recommended, as we have mentioned in the above-mentioned problems where frequent change of sub-legal acts brings us implementing policy difficulties. It also causes confusion to HEI the issue of acts and supplement-amendment in relation to the requests for accreditation and implementation of these acts.

Chapter 4: Identifying and assessing future impacts

Figure 6: The most important impacts identified for the impact category

Categories of impacts	Relevant impacts identified
Economic Impacts	<p>there are</p> <p>Kosovo has the youngest population in Europe, therefore it is a challenge but also a real opportunity for ALs to ensure quality education and the preparation of new generations for the labor market that affects the economic and social development of the country. Based on the Mid-Term Expenditure Framework point 1.2. and 1.2.1 Priority Areas in the MTEF 2019-2021. The priorities are specifically presented and derive from the National Strategy for Development, paying attention also to the measures presented in the Economic Reform Program 2018-2020, as well as the National Program for the Implementation of the SAA. The priorities below are also based on other sectoral strategic documents, enabling Budget Organizations a flexibility measure to determine the most appropriate structure and the</p>

	<p>most adequate funding levels to achieve these goals. During the preparation and submission of their budget requests for 2019 with forecasts for medium-term periods (2019-2021), budget organizations are expected to show how their budget plan responds to the priorities of the Government presented below. Against the priorities given, budget organizations are encouraged to improve spending efficiency through reallocation within the existing boundaries.</p> <p>While point 1.2. 1. Education: The quality and competitiveness of higher education is aimed to increase through the completion of the legal framework for higher education, as well as the completion of accreditation with a process of ranking programs and institutions under the European Multidimensional Framework. This will help to improve transparency in Higher Education Institutions (HEIs), further development of quality assurance mechanisms, more meaningful reporting for universities, and provide objective information for employers and thus improve employability of young people. In addition, the Government is committed to the full functionalization of the Information Management System in Higher Education (EMIS), which together with the further development of other information systems will enable the use of this system's data to ensure that study programs in higher education are in line with labor market needs. Funding for Higher Education and Vocational Education Programs will be increased by reviewing the current funding formula and by reorienting spending from less priority areas to more priority ones. Finally, as regards to the linkage of research work to HEIs with industry through access to wise specialization and investment in research and development, the main focus will be on improving the legal framework for transferring innovation and technology and financing of scientific research activities.</p> <p>By carrying out the accreditation procedures, AARK also affects the country's economy because accredited institutions, besides employing a large number of citizens, also bring the latest technology and equipment to the economic development of the country.</p>
<p>Social Impacts</p>	<p>there are</p> <p>The advancement of the legal framework related to the accreditation of university study programs has many implications. Kosovo has a large number of institutions of higher education - 32 institutions, most of which are colleges. Together, all higher education institutions offer 358 study programs, including three cycles of study according to</p>

	<p>Bologna. About 140,000 students are registered in these institutions. The impacts are social and individual and coincide with the development of 'human capital'. Knowledge, skills and judgment that are forged through education find expression in professions and jobs, but also in everyday life. Generally speaking, social influences can refer to these dimensions. Firstly, the advancement of the legal framework in accreditation has a direct impact on the processes of Europeanization of Kosovo because it provides a perspective for a qualitative, comparable and compatible education with the education and diplomas obtained in Kosovo with those in the European Higher Education Area. Maintaining the member's status of KAA in the European Association for Quality Assurance in Higher Education - ENQA and the return of the agency to other international mechanisms, such as EQAR, enhances institutional credibility and transparency in decision-making. This return would contribute to the internationalization of higher education in Kosovo, the increase of academic mobility and the recognition of Kosovo higher education diplomas in Europe and beyond - the Lisbon Convention on Recognition (https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168007f2c7).</p> <p>Secondly, social impacts relate to economic benefits. Qualitative education enables employment and, as a result, a quality education society has low levels of unemployment and poverty. Qualitative education may result in higher rates of innovation, production and application of new technologies as a prerequisite for economic growth. Also, social influence has to do with academic mobility and 'brain circulation' as the location of a dynamic process in building knowledge and innovation across the public and private sectors.</p> <p>Finally, social benefits refer to the potential for developing an active citizenship for the public good, respect for human rights and equal opportunities in academic and professional development in higher education.</p> <p>With the approval of the CD and then the legal act by which the KAA will be functionalized, will have social implications because in this case it would create a legal independence of this institution which would keep it away from political influences and that society would implement rights under equal conditions in this Institution without any external influences.</p>
Environmental Impacts	There are non
Impacts on	

