

LAW NO. 08/L-110**ON KOSOVO ACCREDITATION AGENCY****Assembly of the Republic of Kosovo;**

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Adopts:

LAW ON KOSOVO ACCREDITATION AGENCY**CHAPTER I
GENERAL PROVISIONS****Article 1
The purpose**

This Law shall regulate the status of the Kosovo Accreditation Agency as a regulatory agency in the processes and responsibilities of accreditation, re-accreditation, validation, monitoring in order to ensure quality in higher education in the Republic of Kosovo.

**Article 2
Scope**

The scope of this Law is to define the role of the Kosovo Accreditation Agency, in internal and external quality assurance, including accreditation, monitoring, validation and all other quality assurance processes in higher education institutions and their programmes of study in the Republic of Kosovo, according to international best practices, including in particular the relevant European standards in the field of quality assurance in higher education.

**Article 3
Definitions**

1. Terms used in this Law shall have the following meaning:

1.1. **Kosovo Accreditation Agency (KAA)** - is a regulatory agency for quality assurance in higher education in the Republic of Kosovo, which is responsible for the evaluation, accreditation, re-accreditation, validation, quality control and monitoring of higher education institutions and their study programmes;

1.2. **Ministry** – relevant Ministry for Education;

1.3. **State council of quality (SCQ)** – a collegial decision-making body for ensuring the quality in higher education, which is independent in exercising the competences determined by this Law;

1.4. **Accreditation** - a formal process of quality assessment of a higher education institution and/or its study programmes through which the Kosovo Accreditation Agency (KAA) determines that the required quality standards and criteria have been met;

1.5. **Institutional accreditation** - a formal process of quality assessment, which

determines the official status of recognition granted by the KAA for the institution of higher education which enables the development of academic activity and the right to award qualifications for a certain period of time;

1.6. **Accreditation of the study programme** - formal process of quality assessment, which determines the official status of recognition granted by the KAA, which enables the higher education institution to award qualifications for the relevant field within a certain period of time;

1.7. **Quality Assurance** - means the set of policies, processes and activities at the state and institutional level for quality assurance and advancement in higher education. Quality assurance also relates to teaching and learning in higher education, including the learning environment and links with research and innovation;

1.8. **Quality control and promotion** - regular periodic process carried out through the processes of evaluation, control and monitoring by the KAA through which it is ensured that the minimum quality criteria of higher education institutions and their study programmes are continuously implemented;

1.9. **Internal evaluation** - the regular process of internal evaluation by the institution of higher education through which quality is maintained and compliance with established standards and criteria of quality assurance;

1.10. **External evaluation** - formal quality evaluation process performed by KAA, which results in giving a recommendation for accreditation, non-accreditation;

1.11. **External evaluator** – is an international expert engaged by KAA in the process of accreditations, re-accreditation, post-accreditation procedure and superior expertise;

1.12. **Validation** - accreditation recognition procedure granted by an internationally known and recognized accreditation institution;

1.13. **Monitoring** - a formal process carried out by the KAA through which it is assessed that the higher education institution meets and implements the accreditation conditions given in the KAA decision and in the evaluation report;

1.14. **Post-accreditation procedure** - process conducted by the external experts which is related to the evaluation of fulfilment scale of KAA recommendations in compliance with the accreditation conditions and commitments of HEI;

1.15. **Study programme** - a programme that leads to a qualification or diploma, awarded by a provider of higher education as defined in the decision of SCQ;

1.16. **New study programme** – is a new study programme which has not been accredited before;

1.17. **Superior expertise** – expertise conducted by international experts regarding the previous report of external evaluation on a study programme or higher education institution;

1.18. **Standards** - requirements, criteria and rules which define the level required by higher education institutions and study programmes for making a positive decision on accreditation.

1.19. **Higher Education Institution (HEI)** - any institution authorized to provide educational services in higher education, which are subject to evaluation and monitoring

by the KAA;

1.20. **Public, private and public-private higher education institution** – shall be the institutions established as defined in the Law on Higher Education;

1.21. **European Higher Education Area** - means an organization in the higher education sector in Europe, according to the meaning set out in the Declaration of the European Ministers of Higher Education in Bologna (1999) as well as other subsequent documents of the Bologna Process;

1.22. **Recognized Accreditation Body** - Kosovo Accreditation Agency, or a similar body which is currently a full member of the European Quality Assurance Register for Higher Education (EQAR), by the United States Department of Education (USDE) or Council for Higher Education Accreditation (CHEA);

1.23. **ENQA** - European Network for Quality Assurance in Higher Education;

1.24. **EQAR** - European Quality Assurance Register for Higher Education;

1.25. **USDE** - United States Department of Education;

1.26. **CHEA** - Council for Higher Education Accreditation;

1.27. **ENIC** - European Network of Information Centres;

1.28. **NARIC** - National Academic Recognition Information Centre;

1.29. **ESG** - European Standards and Guidelines for Quality Assurance in the European Higher Education Area;

1.30. **ECTS** - European Credit Transfer and Accumulation System, which assigns credits to course components, based on the workload of students required to achieve the objectives of a particular field of study.

1.31. **AC** - Appeals Commission.

Article 4 Principles

1. The basic principles on which the work of KAA is based are:

1.1. Equality - equal treatment and equal opportunities for all institutions of higher education, unless otherwise provided by a special Law on the protection of the public interest as an area of national priority;

1.2. Ethics and integrity - KAA ensures that all evaluation and quality control processes, which lead to a formal result, are credible and professional processes based on values such as: integrity, honesty, truth, ethical conduct, transparency, respect for others, trust, accountability, impartiality, equality, justice and social justice, objectivity, academic freedom;

1.3. Inclusiveness - active involvement of relevant actors in drafting the regulations, procedures and standards of accreditation and re-accreditation, monitoring and in continuous development of dialogue with higher education institutions, students and industry, on issues aimed at developing the quality assurance system in Kosovo;

1.4. Foreseeability- KAA shall, in its activity, be ensured that there shall not be infringed the legal security and foreseeability;

1.5. Application of European standards - KAA ensures that its standards and procedures for the quality of higher education in Kosovo in all its processes, are in line with European standards and guidelines for quality assurance in higher education (European Standards and Guidelines for Quality Assurance in Higher Education - ESG).

