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## ***UBT COLLEGE***

***LLM Law – Criminal Law***

***PROGRAM ACCREDITATION***

**REPORT OF THE EXPERT TEAM**

*Pristina, 17.06.2019*



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## 1. INTRODUCTION

### 1.1. Context

#### **Date of site visit:**

#### **Expert Team (ET) members:**

- Prof. Dr. Milan Pol
- Prof. Dr. Alan Brickwood
- Prof. Dr. Peter Parycek
- Prof. Dr. Zdravko Lackovic
- Prof. Dr. Ulrike Beier

#### **Coordinators from Kosovo Accreditation Agency (KAA):**

- Avni Gashi, Acting Director of KAA
- Shkelzen Gerxhaliu, Senior Officer for Evaluation and Monitoring
- Arianit Krasniqi, Senior Officer for Evaluation and Accreditation

#### **Sources of information for the Report:**

- SER
- CV
- Syllabus of courses

#### **Criteria used for program evaluation:**

- KAA Standards



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## 1.2. Site visit schedule

### 31 May

08.30	Meeting at the reception of the hotel
09.00 – 10.30	Meeting with the management of the institution
10.40 – 11.50	Meeting with quality assurance representatives and administrative services
12.00 – 13.00	Meeting with the heads of study programs
13.00 – 13.50	Lunch break
13.50 – 14.50	Visiting tour of the facilities and infrastructure
14.50 – 15.40	Meeting with teaching staff
15.50 – 16.40	Meeting with students
16.50 – 17.40	Meeting with graduates
17.50 – 18.40	Meeting with employers of graduates and external stakeholders
18.45 – 19.00	Internal meeting – Expert Team and KAA
19.00 – 19.15	Closing meeting with the management of the institution



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### **A brief overview of the institution and program under evaluation**

Regarding the SER of UBT, UBT College was established in October 2004 by Prof.Dr. Edmond Hajrizi.

Currently, UBT has 19 academic units that offer about 30 undergraduate and graduate programmes BA and MA degree programs, in areas of business, computer science, social science, architecture, engineering and arts. (SER, p.13f) It's continuously growing and based on annual intakes, the second largest national private higher education organisation. (SER, p. 16) The institution has established seven spin-offs, e.g. Association for Management or Kosovo Association for Modelling and Simulation. (p. 17)

UBT College currently operates in our campuses: UBT Pristine, UBT Innovation Campus, UBT Prizren and UBT Ferizaj. (p .740)

The UBT campus in Pristina was very lively and prospering during the SV. The majority of academic and administrative services seem to be digitized. All in all, it was great to see and feel the progress of UBT.

UBT is building an ecosystem of spinoffs; currently, they have founded ten spin-offs. Another very positive development is the establishment of five Erasmus programs, which creates knowledge and capacity through the international exchange; ten students managed to use the opportunity in the ongoing semester.

UBT invested in Turnitin Software licence, and they created an open access repository.

### **1.3. Mission, objectives and administration**

The study program mission and objectives are in line with the overall mission statement of the institution; nevertheless, the institutional mission statement itself is too generic and could be the mission statement of other similar institutions in Kosovo; UBT is not using the differentiation potential of their engineering and computer science expertise. (1.1.)



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The study program has a traditional overarching didactic concept, which is quite usual in all other law faculties in private and public institutions. The research potential of master thesis is not fully used, they are designed as an individual process, which is correct, but the potential of research frameworks is not used, e.g. a combination of master thesis for answering complex issues or analyzing specific domains. These kinds of methods would provide the opportunity to increase the overall weak research activities of the faculty. (1.3)

The formal policies, guidelines and regulations are well established at UBT in theory and practice and have been mentioned during all SV meetings and described in detail in the SER. In addition, UBT has been certified by ISO and EFQM since 2003 and 2014. (p. 59). So, the likelihood that all UBT staff and students comply with the internal regulations relating to ethical conduct in research, teaching, assessment in all academic and administrative activities, is quite high, during the SV no contradictory statements were mentioned. (1.4, 1.5)

Policies and standards are reviewed by UBT in the context of quality improvement, coordination of internal control standards, identifies the situation and performance indicators, develops improvement activities and periodic monitoring and evaluation of academic programs, student services, resources and stakeholder engagement policies. (p. 59); SER provides an overview of the evaluation of different policies and standards, p. 33f; 208. (1.6)

Another crucial factor for organizations of this size and the current development phase is a governance structure for innovation. Currently, the ET had the impression, that most of the innovation is driven by the top management, which is important especially in a starting phase, but reached this size the main question is, how to facilitate bottom-up innovation from departments, centers or single academic staff members.