<p>Fundamental Rights</p>	<p>Inclusion for access to quality education for all citizens of the Republic of Kosova regardless of their gender, ethnicity, religion, age, language, sexual orientation, disability, etc..</p> <p>Promotion of human rights and equality of all citizens throughout curricula and study programs in public and private institutions of higher education.</p> <p>Strengthening the HEI and students in the applying the human rights in studies, research, and daily life.</p> <p>Human Rights Principles become part of study programs and institutional practices in HEIs, achieving competences through quality programs and comparable to European standards to reach an active citizen for democratic decision-making.</p>
<p>Gender Impact</p>	<p>Gender gives shape and also forms institutional practices and educational achievement. Gender inequality in higher education and production of knowledge is a universal and also national problem. Legal and institutional rules and practices, even when seemingly neutral, may discriminate women. Institutional change in the field of higher education requires interventions at various levels in order to transform formal rules and cultural norms that discriminate against one gender in favor of the other.</p> <p>In Kosovo, women have low rate of participation in the labor market and in employment. Less than 10% of enterprises in Kosovo are businesses run by women. Segregation of gender-based occupation is present. Women are employed in education (21%), health (17%) and trade (14%). These data reveal the presence of the gender gap in education. Gender impacts relate to the standards and quality of study programs, the institutional culture of gender and diversity, as well as interventions to promote gender equality.</p> <p>Impacts through legislation that consider gender as integral category of social, political and institutional reports, are an impetus towards transformation of gender inequalities, accessible through education and study programs that include gender content. As well, sensitive legislation from the gender perspective will have an impact on gender equality through the recruitment policies of the academic staff, professional advancement, access to research projects and research funding schemes, representation in decision-making bodies and HEI leadership. Moreover, the legislation will have an impact on reducing the gender gap through addressing barriers and differentiated</p>

	<p>expectations for women and men in Kosovo.</p> <p>In order to increase employment rates, especially for young people and women, the Government will focus on reforming and modernizing public employment services through ensuring the full functionality of the Employment Agency of the Republic of Kosovo (EARK) and its capacity increase for planning, design, effective implementation and monitoring of active labor market measures. Also, the Action Plan on Addressing Youth Unemployment will be implemented as part of the measures. Support will also be provided for interns, voluntary work, self-employment and entrepreneurship. A growing number of women will be involved in active labor market measures as well as other vulnerable and minority groups in the country.</p>
<p>The Impacts of Social Equality</p>	<p>Further adjustment of the field of accreditation of higher education programs will have a broad social: economic, regional, social, governance, cultural and security impact. Increasing the quality of study programs and linking the labor market will have an impact on job creation and economic growth. Also, this will affect the consolidation of higher education institutions in standards-based and quality-based competitiveness in recruiting teaching staff. Finally, HEIs will be able to generate revenues through international projects and thus increase staff through research projects.</p> <p>Social impact extends in Kosova but also outside Kosova. Regional impacts are threefold. First they relate to the attractiveness of students from the region to the programs offered by HEIs in Kosova. Second, in the mobility of academic staff and graduates in the region as well as in employment. And third, in collaborating in scientific researches at the regional level. Qualitative and diverse study programs will attract students not only from large centers but from all over Kosova and the region, especially the Presheva Valley and Montenegro. Advanced legislation in accreditation will have a positive impact on social inclusion. Study programs leading to employment will reduce youth unemployment and thus even poverty.</p> <p>The impacts on education are related to academic freedom and the governance of HEIs. The law will further strengthen HEIs in institutional development and study programs; inter-institutional, regional and international cooperation. The law will expand the interaction spectrum of HEIs with 'stakeholders', students, civil society organizations and other local and international actors.</p> <p>The law will expand the institutional and educational culture in Kosova. It will affect the promotion of cultural diversity through</p>

	<p>activities that organize and participate in cultural activities. Moreover, the potential that the legal framework will offer will enable HEIs to broaden their scope in broader cultural domains and place them at the center of dialogue and democratic values.</p> <p>The concept document foresees one of the social impacts associated with governance of HEIs. The law will ensure the equal participation of all citizens in education through equal treatment for all without distinction; equal treatment of each student, academic and administrative staff, student participation in decision-making; increasing transparency in recruitment and involvement in study programs, and informing the society on study programs, quality, career development and strategic objectives. Legislation will also have an impact on the liaison of HEIs with civil society organizations by strengthening cooperation in the public interest and social development.</p> <p>Finally, these impacts on governance will affect that HEIs as institutions to operate on the basis of formal rules and that address any informal, corrupt, and nepotistic practices.</p>
<p>Influences on young people</p>	<p>Based on the actual number of students with over 100,000 students attending higher education institutions, and for every academic year we have over 20,000 students trying to enroll in HEIs, kthis is a clear indication of the importance of accreditation of higher education institutions and programs, which are and offer quality assurance that leads to qualified students, skills and competences for their qualification.</p>
<p>Impacts on administrative workload</p>	<p>Pursuant to Article 31, point 3 of the AI for Accreditation (No.15 / 2018, dated 28.09.2018), Higher Education Institutions are obliged to carry out their financial obligations for obtaining Accreditation in the following amounts:</p> <ul style="list-style-type: none"> 4. Initial institutional accreditation..... 3 000 € 5. Institutional re-accreditation.....2 000 € 6. Accreditation of the study program..... ..1 000 € 7. Re-accreditation of the study program..... 500 € 8. Payment for an external assessor (expert)..... ..3 300 € 9. Payment for an external assessor (student) 2 400 € <p>Administrative fees should be met according to the accreditation / re-accreditation cycle based on the administrative instruction 15/2018</p>