CHAPTER II GENERAL PROVISIONS

Article 5 Status of the Kosovo Accreditation Agency (KAA)

Kosovo Accreditation Agency (KAA) is a regulatory agency for ensuring the quality in higher education which operates in the entire territory of the Republic of Kosovo.

Article 6 Duties and responsibilities of the Kosovo Accreditation Agency (KAA)

1. KAA duties and responsibilities shall be:

1.1. accreditation and re-accreditation of institutions and programmes of higher education institutions (hereinafter: "HEI");

1.2. accreditation of new institutions of higher education and their study programmes including accreditation and re-accreditation of branches of institutions and programmes offered in branches;

1.3. accreditation of new programmes in accredited institutions of higher education;

1.4. accreditation, re-accreditation and validation of programmes including online and distance programmes;

1.5. accreditation, re-accreditation and validation of programmes in foreign languages, joint programmes and dual diploma programmes;

1.6. validation of internationally accredited institutions and programmes;

1.7. continuous quality control and advancement in accredited institutions and their study programmes;

1.8. monitoring of higher education institutions and their programmes for the implementation of accreditation criteria;-

1.9. withdrawal or revocation of the accreditation of a higher education institution or study programme according to the procedures defined by this Law;

1.10. cooperation with the Ministry regarding the issuance, amendment, restriction or revocation of licenses;

1.11. drafting and approval of rule and procedures, criteria, forms of accreditation, re-accreditation, validation, external evaluation, quality control, monitoring and selection of international experts;

- 1.12. inclusion and close cooperation with the academic community as well as a wide social dialogue with all stakeholders in the process of drafting the rules, procedures and standards for accreditation, re-accreditation, validation, external evaluation, quality control and monitoring;
- 1.13. application for periodic external evaluation of KAA by international institutions for quality assurance in higher education;
- 1.14. budget planning and execution in accordance with the Law on Public Financial Management and Accountability and legislation into force;
- 1.15. drafting and development of the strategic plan of KAA;
- 1.16. drafting of sub-legal acts on internal organization and systematization of job positions in KAA according to the legislation into force;
- 1.17. cooperation with the Ministry regarding the implementation of higher education policies for quality assurance;
- 1.18. cooperation with the Ministry regarding the harmonization of the legal deadlines of the accreditation and licensing process;
- 1.19. implementation of the nomenclature of qualifications in higher education in accordance with the legislation into force;
- 1.20. undertaking activities in compliance with European and international standards for accreditation, re-accreditation, monitoring, validation in order to ensure quality in higher education in Kosovo.

Article 7

Reporting and publications of the KAA

1. KAA shall draft an annual report on accreditation process and quality assurance in higher education, which is submitted to the Ministry and the Assembly.
2. KAA compiles annual thematic analysis of quality assurance trends in higher education. In certain cases, the KAA may design thematic analyses for certain study fields.
3. KAA publishes policies, regulations, documents, guidelines, standards and criteria for the evaluation process, accreditation, quality control, monitoring, validation, reports and other quality assurance processes on its official website.
4. The KAA shall be ensured that the parties affected by the KAA decisions are informed in line with the legal deadlines determined in the legislation into force.
5. KAA shall inform the Ministry about the taken decisions which are related to accreditation, re-accreditation and validation.

Article 8

KAA organization

1. The organizational structure of KAA consists of:
 - 1.1. State council of quality (SCQ);
 - 1.2. General Director and administration of KAA;-

1.3. Appeals Commission (AC).

Article 9
State Council of Quality

1. State Council of Quality is a collegial decision-making body for ensuring the quality in higher education, which is independent in exercising its competencies determined in this Law.

2. The State Council of Quality consists of nine (9) voting members, as follows:

2.1. five (5) members from the academic staff;

2.2. one (1) member among the students;

2.3. three (3) international members.

3. Non-voting members of the SCQ are:

3.1. General Director of KAA, ex officio;

3.2. two (2) industry representative.

4. A higher education institution can not have more than three (3) SCQ voting members.

5. During the exercise of the mandate, the SCQ local member according to sub-paragraphs 2.1 and 2.2 of this Article, shall not have the right to move from a HEI to another HEI.

6. The industry representatives to SCQ shall be appointed by the Minister, after the consultation with the representatives of the respective institutions.

7. The Assembly of the Republic of Kosovo appoints the members of the SCQ upon the proposal of the Ministry and the approval of the Government.

8. According to legislation into force the SCQ composition ensures gender representation.

9. SCQ has at least one (1) local member for each below groups of the study fields:

9.1. human sciences;

9.2. social sciences, justice and economy;

9.3. natural sciences, agriculture and environment;

9.4. medical sciences;

9.5. architecture, engineering and technology.

10. The mandate of SCQ members shall be (4) years, with exception of the student member mandate, which shall be (2) years.

11. SCQ elects the chairperson and vice-chairperson with majority votes of all voting members. Chairperson shall be elected among the ranks of local academic members.

12. After the end of the first mandate, the SCQ member may be reappointed only for a second mandate, according to the procedure foreseen in this Law.

13. The SCQ constitutive meeting shall be convened by the Minister and shall be chaired by the oldest SCQ member until the election of the chairperson.