The establishment of performance indicator is an ongoing process, performance indicators and KPIs are mentioned in the report several times and were mentioned during the SV. UBT has established a "Performance Assessment Framework" and "Implementation Plan"; strategic plan goals are subdivided into a set of objectives and each objective has a number of projects and actions assigned to it with delivery dates, resources and funding. And UBT is using an internal balanced scorecard as the main tool and repository for all project related information. (p. 33f)



Specific key performance indicators are defined: *"Access, progression and outcomes; Efficiency of learning and teaching and the student progression; The programme output and student employment."* (p. 811) (KPI 1.1, 1.2, 1.3, 1.4) and equal opportunities are mentioned in the KPI section of the report, so this should be covered as an indicator. (1.5)

**Compliance level:** Substantially compliant

**ET recommendations:**

1. *Establish cooperation with national and international institutions for ensuring to cover need and further development potential.*
2. *Mission needs to be more concrete linked to the overall UBT mission.*
3. *Master thesis as an opportunity to increase research.*
4. *Developing and transforming quality management from securing quality to innovation.*
5. *Developing a governance structure for decentralized bottom-up innovation in faculties, departments, centres, etc.*

#### 1.4. Quality management

UBT has established a strong quality management framework for all faculties, and most of the quality management processes are digitized. Core elements are student surveys and semester and annual reports. Faculty activities are monitored by the office of quality assurance, and students and graduates are integrated into the processes. The reports are discussed within the faculty, and concrete decisions and measures are taken, like training for a single faculty member or seminars for the whole faculty; this was mentioned several times during the SV. Ongoing learning process seems to be established (2.1, 2.2)

The following aspects and perspectives are covered in the quality management process: curriculum structure and course description; process of assessing the teaching of staff and learning of students; students' admission and progression; students support and advice at each academic year; graduates work experience and enhance employability; learning resources like libraries, teaching rooms; supervising; quality of services. (p. 818 f) During the SV in different discussion, these elements were mentioned by staff and students (2.3, 2.4)



The student and graduates' results are consolidated into the semester and annual reports and used for different types of internal and external evaluation: external examiners reports; feedback from industry partners and others; feedback from students, academic and administrative staff, graduates; course board reviews, internal audit reports; faculty and collegial meetings. The results are used for continuous quality management, and students are informed regularly. (p. 756 f). (2.5, 2.6, 2.7, 2.8) The quality management process is further developed through international exchange, memberships and further audits. (2.9)

Performance indicator about program evaluation is implemented, and it seems heavily used. The indicator concerning teaching plan is existing and used in ongoing development and communication between program coordinator faculty students and office of quality assurance. A comprehensive revision after five years is not mentioned explicitly; students are involved in the ongoing development.

All elements are covered by SER and SV, nevertheless specific program related elements should be developed and are missing in the SER. The text is almost the same compared to other programs in the SER without program related elements.

**Compliance level:** Substantially compliant

**ET recommendations:**

- 1. Establish cooperation with national and international institutions for establishing specific program related quality management elements.*
- 2. Based on the high maturity level, which is comparable with similar institutions in European member states of EU the next development step would be to transform from quality management to quality and innovation management.*

**1.5. Academic staff**

The faculty of law has planned to teach the program with experienced and existing staff members, which is for a two-semester program possible, but still, the workload is higher.





Seven of the eight academic staff members are full-time employed, and all of them hold an Dr or PhD degree, which is a perfect result. The second detail analysis of the faculty leads to the following results:

Albulena Ukimeraj provides a theoretical and practical track record for the planned courses “Criminology” and “Penitentiary law”; the publication list only shows the title of the papers, but publication date and journal name are missing.

Ismail Zejneli’s profil and publication list fit to the two courses Advanced Criminal Law and Advanced Criminal procedure.