	dated 28.09.2018.
Impact of SMEs	There are no direct impacts

Option 1: Status quo option (no change). This option of this concept document has no additional costs for the budget of the Republic of Kosovo. Any activity related to the implementation of this legislation is planned in the MEST budget projections, as it continues with the current situation, the proposed option is covered by budget appropriations in the amount of € 552,318 within the current MEST limit.

Option 2: Changing the existing approach from the current situation to the second option will have additional implications in the Kosovo Budget, in order to implement this concept document the cost of € 3,688,762 (for five years 2019-2023), while the allocation of budget funds for this concept document is in the amount of € 2,839,930 for the years 2019-2023, while the additional cost for the implementation of this concept is in the amount of € for the period 2019-2023, which funds are not planned in the Medium Term Budget Framework 2019-2023 and the draft budget 2019 and also budget estimates 2020-2023 in MEST.

According to the budget analysis, the second option has additional implications in the budget of the Republic of Kosovo in the amount of € 3,070,311 for the period 2019-2023 (for 2019 the additional cost in the amount of € 840,786, for the additional cost in the amount of € 834,822 for 2020, as well as for the year 2021 the additional cost in the amount of € 567,074, for the year 2022 additional cost in the amount of € 408,232, and for the year 2023 the additional cost is € 419,396). This additional cost is not planned in the 2019 draft budget and budget estimates for the years 2020-2023 in the Ministry of Education, Science and Technology.

Option 3: Change of the existing policy (something must be done), this option has additional costs in Kosovo's 2019 budget in the amount of € 86,274 for drafting a legal basis and developing activities related to the implementation of this concept document, and which assets are not planned in the draft budget of 2019 and the 2020-2021 evaluations at MEST.

Changing the approach of implementing the current legislation between stakeholders such as KAA, MEST and all others, or increasing the number of staff required by the Government / Ministry of Finance and Public Administration in the sense that the human resources in the KAA and the budget increase would be strengthened, but even this again is not a sufficient option to address the problems because it does not ensure the main purpose of KAA's independence. Therefore, option 2 for drafting the law on KAA is recommended, as we have mentioned in the above-mentioned problems where frequent change of sub-legal acts brings us implementing policy difficulties. It also causes confusion to HEI the issue of acts and supplement-amendment in relation to the requests for accreditation and implementation of these acts.

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Table 1: presents a summary of 3 possible options regarding budget impacts

Summary of Financial Impact Assessment	Current Year Budget 2018	Option 1 continuation of current status	The second option, something to be done	The difference between option 1 and 3	The third option, change of the current situation	The difference between option 1 and 2
Total of options - by economic categories	500,489	552,318	1,237,312	(684,994)	638,592	(86274)
Staff	9	13	32	(19)	13	-
Wages and salaries	73,667	125,496	300,490	(174,994)	131,770	(6,274)
Goods and Services	426,822	426,822	426,822	-	496,822	70,000
Utilities			10,000	(10,000)	10,000	(10,000)
Capital expenditures			500,000	(500,000)	-	-

Table 2: presents a summary for the five years 2019-2023 of the total cost and the difference

Summary of Financial Impact Assessment	Viti 1	Viti 2	Viti 3	Viti 4	Viti 5	Responsible institution
Option 2	1,393,104	1,403,414	1,132,255	986,305	995,164	AKA
Staff	366,342	368,174	370,015	371,865	373,724	AKA
Wages and salaries	516,762	525,240	532,240	554,440	581,440	AKA
Goods and						AK

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Services	10,000	10,000	30,000	40,000	40,000	A
Utilities	500,000	500,000	200,000	20,000		AK A

Table 3: presents a summary of budgetary implications for five years 2019-2023 (additional cost for five years)

Summary of Financial Impact Assessment	Year 1	Year 2	Year 3	Year 4	Year 5	Responsible institution
Option 2	840,786	834,822	567,074	408,232	419,396	KA A
Staff	240,846.00	236,403.71	231,656.08	232,814	233,978	KA A
Wages and salaries	89,940.00	98,418.00	105,418.00	115,418.00	115,418.00	KA A
Goods and Services	10,000.00	0.00	30,000.00	40,000	70,000	KA A
Utilities	500,000.00	500,000.00	200,000.00	20,000	0	KA A

Chapter 4.1: Challenges in data collection

There was no challenge in data collection because all institutional state resources were exploited.