Article 10
Duties and responsibilities of the chairperson of the SCQ

1. Duties and responsibilities of the chairperson of the SCQ shall be:

- 1.1. leads the work of SCQ;
- 1.2. convenes and chairs meetings of SCQ;
- 1.3. signs decisions, rules and procedures as well as other work documents adopted by SCQ;
- 1.4. represents the SCQ in activities home and abroad;
- 1.5. coordinates cooperation and serves as liaison between the KAA and Ministry;
- 1.6. performs other tasks that fall under the SCQ responsibility but that are not defined by this Law.

2. In the absence of the chairperson of SCQ, the duties and responsibilities foreseen in paragraph 1 of this Article shall be exercised by vice-chairperson according to the procedures determined in the internal regulation adopted by SCQ.

Article 11
Duties and responsibilities of the SCQ

1. Duties and responsibilities of the SCQ are as follows:

- 1.1. reviews and decides on the applications of HEI for accreditation, re-accreditation, institutional validation and study programmes according to the procedures and criteria provided for in this Law;
- 1.2. decides on accreditation, re-accreditation, institutional validation as well as study programmes;
- 1.3. reviews and takes decisions regarding the monitoring reports sent by the KAA administration;
- 1.4. reviews and takes decision on the reports of post-accreditation procedures;
- 1.5. decides on the withdrawal of accreditation of a higher education institution and/or its study programmes, in case there is ascertained the violation of criteria based on which the accreditation is awarded;
- 1.6. reviews and decides on the various requests of HEIs on issues related to quality assurance and accreditation, validation and monitoring;
- 1.7. upon the request of HEI, SCQ engages a superior expertise regarding the previous decision based on the external evaluation by the international experts;
 - 1.7.1. superior expertise shall be conducted by international experts from the list approved by SCQ;

- 1.8. approves the accreditation standards, quality assurance procedures and external evaluation criteria of HEIs prepared by KAA;
- 1.9. drafts and approves the statute of the KAA, the internal quality assurance guide, regulations and other documents necessary for the functioning of the KAA;
- 1.10. on the proposal of the KAA Director, reviews and decides on the list of international accreditation experts;
- 1.11. reports for its work on regular and ad-hoc basis before the relevant local authorities;
- 1.12. provides relevant information for the Appeals Commission of KAA;
- 1.13. approves the annual work plan of KAA;
- 1.14. promotes and advances the higher education quality in the Republic of Kosovo;
- 1.15. drafts and approves its work regulation;
- 1.16. decides for the time limits and the cycle of institutions accreditation and HEI programmes.

Article 12
Criteria for selection of SCQ members

1. Candidates for SCQ members should meet the following criteria:
 - 1.1. local members to be citizens of the Republic of Kosovo;
 - 1.2. members from the academic staff must have the degree of Doctor of Science, internationally recognized research experience, relevant academic experience at least five (5) years and experience in the field of quality assurance in higher education;
 - 1.3. in case the local members are graduates outside Kosovo, to have a diploma recognition in the national centre for recognition, equivalence and academic information ENIC-NARIC;
 - 1.4. to have considerable knowledge about the functioning of higher education and quality assurance in Kosovo which is evidenced through engagement or participation in relevant activities, projects, positions;
 - 1.5. to have considerable knowledge, experience for the functioning of the European Higher Education Area and international quality assurance standards in higher education;
 - 1.6. member from amongst the students shall be attending Master or Doctoral studies in the HEIs of Kosovo;
 - 1.7. three (3) international members must be experts in the field of quality assurance in higher education with academic experience, who are not and have not been citizens of the Republic of Kosovo and engaged in any higher education institution in Kosovo in last five (5) years.

Article 13
Incompatibility to be a member of the SCQ

1. SCQ member cannot be the person that:
 - 1.1. has exercised a political post in Kosovo in the last three (3) years;
 - 1.2. has been founder, co-founder, shareholder and member of the Steering Council in HEI in the last five (5) years;
 - 1.3. has current engagement in more than one higher education institution in Kosovo and abroad;
 - 1.4. has been punished by the Court final decision for a criminal offense punishable by imprisonment more than six (6) months according to Criminal Code of the Republic of Kosovo;
 - 1.5. it is ascertained that there is a conflict of interest according to the legislation in force.

Article 14
Proposals for SCQ members

1. The Ministry publishes the public call for the nomination of SCQ local members.
2. For the selection of international members, the Ministry calls on international development partners and agencies of states that are full members of ENQA / EQAR and the US Department of Education to nominate experts from their respective countries who meet conditions required by this Law.
3. Ministry shall, by sub-legal act, determine the procedures and criteria for the proposals for SCQ members.

Article 15
Commission for reviewing the documentation of applicants for SCQ members

1. The Ministry establishes the temporary Commission for the review of applications for SCQ members.
2. The temporary Commission according to paragraph 1 of this Article shall have the following composition:
 - 2.1. representative from the Ministry, one (1) member;
 - 2.2. representative- an academic from the Academy of Science and Arts of Kosovo, one (1) member;
 - 2.3. representative from the Rectors conference, one (1) member;
 - 2.4. representative of an active international development partner in the education field in Kosovo, one (1) member;
 - 2.5. representatives from civil society active in the education field, one (1) member.
3. The Commission reviews the applications and prepares the short list of candidates, which should be at least twice the number of members elected respecting the fields and gender composition and recommends it to the Minister.

Article 16
Selection of local SCQ members

1. From the shortlist proposed by the Temporary Commission, the Minister selects six (6) local members.
2. Three (3) international candidates for SCQ members shall be added to the list of local candidate members.
3. After obtaining the personal written consent of each of the selected candidates, the Minister forwards the list to the Government for approval.
4. The Government proceeds to the Assembly the candidates to be appointed SCQ members.