The following academic staff members are critical:

Based on the CV of Agni Aliu the last publication was 2016 and none of the listed older publications are in the domain of the course Comparative Criminal Law; 03.07.2019: ~~he has also has no degree in the field of law and fulfils not the profile for the course. He finished “diplomic studies” at the law faculty University Pristina, which is not covering the field of criminal law.~~

Behar Selimi brings in great experience but has publication at all listed in his CV, for the planned elective courses, his practitioner profile fits perfectly. Nevertheless, he fulfils not the KAA regulation of at least one paper per year and even not the UBT regulation of two paper a year. 03.07.2019: *UBT provided updated literature list, which is almost in line with the regulations of UBT, nevertheless on article is published three times.*

Blerim Olluri brings in great experience but has publication at all listed in his CV, for the planned elective courses, his practitioner profile and scientific profil fits perfectly. Nevertheless, he fulfils not the KAA regulation of at least one paper per year and even not the UBT regulation of two paper a year. 03.07.2019: *As mentioned his profile and experience is highly valuable for the program, but still formal requirements are not fulfilled.*

Denis Çeliçima’s CV offers strong competence in the field of *psychology and (03.09.2019)* education, but there are no links to the field of law or criminology, so she fulfils not the profile for the program at all. *UBT Comment: Denis Çelçima is foreseen also in a course that can be taught only by a psychologist because of the course’s components. These are elective courses, which aim to provide integrated knowledge to students from other areas related to*



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*criminal law. 03.07.2019 ET Comment: She has great experience and yes, the course needs psychology background, but still she no touchpoints to the course.*

Gelina Maliqi has a strong track record, but no links to the field of law, so she fulfils not the profile for the program. *03.07.2019 additional information, does not change the evaluation result. She has an impressive track record, but she has not a single publication in the field of criminal law.*

Kushtrim Ahmeti has a top philosophical profile and impressive track record, but not a single link to law science. Teaching the course “legal science” is critical and he properly fulfils not the needed profile.

Based on the information, they could have one study groups with 50 students each, number of PhDs is sufficient. (3.4)

Quality management and academic staff evaluation are one of the strengths at UBT, based on the mandatory evaluation process, internal meetings and semester reports with recommendations, teaching staff are continuously developed. (3.6, 3.8, 3.9)

Publication lists of the members of the program provide only limited insights and fulfil not the KAA and UBT criteria. (3.7)

No information about, status of retired. (3.10)

Performance indicators are developed in the field of teaching evaluation, but not on strategic level; (P 3.1) indicators for teaching skills are established and used for providing teaching training on an individual level and team level. (P 3.2) they are used for improving teaching capabilities of academic staff members; teaching staff is involved in professional development, but not monitored (P 3.5); it is not clear if evaluation results are used as criteria for promotion purposes and renewal of contracts, but the likelihood is quite high, that they use for promoting.

**Compliance level:** Not compliant

**ET recommendations:**

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- 1. Complete the faculty !!!-03.7.2019: After considering the additional information the overall impression of the faculty improved, but the faculty is based on the CVs not eligible for providing a master program in the field of criminal law. All faculty members provide high quality and a good track record, but too many of them have no experience in the field of criminal law and the respective courses. It is not appropriate to generate expertise through teaching. The selected candidates need to be embedded in criminal law projects or build up additional specific traceable knowledge in the field of criminal law, at least one year before accreditation.*
- 2. Improve and define performance indicators for the faculty for better guidance for management and staff members and combine indicators for different (strategy) processes like staff promotion, improving teaching on personal and faculty level. Data could become a crucial element for decision making.*
- 3. Establishing a Master thesis process and cooperation between the staff members for handling high numbers of students.*

## **1.6. Educational process content**

The study program in criminal law is in line with comparable international and national programs; typical courses have been developed like Advanced Criminal Law, Comparative Criminal Law, Criminology, Cyber Law, Advanced Criminal procedure, Organized crime, Penitentiary law, and one elective course. During the development of the curriculum the focus on similar programs of the Birmingham Law School, University of Kent and University of Sussex.

The course "Legal Research" is a core element in the two-semester curriculum and should provide the foundation for the master thesis. The flow arrangement of courses and their objectives ensure competencies and capabilities for typical job profiles. Course descriptions are state of the art, are well documented and include all standard elements like course purpose, learning outcomes, content, teaching methods, exam framework and literature. Overall description of the program and courses are in line with the National Qualifications Framework and the Framework for Qualifications of the European Higher Education Area. (4.1, 4.2, 4.3 4.4, 4.7)



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A different discussion point was, how graduates are capable handling real cases; an opportunity could be to focus more on practice than theory and use different teaching approaches, e.g. problem orientated teaching in law in the master program. This was also mentioned as the top priority need in the meeting with practitioners. The combination of a theoretical component and the necessary practical training is mentioned several times, but as we know from practice, it is hard to establish, because it is resource intensive and special teaching methods are needed. The ET highly recommends investing in the approach.