Chapter 5: Communication and consultation

Figure 7: Summary of communication and consultation activities conducted for a concept document

The consultation process aims:

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- Involvement of all relevant stakeholders, including prior consultation with government institutions and public discussion through the government platform and through stakeholder meetings						
Main purpose	Target group	Activity	Communication/notification	Indicative deadline	Necessary budget	Responsible person
Open meeting for all stakeholders	All interested parties	Public meeting	With email	21.02.2019		
Public consultation in writing	All interested parties	Publication of consultation on the portal for public consultation	Placing the document on the platform		There are no budgetary implications	Shpresa Mehmeti

Chapter 6: Comparison of options

Option 1

1. The current legal framework, in the event of non-change of legislation, cannot change the current state of the education system in Kosovo to ensure the general public that we will offer qualitative academic programs in line with international standards.

2. The negative effect is non drafting of the current legislation (lack of physical capital, limited financial means to create a sufficient work environment that will ensure quality in HE institutions.

This option has no budgetary implications as the current condition continues.

Option 2

Option 2: Changing the existing approach from the current situation to the second option will have additional implications in the Kosovo Budget, this option to be implemented has a budgetary cost of € 5,910,241 (for the five years 2019-2023), whereas the allocation of budgetary funds for this concept is in the amount of € 2,839,930 for the years 2019-2023, while the additional cost for the implementation of this concept is € 3,070,311, for the period 2019-2023 which funds are not planned in the Medium Term Budgetary Framework 2019-2021 and the draft budget 2019 and the budgetary estimates 2020-2021 in MEST.

According to the budgetary analysis, the second option has additional implications in the budget of the Republic of Kosovo in the amount of € 2,242,682 for the period 2019-2023 (for 2019 the additional cost in the amount of € 840,786, for 2020 the additional cost in the amount of € 834,822, as well as for the year 2021 the additional cost in the amount of € 567,074, for the year 2022 additional cost in the amount of € 408,232, and for the year 2023 the additional cost is € 419,396). This additional cost is not planned in the 2019 draft budget and budget estimates for the years 2020-2021 in the Ministry of Education, Science and Technology.

Option 3

Unlike the status quo, MEST - KAA as the proposer of this concept document proposes changing the existing framework, and to change the current situation recommends changing the current policy approval: The Law on Higher Education which will regulate the functioning of the KAA and the amendment of sub-legal acts. This option has additional budget costs of € 86,274. 3. Non-regulation of this area with special law has its consequences especially in the scientific, economic and social development of the country. Changing the approach of implementing the current legislation between stakeholders such as KAA, MEST and all others, or increasing the number of staff required by the Government / Ministry of Finance and Public Administration in the sense that the human resources in the KAA and the budget increase would be strengthened, but even this again is not a sufficient option to address the problems because it does not ensure the main purpose of KAA's independence. Therefore, option 2 for drafting the law on KAA is recommended, as we have mentioned in the above-mentioned problems where frequent change of sub-legal acts brings us implementing policy difficulties. It also causes confusion to HEI the issue of acts and supplement-amendment in relation to the requests for accreditation and implementation of these acts.

Chapter 6.1: Implementation plans for different options

Figure 8: Implementation plan for Option 2

The policy purpose	The policy purpose of this concept document was initiated on the recommendation of international partners and the Assembly, including local community, KAA, civil society and others who recommend that KAA to have a separate law. Through the options offered by the CD format, the preferred option will be the issuance of the law on KAAs where the main goal is full institutional independence and the avoidance of legal gaps that may create instability in the KAA's work. MEST and KAA are committed that higher education to be part of European quality assurance mechanisms.	The expected cost digit (for 5 years) is 3,380,
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Strategic objective	The strategic objective is the full institutional independence of KAA in decision-making as well as the performance of obligations and responsibilities with efficiency and effectiveness within the deadlines set by legislation. Ensuring local legal infrastructure that will enable the accreditation process to be administered independently and autonomously so that established institutions have full responsibility for their processes, management and decisions. Inclusion of participants in quality assurance so that established institutions play an important role in the development, monitoring and supervision of the accreditation process in all HEIs. Monitoring the work of the HEI for the fulfillment of the obligations arising from the Accreditation Decisions within the deadlines set for monitoring.							742.81 Euro	
Products, activities, year and responsible organization / department									
Specific objective 1 : Development of a functional accreditation system for quality assurance in accordance to international standards;	Total cost of concept document for KAA law							5,910,240.91	
	Product 1.1		Year 1	Year 2	Year 3	Year 4	Year 5	Responsible institution / department	Total of activity 1.1.1, 1.2 and 1.1.3
			384,342	398,174	390,015	396,865	398,724	MEST-KAA	1,968,119
		Activity 3.1.1 Increase in number and salaries of professional staff / SQC	366,342	368,174	370,015	371,865	373,724	MEST-KAA	1,850,119
		Activity 1.1.2 - Professional development of KAA staff.	18,000	30,000	20,000	25,000	25,000		118,000
	Activity 1.1.3							-	