Article 17
Procedure for dismissal of SCQ members

1. A SCQ member shall be dismissed if:
 - 1.1. finding that he/she has been appointed a member of the SCQ based on illegal documentation;
 - 1.2. he/she has been punished by the Court final decision for a criminal offense punishable by imprisonment more than six (6) months according to Criminal Code of the Republic of Kosovo;
 - 1.3. physical or mental disability ascertained by the medical commission;
 - 1.4. abuse of official duty;
 - 1.5. finding that there is a conflict of interest during the exercise of the function as a member of the SCQ;
 - 1.6. refusal to perform the duties defined by the rules of procedure of the SCQ;
 - 1.7. absence without reason based more than twice in a row in SCQ meetings.
2. Procedure for dismissal of the SCQ member can be initiated by the Assembly or Ministry.
3. For the dismissal of the SCQ member, the Minister shall, within fifteen (15) days, establish a temporary Commission composed of the:
 - 3.1. representative from the Ministry, one (1) member;
 - 3.2. representative- an academic from the Academy of Science and Arts of Kosovo, one (1) member;
 - 3.3. representative from the Rectors conference, one (1) member;
 - 3.4. representative of an active international development partner in the field of higher education in Kosovo, one (1) member;
 - 3.5. representatives from civil society dealing with higher education, one (1) member.
4. The Commission submits to the Minister a report and a proposal for the appropriate measures related to the dismissal initiative.

5. The Minister makes a decision based on the proposal of the Commission.
6. Government proceeds to the Assembly for dismissal the SCQ member/s.

Article 18
General Director of KAA

1. The Agency is led by the General Director.
2. The General Director is the chief administrative official of the KAA.

Article 19
Election of the General Director of the Kosovo Accreditation Agency

1. The General Director is elected based on the respective legislation in force.
2. In addition to the criteria set by the legislation in force, additional criteria which apply to the election of the director of the KAA are:
 - 2.1. at least three (3) years of specific work experience with quality assessment and assurance mechanisms and instruments;
 - 2.2. knowledge and expertise for the field of quality assurance of higher education in the Republic of Kosovo;
 - 2.3. knowledge of the European quality assurance system and European standards and guidelines for quality assurance in higher education (ESG).
3. The mandate of the agency director is determined based on the legislation in force.

Article 20
Duties and responsibilities of the General Director of KAA

1. The General Director has the following duties and responsibilities:
 - 1.1. leads and organizes the work of the Agency and advises the Minister on accreditation and quality assurance issues;
 - 1.2. coordinates the work with the Ministry and other relevant institutions;
 - 1.3. coordinates the activities with the SCQ and the Appeals Commission and implements their decisions;
 - 1.4. coordinates the drafting of the Strategic Plan and the work plan of the KAA and delivers them to the SCQ for approval;
 - 1.5. drafts the annual performance report of the Agency for the Ministry and Government;
 - 1.6. organizes all actions and processes of external evaluation for the accreditation of higher education institutions and their study programmes, including accreditation visits, monitoring with external experts;
 - 1.7. compiles reports in the framework of quality monitoring and delivers them to the SCQ for review;
 - 1.8. submits and presents the external evaluation reports to the SCQ for approval;

- 1.9. compiles and updates the list of external evaluators and proposes them to the SCQ for annual approval;
- 1.10. oversees the recruitment and evaluation of the work of the Agency staff;
- 1.11. represents the agency home and abroad, coordinates the application in relevant international organizations and agencies and enters into agreements with other local and international institutions, in accordance with the law into force;
- 1.12. manages the budget of the Agency and is responsible for the way of expending it;
- 1.13. participates in activities aimed at increasing the international cooperation of KAA;
- 1.14. cooperates with the Ministry on issues related to the licensing and inspection process of higher education accredited providers;
- 1.15. coordinates thematic analyses and informs the Ministry and other relevant authorities on the state of the quality assurance system in higher education institutions in Kosovo.

Article 21 Administration of KAA

Tasks, job descriptions and organogram shall be determined by the regulation on internal organization and systematization of KAA job positions, according to the legislation into force.

Article 22 Appeals Commission

1. The Appeals Commission is a body of the KAA, which handles complaints filed by higher education institutions against SCQ decisions.
2. AC consists of five (5) permanent members.
3. AC has as subject of review only the procedural aspect of the accreditation process, monitoring related to the relevant decision.
4. AC can support or reject the complaint, the submission of the HEI.
5. AC will not consider information or evidence that was not presented at the time of the first decision.
6. AC decides by majority votes of its members.
7. If the AC finds that the complaint of the institution is ungrounded, it makes a decision to reject the complaint. In this case, the AC decisions are final and the parties dissatisfied with their decision, address to the department for administrative matters within the competent court.
8. If the AC finds that the complaint filed by the institution is grounded, then it refers the matter to the SCQ for reconsideration and final decision.
9. SCQ makes the final decision regarding the assigned case.
10. The party dissatisfied with the final decision of the SCQ addresses the competent court for administrative dispute.
11. AC handles the complaint within thirty (30) working days from the date of its receipt.

11.1. the appeal is filed within thirty (30) days from the day the party was notified of the SCQ decision;

11.2. AC may double the deadline for reviewing the complaint after prior notice to the parties.

12. The AC work is helped by the KAA administration.

13. AC can request additional information from KAA.

14. The Appeals Commission during the handling of the complaint, has the right to invite the party who has filed a complaint for a hearing.

15. AC compiles and adopts the work regulation which is published on the KAA web page.

Article 23

Appointment of the Appeals Commission members

1. AC members are elected based of a public competition opened by the KAA.

2. All persons who meet the following criteria shall have the right to apply for AC:

2.1. three (3) AC members should be lawyers, while two (2) members should be university professors;

2.2. also, they must prove knowledge of the higher education system in the Republic of Kosovo and knowledge of quality assurance;

2.3. lawyer members must have at least five (5) years of professional experience.