A second aspect which could be strengthened is developing cross-faculty courses which ensure an interdisciplinary understanding and could lead to comprehensive problem-solving capabilities.

Third main discussion issue during the SV was increasing the graduation rate of students; most of the students drop out at the beginning and at the end of the program; for dropping out at the end of the process, the main reason is not finalizing the master thesis. In a one-year master program, this is even more critical, because the time for finishing is just two semesters in the best case and in practice one semester because students often need the whole first semester for finding the topic and research question. Study groups are a motivating factor which disappears after finishing courses, so they open items are: how to ensure fast finding of research questions, therefore a group deadline with abstracts and presentations could be one element, or to continue group discussions and presentations after the second semester and offer a course for students in the "third" semester who did not manage to finish in time.

The student-teacher relationship seems to be well established; staff members are described by students as very responsive and open-minded. (4.6)

Student assessment are well described and suitable for the different courses and comparable with international programs; no complaints from students were mentioned during SV. (4.8, 4.9) SER describes the process for exam/evaluation complaints, p. 189.

Policies and actions are defined for dealing with conflicts on institutional level student described concrete cases, which are line with KAA regulation and UBT policies; typically, students have to do the exam another time for improving their grades. (4.10)



UBT has signed a high number of cooperation contracts with different institutions at the institutional level and faculty level. The integration into a course and program development could be increased; founding an official advising council could be a concrete measure. (4.12)

Use of IT tools is established, and different electrotonic communication channels are used by the whole organizations and the academic staff members. (P 4.2) The study design is as mentioned, quite common; inappropriately designed courses should be detected at latest within one semester, and students are asked through questioners (P 4.1) Furthermore, sophisticated indicators should be developed, especially for measuring the teaching strategies in achieving different types of learning outcomes (P 4.3).

**Compliance level:** Substantially compliant

**ET recommendations:**

- 1. The main issue is designing a harmonized group mentoring process for master thesis writing for the whole law faculty.*
- 2. The second issue is the course "Legal research" which is fine developed, but it could be an opportunity to continue the course in the second semester with 2 or 3 credits; for creating a course for motivating and learning from peers through discussing current research results; therefore one course needs to be resized or removed..*
- 3. An opportunity could be an even more practice-oriented master program, which builds the capability for writing and analysing cases; this was mentioned as the main need by the stakeholders during SV.*
- 4. An opportunity could be a cross-faculty course for interdisciplinary discourse and creating problem-solving capacity.*
- 5. An opportunity could be the integration of partner in developing the program by a formalized advising council for the program and/or the faculty.*
- 6. Developing further performance indicators should be done for data-based decision making and covering KAA standards.*

**1.7. Students**

The master program is primarily designed for law bachelor graduates; law bachelor programs in Kosovo are 4-year duration, eight semester and graduates have typically accumulated 240 credits. (p. 839) From the ET perspective, it is not clear how the program is designed to



enable the attendance for non-law-graduates, it only refers to the general Law on Higher Education, which enforces the enrolment of bachelor graduates with different study background, if they have passed 300 credits. The master program has a very clear law focus, students, as a consequence, the non-law-study background will not be able to handle the courses; therefore, a bridging semester with courses of about 20 to 30 credits should be designed for non-law graduates. Another open question is, how students are selected if demand is higher than available study program places; for this scenario processes and regulations are not described in the general part of SER nor in the chapter of law faculty. (5.1, 5.2) The general transfer between higher education institutions is regulated in the regulation on student's registration, as a formal regulatory act of the UBT College. (p. 839) (5.10)

The study group are planned with 50 students and seminars with 25, which is for law studies a perfect size, p. 786. (5.3) As mentioned in the previous chapter, mentoring master theses could become a critical issue and could lead to a lack of resources. Another opportunity to focus on practice relevance by increasing the interactive part could also lead to higher demand and workload. The faculty should be big enough to handle these challenges. (5.3) During the meetings, students and graduates stated that academic staff members were highly responsive for common questions, but also for specific problems. (5.4, 5.6, 5.11)

Student completion rates are monitored through the electronic evaluation processes, but ET had the impression that data is hardly used for strategic decisions; during the discussion management and academic staff members were not able to describe how the data is used; (5.7)