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Specific objective 2 : Advancing the legal infrastructure that enables an accreditation process that is administered independently and autonomously so that the designated institutions have full responsibility for their processes, management and decisions.							Responsible institution / department	Total of activity 1.2.1, 1.2.2 and 1.2.3
	Year 1	Year 2	Year 3	Year 4	Year 5			
	617,822	615,500	325,500	155,500	175,500	MEST-KAA	1,889,822	
Activity; 3.2.1 Approval of the law on KAA	20,000	-	-	-	-		20,000	
Activity; 3.2.2 - Approval of sub-legal acts.	8,000	-	-	-	-		8,000	
Activity 3.2.3 - Operative services, maintenance, cleaning and supply services	89,822	115,500	125,500	135,500	145,500		611,822	
Activity: 3.2.4 - Construction of the physical infrastructure of the KAA facility	500,000	500,000	200,000	20,000.00	30,000		1,250,000	
Specific objective 3 : Full						Responsible	Total of	

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institutional independence of KAA in decision-making as well as performance of obligations and responsibilities efficiently and effectively within the deadlines set by legislation.	Product 1.3	Year 1	Year 2	Year 3	Year 4	Year 5	institution / department	activity 1.3.1, 1.3.2, 1.3.3 and 1.3.4
		245,940	248,940	233,940	273,940	283,940	MEST -KAA	1,286,700
Activity: 3.3.1 Realization of the accreditation process, based on legal provisions and international standards according to the requirements of HEIs;								
	222,000	225,000	210,000	250,000	260,000		1,167,000	
	Activity: 3.3.2 - Function alization of KAA Complaints Commission;							
23,940		23,940	23,940	23,940	23,940		119,700	
Specific objective 4: Monitoring the		Year 1	Year 2	Year 3	Year 4	Year 5	Responsible institution / department	Total of activity 1.4.1,1

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work of the HEI for the fulfillment of the obligations arising from the Accreditation Decisions within the deadlines set for monitoring.						ment	.4.2, 1.4.3 and 1.4.4	
		145,000	140,800	152,800	160,000	167,000	MEST-KAA 752,378.00	
	Product 1.4							
	Activity : 3.4.1 Drafting the legal base and standards for the monitoring process.	20,000						20,000
	Activity : 3.4.2 - Monitoring the evaluation and accreditation process by field experts.	100,000	112,474	124,115	130,065	106,724		573,378
Activity : 3.4.3 - Realization of study visits and other official trips of professional staff.	25,000	30,000	32,000	35,000	37,000		159,000	

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Total cost of concept document for KAA		1,393,104	1,403,414	1,132,255	986,305	995,164		5,910,242.00

Figure 9: Implementation plan for Option 3

The policy purpose	The purpose of policy of this concept document is initiated on recommendation of international partners and the Assembly, also including the local community, KAA, civil societies and others who recommend that KAA to have a separate law. Through the options offered by the CD format, the preferred option will be issuance of the law for KAAs where the main goal is full institutional independence and the avoidance of legal gaps that may create instability in the work of KAA. MEST and KAA are committed that higher education to be part of European quality assurance mechanisms.							The expected cost digit (for 5 years) is 86,274.00 Euro
Strategic objective	Strategic objectives are the full institutional independence of KAA in decision-making as well as performance of obligations and responsibilities efficiently and effectively within the deadlines set by legislation. Ensuring local legal infrastructure that will enable the accreditation process to be administered independently and autonomously so that established institutions have full responsibility for their processes, management and decisions. Inclusion of stakeholders in quality assurance so that established institutions play an important role in the development, monitoring and oversight of the accreditation process in all HEIs. Monitoring the work of the HEI for the fulfillment of the obligations arising from the Accreditation Decisions within the deadlines for monitoring.							
Products, activities, year and responsible organization / department								
Specific Objective1: Development of a functional accreditation	Total cost of concept document for KAA law							2,901,716.87
		Viti 1	Viti 2	Viti 3	Viti 4	Viti 5	Responsible institution /	Totali Aktiviteti 1.1.1, 1.1.2

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accreditation system for quality assurance, in accordance with international standards;							department	1.1.3	
		110,589	139,018	139,082	139,085	139,085	MES T-KAA	666,859	
Product 2.1	Activity 2.1.1 Current status of the number and salaries of professional staff / SQC	71,479	84,908	84,972	84,975	84,975	MES T-KAA	411,309	
	Activity 2.1.2 Insufficient professional development of KAA staff.	39,110	54,110	54,110	54,110	54,110		255,550	
Specific objective 2 : Advancement of the legal infrastructure that enables an accreditation	Product 2.2		Year 1	Year 2	Year 3	Year 4	Year 5	Responsible institution / department	Total I Aktiviteti 1.2.1,1 .2.2 dhe 1.2.3
			14,900	31,900	31,900	31,900	31,900	MES T-KAA	142,500
	Activity 2.2.1 Approval of the law on KAA	-	-	-	-	-	-		-