3. The AC members are elected for a four-year mandate, with the possibility of being elected for another mandate.

4. KAA establishes a temporary commission who make the selection of AC members from the applicants' ranks.

5. The selection commission is composed of:

5.1. representative from the Ministry- one (1) member, the chairperson;

5.2. representative from the KAA, one (1) member;

5.3. representative from the Rectors conference- one (1) member;

5.4. full professor from the Law Faculty - one (1) member;

5.5. representative of a development partner in the field of higher education– one (1) member.

Article 24

Dismissal of the Appeals Commission members

1. AC members are dismissed in the following cases:

1.1. physical or mental inability to exercise their function;

- 1.2. it is found that there is a conflict of interest;
 - 1.3. he/she is convicted of a criminal offense with effective imprisonment;
 - 1.4. abuse of official duty;
 - 1.5. refusal to perform the duties defined by the work regulation;
 - 1.6. absent more than twice in a row in meetings of the AC without reasonable justification.
2. Procedure for dismissal of AC member can be initiated by the Minister, SCQ or the majority of AC members.
3. For the dismissal of the AC member, the KAA establishes a temporary Commission composed of the:
- 3.1. representative from the Ministry, one (1) member;
 - 3.2. representative from the KAA, one (1) member;
 - 3.3. representative from the Rectors conference, one (1) member;
 - 3.4. full professor from the Law Faculty - one (1) member;
 - 3.5. representative of an active international development partner in the field of higher education in Kosovo, one (1) member.
4. The Commission makes a decision regarding the proposal for dismissal by a majority vote of all its members.
5. The dismissed member of AC has the right to appeal according to the legislation in force.

CHAPTER III ACCREDITATION

Article 25 Application for accreditation

1. Higher education institutions functioning in the Republic of Kosovo and offering programmes, including distance and online programmes, leading to an academic degree or a professional degree, are obliged to apply for accreditation/validation in the KAA.
2. Only the accredited provider of higher education has the right to award the degrees and diplomas specified in the accreditation decision.
3. Accreditation of an HEI may be required by:
 - 3.1. the institution itself, or two or more local and international institutions of higher education;
 - 3.2. the Ministry responsible for higher education.
4. Institutional accreditation, accreditation of programmes and validation by the KAA, as well as licensing by the Ministry shall be a precondition for the provision of study programmes and the exercise of academic activity in higher education.

Article 26

Accreditation types

1. Higher education institutions compete for these accreditation types:
 - 1.1. institutional accreditation and re-accreditation;
 - 1.2. accreditation and re-accreditation of the study programme;
 - 1.3. institutional accreditation and re-accreditation of the branch and of the study programmes that are offered in that branch;
 - 1.4. accreditation of distance programmes and online study programmes;
 - 1.5. validation of international accreditations, recognized by member agencies of EQAR, CHEA and USDE, through an evaluation process by KAA.

Article 27

The right to accreditation

1. All higher education institutions, public and private, operating in Kosovo and offering study programmes leading to an academic and/or professional degree may be candidates for accreditation.
2. The accredited institution of higher education is subject to re-accreditation on a periodic basis in accordance with the duration set out in the decision of the KAA.
3. In case the public institutions of higher education apply for accreditation or re-accreditation of any study programme which, by a decision of the Government or based on any state strategic document, is assessed as a programme of national interest, it may be granted a conditional accreditation by the SCQ for a period of one (1) year even if it does not meet any of the accreditation standards.
4. The levels of study programmes for which accreditation is required are defined by the Law on Higher Education and the National Qualifications Framework.
5. Accreditation of institutions and programmes of applied and professional sciences:
 - 5.1. professional programmes, applied science programmes, security and defence programmes and so-called short programmes at post-secondary levels estimated with ECTS credits can be offered by applied science institutions, security and defence educational institutions and HEIs;
 - 5.2. institutions of Applied Sciences may also offer academic degrees, as defined by this Law;
 - 5.3. the content of the programme (curriculum) in higher vocational schools and institutions of applied sciences should lead to the achievement of a professional diploma qualification of level 5 or 6 according to the National Qualifications Framework;
 - 5.4. professional and applied science qualifications must be supported by a field of industry, which will prove that these qualifications are useful and recognized in that particular field of industry;
 - 5.5. qualifications must have a structure which clearly reflects the National Qualifications Framework and is in line with the European Qualifications Framework.

Article 28
Accreditation procedures, criteria and standards

1. KAA drafts and reviews accreditation standards, procedures and regulations.
2. Procedures and regulations define the framework of conditions that will be met by HEIs and institutions of applied sciences, professional for the provision of quality services in higher education.
3. KAA criteria, procedures and standards are based on European Quality Assurance Standards and Guidelines and international good practices.
4. Accreditation standards are laid down in the form of rules which define the required level of quality of services to be achieved by the institution of higher education.
5. Accreditation procedures, criteria and standards for institutions of higher education and institutions of applied sciences are determined by internal acts issued and approved by the SCQ.
6. Accreditation standards are applied in all quality assurance processes, including the evaluation of the higher education institution, the study programme, the branch and the recognition of accreditation.
7. New accreditation standards shall enter into force one (1) year after their approval by SCQ.
8. New accreditation standards shall not be applied in the existing cycle of the accreditation process and in programmes that are accredited.
9. Study programme of all levels BA/BSc, MA/MSc and PhD must have a number of providers in proportion with the number of programme ECTS.
10. The respective Ministry for Education shall issue an administrative instruction for the programme providers from paragraph 9 of this Article, for study programmes of non-majority communities.
11. Study programme providers must have at least relevant scientific degrees and relevant titles acquired in compliance with the provisions of the Law on Higher Education.
12. Scientific degrees or other professional, scientific and artistic achievements, including the pedagogical experience of the programme provider must be in compliance with the scientific profile or certain curricular contents of the study programme.
13. In realization of a study programme, beside the providers according to paragraphs 9, 11 and 12 of this Article, there are engaged teachers who shall have at least relevant scientific degrees and relevant titles acquired in compliance with the provisions of the Law on Higher Education.
14. Study programme providers and teachers according to paragraph 13 of this Article are engaged in full employment relationship with the HEI through the foreseen transparent, competitive and meritocratic procedures in compliance with the legal provisions into force.
15. The respective Ministry for Education shall issue an administrative instruction to determine the manner of compatibility assessment of programme provider with the programme field the accreditation is applied to.
16. Administrative instruction according to paragraph 15 of this Article shall analyse the compatibility of the programme provider taking into consideration the scientific degrees,