Actions for anti-plagiarism have started; UBT purchased the service software "Turnitin"; at the moment, especially for the field of law, the software is ineffective, because it does not support Albania language. A well-designed mentoring process and critical reading are still needed. This fact increases the already mentioned issue of the mentoring process for a potentially high number of master theses. (5.8)

Students rights and obligations are communicated via handbook, and in the case of questions, the dean and program director could be approached. During the SV no complaints have been mentioned, and positive engagement was highlighted (5.9)





Performance indicators are available and established for: support services; lecturing material (part of the questionnaire); staff member performance; study workload; the results are incorporated into the semester report, which also includes recommendations and measures. (P 5.2 – 5.5) The weaknesses of the selecting process are also reflected as a missing indicator. (P 5.1)

**Compliance level:** Substantially compliant

**ET recommendations:**

- 1. Continue with data collection and build KPIs frameworks, at the moment ET got the impression, some of the data points are used for improvement, but they could be used in a more extensive way for better decision making on all levels of the organization.*
- 2. Include graduates qualitative and quantitative; offer them updates; learn from them about new needs for curriculum development; think of partnering in research; in the competing market, successful graduates are one of the best communication activities;*
- 3. A Bridging semester should be designed for non-law graduates with courses of about 20 to 30 credits.*
- 4. A selection process needs to be developed, especially for the case of demand surpassing available study-program-places.*

## 1.8. Research

Traditional research in the field of law is limited to publications in national journals; only view scholars are part of the international community publish in the field of social science – which is quite similar to Germany or Austria. In general, establishing research is a long-term and challenging process, especially in private institutions.

UBT established three levels of research activities: the first one is the individual academic staff member; they should publish at least two articles per year; the research output needs to be provided to the UBT Knowledge Centre. A decision about conference attendance or study leaves is decided by the department; the second level is institutional activities, like conferences. And UBT is also supporting research through its research fund, the decision is made by the Research Department. The third level is cooperation with community needs. (6.3)



The whole SER description is generic and has no reference points to law research. Faculty of law has not established objectives nor a research development plan for the program nor for the faculty; for example, research questions could be collected together with partners, focus areas within criminal law could be chosen, and research question combinations could be analysed by the student as a group; still with the goal of finishing their master theses. Staff members could be highly integrated and facilitate the research process. (6.1, 6.2, 6.10)

Master program, in general, offer the opportunity to combine research and teaching, but therefore a clear concept and research objectives need to be developed; Either the SER nor the SV discussion offered elements for an overall framework; master theses are one to one mentoring, based on the research question of students.

Performance indicators in the field of research need to be developed, at the moment only the area of regularly publishing is measured; overall research agenda, a research development plan for faculty and staff members are missing.

**Compliance level:** Not compliant

**ET recommendations:**

- 1. High need for developing a research development plan for the faculty, the program and on the personal level.*
- 2. Student centred courses for joint research activities for enabling students and fostering research activities of the faculty is needed.*
- 3. Indicators need to be established.*

**1.9. Infrastructure and resources**

Based on the delivered information, the financial situation is stable and ensures the necessary resources. Law programs do not need special infrastructure resources; for the master program, the existing infrastructure, teaching rooms, library, electronic platforms, software and processes can be. In general, the investment of the last years is impressive and fulfils European standards; the three libraries offer online journals (contract with J-STOR) and adequate books for the program. (7.1, 7.2, 7.3, 7.4) The building offers accessibility for students with special needs partly. (7.6)





Students are very satisfied with the campus infrastructure is part of semester evaluation. (P7.3). Further, plans were mentioned during the SV, but no formal plans are provided in the SER and not monitored. (P 7.1, 7.2)

**Compliance level:** Substantially compliant

**ET recommendations:**

1. *Developing formal plans and define KPIs for infrastructure.*

**2. OVERALL EVALUATION AND RECOMMENDATION OF THE ET**

Overall the program fulfils the standard criteria, but the faculty and the research output are not compliant. The ET recommends establishing a master thesis group mentoring process for fostering innovation potential, the process should be designed for the whole law faculty. UBT is collecting numerous data points, which are used in some cases, but the usage still could be increased for better decision making – ET recommends developing performance indicator frameworks for the different areas.

In conclusion, the Expert Team considers that the study program Criminal Law offered by UBT is non-compliant with the standards included in the KAA Accreditation manual and, therefore, recommends not to accredit the study program.

**Expert**

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(Signature)

(Prof. Dr. Peter Parycek)

(Date)