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n proce ss that is admin istere d indep enden tly and auton omou sly so that the desig nated institu tions have full respo nsibili ty for their proce sses, mana geme nt and decisi ons.	Activity 2.2.2 - Approval of sub- legal acts.	3,000	-	-	-	-	-	3,000
	Activity 2.2.3 - Operative services, maintenance, cleaning and supply services	11,900	31,900	31,900	31,900	31,900	31,900	139,500
Speci fic objec tive 3 : Non- full institu tional indep enden ce of the	Pro du kti 2.3	Year 1	Year 2	Year 3	Year 4	Year 5	Resp onsi ble insti tutio n / depa rtme nt	Total Activi ty 1.3.1,1 .3.2 ,1.3.3 and 1.3.4
		259,600	267,665	267,667	267,665	267,665	MES T- KA A	1,330,262

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KAA in decision-making as well as performance of obligations and responsibilities efficiently and effectively within the deadlines set by the legislation.		Activity: 2.3.1 Realization of the accreditation process, based on legal provisions and standards; international standards as required by HEIs;	235,660	243,725	243,727	243,725	243,725	1,210,562	
		Activity: 2.3.2 - Functionalization of the KAA Complaints Commission;	23,940	23,940	23,940	23,940	23,940	119,700	
			Year 1	Year 2	Year 3	Year 4	Year 5	Responsible institution / department	Total of activity 1.4.1, 1.4.2, 1.4.3 and 1.4.4
	115,400	161,674	161,674	161,674	161,674	MEST-KAA	762,096		
Specific objective 4 : Monitoring the work of the HEI for the	Product 2.4	Activity: 2.4.1 Drafting the legal base and standards for the	-	-	-	-	-	-	

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fulfillment of the obligations arising from the Accreditation Decisions within the deadlines set for monitoring.	monitoring processes.						
	Activity: 2.4.2 - Monitoring the evaluation and accreditation processes by field experts.	85,400	85,400	85,400	85,400	85,400	427,000
	Activity: 2.4.3 - Realization of study visits and other official trips of professional staff.	30,000	76,274	76,274	76,274	76,274	335,096
Total cost of concept document for KAA	500,489	600,256	600,324	600,324	600,324	600,324	2,901,717

Chapter 6.2: Comparison table with all three options

Figure 8: Comparison of options

Comparison method:									
Relevant positive impacts	There is no positive impact			By drafting this law, all the problems identified in this concept document will be addressed.			There is no positive impact		
Relevant negative impacts									
	Since it has been request of KAA , of international partners and the Assembly for the issuance of special law, the non-change of the existing situation does not ensure the full independence of the KAA			There is no negative impact on the law-making process for stakeholders and the KAA.			Although all stakeholders have been aware that the Higher Education Law is under review, the requirement is still required for the issuance of the law for KAA.		
Relevant costs	There is no additional cost			There are additional costs to be planned			There is an easily affordable cost increase		
Estimation of expected budgetary impact	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
	0	0	0	840,786	824,822	567,074	28,758	28,758	28,758
Conclusion									

Chapter 7: Conclusions and Future Steps

The second option of special regulation for the functioning of the KAA field is the best way of ensuring full KAA independence, creating legal stability (avoiding the possibility of continuously amending sub-legal acts for Accreditation), and approval of the new functional KAA structure. Based on the principle of justice, that particular law excludes general law by regulating this matter by a special law, the criteria and procedures would be set up which would allow the KAA to deal with many problems that has faced so far in its work, to be given a merit solution by a special law, such as the issue of staff at HEIs who are not citizens of Kosovo, then issues of financing and payment of fees and salaries. Practically in order to ensure independence, stability and professionalism, the KAA field should be regulated by a special law, with the assurance of quality increase in HE.

Effects

The frequent change of the Administrative Instruction on Accreditation creates uncertainty and instability among the higher education institutions and does not contribute to the sustainable development of the higher education system.

Lack of special law in cases violates the operational and decision-making independence of the State Quality Council which has recently become vital for Kosovo in relation to European quality assurance mechanisms (ENQA; EQAR; CENKA).

Limited human, financial, and infrastructural resources of KAA make it difficult to fully implement the KAA's mission and jeopardize the quality assurance processes.

The absence of a special law prevents KAA in setting its own methodology that matches specific characteristics of the evaluation, accreditation and monitoring process.