professional, scientific and artistic achievements as well as pedagogical experience in relation to all scientific fields.

17. Detailing and diversification of criteria for the providers of study programme shall be carried out by SCQ by respecting the specifics of study fields and guaranteeing the academic mobility.

18. Criteria for the providers of study programmes from paragraphs 9, 11 and 12 of this Article shall apply to professional programmes which lead to obtaining of a professional diploma. This field shall be regulated by a special Law.

19. Standards drafted by KAA shall be adopted in SCQ.

Article 29 **Areas of standards for accreditation**

1. Areas of standards for institutional accreditation, re-accreditation, include:

1.1. institution mission/study programme and institutional objectives, including strategic planning, governance and administration;

1.2. resources and financial management;

1.3. academic integrity, responsibility and accountability;

1.4. quality management;

1.5. teaching and learning;

1.6. research;

1.7. staff, employment processes and professional development;

1.8. student administration and support services;

1.9. learning environment, equipment and resources;

1.10. institutional cooperation and liaison with the labour market;

1.11. internationalization; and

1.12. other areas of standards approved by the SCQ.

2. Areas of standards for accreditation, re-accreditation of study programmes should include:

2.1. study programme mission, objectives, administration and resources;

2.2. quality management;

2.3. academic staff;

2.4. research;

2.5. students;

2.6. curricula and teaching plans;

2.7. learning environment, equipment and resources;

2.8. other areas of standards approved by the SCQ.

3. Accreditation of a higher education institution and/or its study programmes are based on the achievements of the substantial level of all standards set by the KAA in relevant sub-legal and administrative acts.

4. KAA ensures that the process of drafting these procedures involves relevant stakeholders, in particular higher education institutions and students.

5. KAA should ensure that accreditation procedures, criteria and standards support the development of quality assurance by HEIs.

Article 30

Deadlines and application manner for accreditation

1. The higher education institution applies for accreditation, re-accreditation, institutional or programme validation by submitting the application to the KAA by July 31st of the previous year.

2. In the case of applications for institutional accreditation, HEIs must provide evidence from the competent authorities that the founders and senior management have not been convicted by a final decision for committing a criminal offense intentionally in the last five (5) years.

3. The deadline for submitting the application for accreditation, re-accreditation, validation and declaration of academic staff is July 1 - 31 of each calendar year.

4. KAA must handle the request of the institution for accreditation, re-accreditation and validation and respond to the institution within one year from the deadline for receipt of the application.

5. KAA will handle the request for accreditation, re-accreditation, validation according to the deadlines set with the exception of:

5.1. natural disasters;

5.2. national and international emergent situations;

5.3. in certain circumstances, based on the evaluation of SCQ, KAA can administer aspects of the accreditation process even in electronic form (online).

6. KAA drafts and adopts guidelines and procedures for online evaluation.

7. Application format for accreditation, documentation and procedures should be according to the KAA requests, set out in the Accreditation Manual.

8. Higher education institution shall have the right to withdraw from the accreditation process until before the submission of self-assessment report. In case of withdrawal or refusal to undergo the accreditation process after the submission of the self-assessment report, it shall be considered that the application for accreditation has been rejected.

Article 31

Internal evaluation

1. Prior to the implementation of the external evaluation, within the accreditation and re-accreditation process, HEIs are obliged to organize an internal consultation process and draft a self-evaluation report.

2. During the internal evaluation process, the HEI ensures the inclusion of all structures and relevant stakeholders.
3. The self-assessment report shall be submitted to KAA fifteen (15) working days after receiving the notification from KAA for receipt of the application.
4. The self-assessment report is drafted based on internal acts and the KAA Accreditation Manual.

Article 32 **External evaluation**

1. KAA organizes the accreditation process for higher education institutions on the basis of an external evaluation, which is carried out by international accreditation experts consisting of:
 - 1.1. two (2) evaluators up to seven (7) external evaluators, depending on the number of study programmes being evaluated;
 - 1.2. at least one (1) student;
 - 1.3. evaluators from sub-paragraph 1.1 shall have the relevant academic and professional degree in the programme field which is undergoing the assessment process.
2. External evaluation cannot be performed without reviewing a self-evaluation report prepared by the institution under evaluation according to the format required by KAA.
3. Carrying out external evaluation means organizing a visit with international accreditation experts.
4. The accreditation visit is structured in such a way as to meet the requirements of the accreditation process.
5. The result of the visit should be the drafting of an external evaluation report by international accreditation experts, based on the criteria and standards set by the KAA, which should ascertain whether the institution under evaluation meets the accreditation standards.
6. The external evaluation report contains the recommendation for accreditation or refusal of accreditation.
7. The external evaluation report contains the number of students per academic year and the duration of accreditation.

Article 33 **External evaluators**

1. The tasks of external evaluators are:
 - 1.1. review of documents submitted by the institution before the visit to the institution;
 - 1.2. carrying out the visit to the higher education institution arranged by KAA;
 - 1.3. drafting the evaluation draft report after the site visit;
 - 1.4. review of comments submitted by the institution on the factual situation recorded in the draft report;

- 1.5. finalization of the external evaluation report for the higher education institution;
- 1.6. the final report should contain a recommendation on the number of students who can enrol for one academic year in the relevant programme and the duration of accreditation;
- 1.7. submission of the external evaluation report to the KAA.

Article 34
Decision for accreditation

1. SCQ reviews the HEI application and the external evaluation report and based on them it shall take a respective decision regarding the accreditation, re-accreditation and validation.
2. Upon decision on accreditation, re-accreditation or validation, the SCQ decides on the conditions and duration of accreditation.
3. The decision on accreditation, re-accreditation determines:
 - 3.1. accredited programmes;
 - 3.2. duration of accreditation;
 - 3.3. programme naming;
 - 3.4. naming the study degree;
 - 3.5. number of credits earned (ECTS);
 - 3.6. number of students enrolled for one academic year;
 - 3.7. programmes providers and level of studies.
4. The transfer of students can be done within the allowed quota of students in the decision for accreditation of the programme.
5. The transfer of students can only be done in programmes that have compliance in programme content of at least seventy percent (70%).
6. The defined number of students is applied for all years of study for the accreditation period.
7. KAA notifies the Ministry in writing and forwards all copies of decisions for accreditation/re-accreditation and validation.
8. If an institution fails to be re-accredited at the institutional level, this will result in organizing another re-accreditation process after one (1) year.
9. The institution that fails for the first time to obtain institutional re-accreditation, is prohibited to enrol new students for the respective academic year, while it is allowed to continue with the current enrolled students until the second evaluation defined in paragraph 6 of this Article.
10. If the higher education institution fails to be re-accredited at the institutional level for the second time in a row, the KAA will notify the Ministry of further procedures.
11. The institution which even after the second evaluation does not receive institutional accreditation, is obliged to ensure the completion of the studies for all enrolled students.

12. In case of impossibility of completing the studies according to paragraph 11 of this Article, the respective HEI is obliged to ensure the transfer of the students to HEIs with which it has agreements for the transfer of the students upon the dissolution.

13. In compliance with paragraph 5 of this Article, SCQ shall issue a decision on the compliance of the quotes of HEI that admits the students transferred only from the dissolved HEI.

14. HEI which fails in the accreditation process, is obliged to provide the students and the accepting institution of the transferred students with all the relevant documentation.

Article 35

Duration of accreditation

1. The duration of institutional accreditation is three (3) years. The duration of institutional accreditation is three (3) or five (5) years.

2. The duration of the programme accreditation is three (3) years. The duration of programme re-accreditation is three (3) or five (5) years.

Article 36

Costs of the accreditation, re-accreditation and validation process

1. The higher education institution bears the cost for the process of institutional accreditation and re-accreditation and study programmes, branch and accreditation validation.

2. Accreditation, re-accreditation and validation tariffs shall be as follows:

2.1. five hundred (500) Euro for application for new programme accreditation and validation;

2.2. one thousand (1.000) Euro for application for institutional accreditation of new institution;

2.3. three thousand and three hundred (3.300) Euro for international expert engaged for accreditation or re-accreditation;

2.4. two thousand and four hundred (2.400) Euro for student expert engaged for accreditation or re-accreditation.

3. Costs for superior expertise shall be paid by the HEIs as follows:

3.1. for superior expertise at programme level in the amount of ten thousand (10.000) Euro;

3.2. for superior expertise at institutional level in the amount of twenty thousand (20.000) Euro.

4. Compensation for the SCQ and AC members shall be determined according to the legislation into force.

Article 37

Obligations of higher education institutions after accreditation

1. Higher education institution is obliged to adhere to the accreditation conditions provided in the report of external evaluators and in the SCQ decision.

2. The institution is obliged to submit to the KAA, the plan for the implementation of recommendations, according to the time limits and the format determined by the KAA.

3. Higher education institutions are obliged to notify the KAA in writing of any significant changes, including:

- 3.1. changing the name of the institution;
- 3.2. changing the headquarter and location;
- 3.3. changing the ownership of the institution;
- 3.4. statute of the institution after approval by the Ministry/Assembly of Kosovo;
- 3.5. changes to contracts with academic staff;
- 3.6. the change of the study programme more than thirty percent (30%).

Article 38 Withdrawal of accreditation

1. KAA withdraws the accreditation given in cases when:

- 1.1. it is found that the conditions given upon accreditation have been violated;
- 1.2. it is found that the institution has submitted false information and documentation, which has affected the granting of accreditation;
- 1.3. the monitoring report finds that the institution no longer meets the required quality criteria based on which the accreditation has been given;
- 1.4. the follow-up procedure report by international external evaluators finds that the accreditation recommendations have not been implemented according to the deadlines set out in the report;
- 1.5. it is found that the factual situation in the institution of higher education is severely damaged in terms of quality;
- 1.6. it is found the exceeding of the student quotas defined in the decision on accreditation.

2. Any ascertainment, finding or relevant report according to the provisions of this Article, should be sent to HEIs for comment or provision of relevant evidence.

3. In each case, the higher education institution has the right to be heard and provide additional clarifications to the SCQ, before making the decision to withdraw the accreditation.

Article 39 Recognition of international accreditation

1. KAA handles and decides on applications for recognition of international accreditation of higher education institutions which operate within the territory of the Republic of Kosovo and their diplomas are subject to verification by MESTI.