Main Problem

Without KAA's institutional sustainability in relation to the duties and responsibilities for carrying out its mission and ensuring quality in higher education

Causes

Frequent change of sub-legal acts

Interventions in KAA Independence

Frequent changes of KAA management

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Lack of human resources

Failure to carry out the proper monitoring process in the absence of financial resources and human resources

Exclusion of Kosovo from EQAR as a result of the violation of its independence

Lack of AKA Law

Insufficient budget

Lack of harmonization of the accreditation process with the HEI licensing process

Lack of HEIs profiling

Figure 9: Implementation plan of the preferred option

Upon receipt of the second Option after the adoption of the Concept document that is expected to be approved by the Government at the beginning of 2019, further major steps will be taken from the Implementation Plan of the CD with the proposed second Option as follows:

1	<p>Product: Draft law for KAA activities:</p> <ol style="list-style-type: none"> 1. Establishment of the working group for drafting the law 2. Draft law 3. Preliminary and public consultation 4. Adoption to the Government <p>Adoption to the Assembly</p>	K2-K4 2019.
2	<p>Harmonization of HEI acts with the legislation in force Activities:</p> <ol style="list-style-type: none"> 1. Establishment of a working group for AI 2. Issuance of Administrative AI arising from this law 3. Preliminary and Public Consultation of AI 	2019- 2023

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	Adoption of AI by the Minister	
3	Product: Implementation of quality assurance standards. Activities: 1. Drafting the Manuals 2. Training of HEIs	2019- 2021
4	Accreditation of HEI based on the new Legislation	after the entry into force of the Law
5	Membership in relevant International Organizations (ENQA and EQAR)	K2 and K3 , 2019
6	HEI quality monitoring according to KAA standards.	
7	KAA funding	After the entry into force of the law.

Chapter 7.1: Provisions for monitoring and evaluation

Action Plan for Implementing the Recommended option of the Concept document will be reflected in the Annual Work Plan of the Government of Kosovo and the Government Legislative Program for 2019. The MEST Internal Work Plan will determine the concrete implemented actions of this plan which will be monitored by the Department for European Integration and Policy Coordination under the supervision of the General Secretary's Office.

Annex 1: The evaluation form for economic impact

Category of economic impacts	The main impact	Is this impact expected to happen?		Number of affected organizations, companies and / or individuals	Expected benefit or cost of impact	Preferred level of analysis
		Yes	No			
Work places ¹	Will the current number of workplaces will increase?	Yes		High	High	
	Will the current number of workplaces be reduced?		No			
	Will it affect the level of payment?	Yes		High	High	
	Will it affect the ease of finding a workplace?	Yes		High	High	
	Will this affect access to finance for business?		No			
Making business	Will certain products leave the market?	Yes		High	High	
	Will certain products be allowed on the market?	Yes		High	High	
	Will businesses be forced to be shut down?	Yes		Low	Low	
	Will new businesses be created?	Yes		Low	Low	

¹ When it affects workplaces, there will also be social influences.

Administrative charges	Will businesses be forced to meet the obligations of providing new information?	Yes		Low	Low	
	Are the obligations of providing business information have been simplified?	Yes		Low	Low	
Trade	Is it expected to change current import flows?		No			
	Is it expected to change current export flows?		No			
Transport	Will it have an effect on the manner of passengers and / or goods transport?		No			
	Will there be any change in the time needed to transport passengers and / or goods?		No			
Investments	Are companies expected to invest in new activities?	Yes		Low	Low	
	Are companies expected to cancel or postpone investments for later?		No			
	Will the Diaspora investments increase?	Yes		Low	Low	
	Will Diaspora investments		No			

	decrease?						
	Will foreign direct investments increase?	Yes			Low		Low
	Will foreign direct investment reduce?		No				
Competitiveness	Will the business price of products, such as electricity, increase?		No				
	Will the price of business inputs, such as electricity, be lowered?		No				
	Are innovation and research likely to be promoted?	Yes			High		High
Impact on SMEs	Is innovation and research likely to be hindered?	Yes			Low		Low
	Are SME companies mostly affected?	Yes			High		High
	Will the number of goods and services available to the business or customers increase?	Yes			Low		Low
Prices and competition	Will the number of goods and services available to the business or customers be reduced?		No				
	Will the prices of existing goods		No				

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	and services increase?						
	Will the prices of existing goods and services be reduced?	No					
Regional Economic Impacts	Will any particular business sector be affected?	Yes	High	High			
	Is this sector concentrated in a particular region?	No					
Overall economic development	Will the future economic growth be affected?	Yes	High	High			
	Can there be any effect on the inflation rate?	Yes	Low	Low			

Annex 2: The evaluation form for social impact

Category of social influences	The main impact	Is this impact expected to happen?		Number of affected organizations, companies and / or individuals	Expected benefit or cost of impact	Preferred level of analysis
		Yes	No			
Workplaces ²	Will the current number of workplaces increase?	Yes	No	High/low	High/low	
	Will the current number of workplaces be reduced?		No	High	High	
	Are workplaces affected in a particular business sector?	Yes		High	High	
	Will there be any impact on the level of payment?	Yes		High	High	
	Will it have an impact on the ease of finding a job?	Yes		High	High	
Regional Social Impacts	Are social impacts concentrated in a particular region or cities?		No			
Work conditions	Are workers' rights affected?		No			
	Are standards for work in hazardous conditions foreseen or repealed?		No			

² There will also be economic impacts when it affects workplaces.

	Will it have an impact on how to develop social dialogue between employees and employers?	No			
Social Inclusion	Will it have an impact on poverty?	Yes	High	High	
	Is access to social protection schemes affected?	Yes	Low	Low	
	Will the price of basic goods and services change?	No			
	Will it have an impact on the funding or organization of social protection schemes?	Yes	Low	Low	
Education	Will it have an impact on primary education?	Yes	High	High	
	Will it have an impact on secondary education?	Yes	High	High	
	Will it have an impact on higher education?	Yes	High	High	
	Will it have an impact on vocational training?	Yes	High	High	
	Will it have impact on workers education and lifelong learning?	Yes	High	High	
	Will it have an impact on the organization or structure of the	Yes	High	High	

	education system?						
Culture	Will it impact on academic freedom and self-government?	Yes		High		High	
	Does the option affect cultural diversity??	Yes		Low		Low	
	Does the option affects the financing of cultural organizations?	Yes		Low		Low	
	Does the option affects opportunities for people to benefit from cultural activities or participate in them?	Yes		Low		Low	
	Does the option affects the preservation of cultural heritage?	Yes		Low		Low	
	Does the option affects citizens' ability to participate in the democratic process?	Yes		High		High	
	Is every person treated equally?	Yes		High		High	
	Will the public be better informed about certain issues?	Yes		High		High	
	Does the option affects the way political parties operate?		No				
	Will it have any impact on civil society?	Yes		High		High	
Health and public safety ³	Will it have any impact on people's lives, such as longevity or mortality rate?	Yes		High		High	
	Will it affect the quality of food?	Yes		High		High	
	Will the health risk increase or decrease due to harmful substances?		No				
	Will there be any health effects due to changes in noise levels or the quality of air, water and / or soil?		No				
	Will there be health effects due to		No				

³ When it has an impact on public health and safety then it regularly has environmental impacts.

	changes in the use of energy?					
	Will there be health effects due to changes in waste disposal?	No				
	Will it have an impact on people's lifestyle, such as levels of interest in sport, nutritional changes, or changes in the use of tobacco or alcohol?	Yes	Low			
	Are there specific groups that face much higher risks than others (determined by factors such as age, gender, disability, social group or region)?	No				
Crime and safety	Are chances affected to catch criminals?	No				
	Is the potential profit from crime affected?	No				
	Does it affect the levels of corruption?	No				
	Is law enforcement capacity affected?	No				
	Is there any effect on the rights and security of crime victims??	No				

Annex 3: The evaluation form for environmental impacts

Category of social influences	The main impact	Is this impact expected to happen?		Number of affected organizations, companies and / or individuals	Expected benefit or cost of impact	Preferred level of analysis
		Yes	No			
Climate and Sustainable Environment	Will it have an impact on emissions of greenhouse gases (carbon dioxide, methane etc.)?	No	No	High/low	High/low	
	Will fuel consumption be affected?	No	No			
	Will the variety of resources used for energy production change??	No	No			
	Will there be any price changes for friendly products to environment?	No	No			
	Will some certain activities be less polluting?	No	No			
	Will it have an impact on the emission of air pollutants?	No	No			
	Does the option affect freshwater quality?	No	No			
Water quality	Does the option affects groundwater quality?	No	No			
	Does the option affect drinking water resources?	No	No			
	Will it have an impact on soil quality (regarding acidification, contamination, use of pesticides or herbicides)?	No	No			
Land quality and land use	Will it have an impact on soil erosion?	No	No			
	Will the land be lost (through construction, etc.)?	No	No			
	Will the land be gained (through decontamination, etc.)?	No	No			
	Will there be any change in land use	No	No			

	(eg from forest utilization in agricultural or urban use)?					
Waste and Recycling	Will the amount of waste generated change?	No				
	Will ways in which waste are treated change?	No				
	Will it impact on the possibilities for waste recycling?	No				
Use of resources	Does the option of using renewable resources affects (fish stocks, hydroelectric power plants, solar power, etc.)?	No				
	Does the option affects in using non renewable resources (groundwater, minerals, coal, etc.)?	No				
Degree of environmental hazards	Will there be any effect on likelihood for dangers, such as fires, explosions or accidents?	No				
	Will this affect in readiness of natural disasters case?	No				
	Is the protection of society from natural disasters affected?	No				
Biodiversity, flora and fauna	Will it have an impact on protected or endangered species or in the areas where they live?	No				
	Will the size or connections between the natural areas be affected?	No				
	Will there be any effect on the number of species in a particular area?	No				
Animal welfare	Will animal treatment be affected?	No				
	Will animal health be affected?	No				
	Will the quality and food safety of animals be affected?	No				