2. Application for recognition of international accreditation is required in the following cases:

- 2.1. if a higher education institution requires external evaluation at the institutional level and/or study programmes from an international quality assurance agency;
 - 2.2. if an institution accredited by KAA, in cooperation with any international partner university, decides to bring to Kosovo study programmes which in their country of origin are accredited by the respective Agency for Accreditation.
3. In all cases, the accreditation recognition is made only if the relevant accreditation agencies are full members of EQAR or the US Department of Education or Council for Higher Education Accreditation (CHEA) as defined by this Law.
4. The institution that submits a request for validation must obtain prior approval from the SCQ, through which the minimum criteria set by the legislation into force are met and eventual evaluation criteria which are set by the KAA through its guidelines and standards.

Article 40

Accreditation recognition procedures and criteria

1. In case of the institution's request to undergo the process of external evaluation by an international accreditation agency according to this law, the following procedures are applied, among others:
- 1.1. the institution should consult in advance KAA, for the terms of reference and the methodology of external evaluation;
 - 1.2. the terms of reference and the external evaluation methodology by the international accreditation agency should be drafted in full compliance with the ESG or American standards;
 - 1.3. the external evaluation methodology by the international accreditation agency may include criteria, standards and indicators complementary to the domestic ones, but in no way can they contradict the legislation of Kosovo;
 - 1.4. the higher education institution which intends to be subject to external evaluation by the international accreditation agency, can start the external evaluation procedure only after submitting to the KAA the terms of reference and the methodology of external evaluation in order to prove that they are in accordance with domestic legislation;
 - 1.5. only if the SCQ decides on the approval of the terms of reference, the higher education institution has the right to proceed with the external evaluation procedure with the international accreditation agency;
 - 1.6. the evaluation report and the decision of the international accreditation agency for the external evaluation of the institution are sent to the SCQ;
 - 1.7. if the SCQ finds that the external evaluation report and the decision are in full compliance with domestic legislation, it decides on the recognition of accreditation;
 - 1.8. KAA publishes on its website the terms of reference, the methodology of external evaluation, the decision of the international accreditation agency and the decision of the SCQ for recognition of accreditation for the respective institution;
 - 1.9. the detailed procedure for external evaluation by the international accreditation agency is defined in a special regulation and is published on the official website of the KAA.
2. If an institution accredited by KAA, in cooperation with any international partner university,

decides to bring to Kosovo study programmes which in their country of origin are accredited by the relevant accreditation agency, the following procedures are applied, among others:

- 2.1. the higher education institution must submit to the KAA the decision for accreditation of the programme by the international accreditation agency from the country of origin;
 - 2.2. cooperation agreement and details of implementation of that agreement in Kosovo;
 - 2.3. submitting an institutional and programme self-assessment report which elaborates the curriculum, the form of programme delivery, the academic staff and the quality management.
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3. The format and detailed procedure of this process is determined by internal acts of the KAA.

CHAPTER IV QUALITY CONTROL AND MONITORING

Article 41 Quality control and monitoring of standards compliance

1. Quality control aims to ensure that the established quality standards and criteria are being met by accredited institutions.
2. Quality control in administrative aspect shall be conducted by the KAA staff through the monitoring process according to this Law by drafting the relevant report for SCQ.

Article 42 Monitoring

1. Monitoring aims to ensure that the minimum criteria are met by HEIs throughout the entire accreditation period.
2. KAA may at any time monitor HEI and their study programmes.
3. Monitoring is performed by KAA staff.
4. The cost of the monitoring process is covered by the KAA.
5. The monitoring process is performed at least once in an academic year.
6. For every monitoring there is drafted a report which shall be submitted for review to the SCQ.
7. In case of failure of HEI to meet the minimum criteria, the SCQ has the right to withdraw accreditation, according to Article 38 of this Law.

Article 43 Monitoring forms

1. KAA organizes these forms of monitoring:
 - 1.1. with or without warnings monitoring;
 - 1.2. general monitoring;

- 1.3. monitoring according to special standards;
- 1.4. special post-accreditation monitoring of HEI institutions and programmes in order to verify the fulfilment of the relevant recommendations of external experts and the plans of HEIs for the implementation of these recommendations;
- 1.5. monitoring at the request of the Ministry in accordance with the provisions of this Law;
- 1.6. monitoring at the request of the HEI;
- 1.7. ad-hoc monitoring according to the KAA evaluation.

2. Monitoring and quality control in the professional aspect of the field/programmes, and for the purpose of verifying that the recommendations and accreditation conditions specified in the accreditation decision or in the external evaluation report are being met, shall be performed by external international evaluators through a follow-up procedure.

3. If the higher education institution fails to meet the required criteria even after obtaining accreditation, the SCQ has the right to withdraw accreditation as defined in this Law.

Article 44 **Post-accreditation procedure**

1. The aim of the post-accreditation procedure is to ensure the fulfilment of recommendations of international experts by the HEIs.
2. All HEIs are obliged to submit the plan for implementation of the recommendations to the KAA by September 30.
3. The plan for implementation of the recommendations must clearly define the time limits and the form of implementation of the recommendations.
4. Evaluation of the implementation of the recommendations shall be performed by external international evaluators.
5. The reports of foreign international evaluators are submitted to the SCQ for review.
6. In case of failure of HEIs in fulfilment of recommendations of external international evaluators, SCQ shall have the right to withdraw the accreditation.

Article 45 **Rights of higher education institutions**

1. Higher education institutions are guaranteed the following rights in external quality assurance processes:
 - 1.1. equal and fair treatment in external evaluation procedures performed by KAA;
 - 1.2. access to procedures and criteria of external quality assurance procedures applied by KAA;
 - 1.3. the right to be heard in all processes undertaken by the KAA that lead to formal results which have legal consequences for HEIs;
 - 1.4. equal right to develop scientific activity and processes of promotion of the academic

staff in accordance with the provisions of this Law and the domestic legislation;

1.5. the right to participate in the drafting and design of quality assurance policies and strategies organized by the KAA;

1.6. the right to appeal based on transparent and professional appeal procedures.

Article 46

Obligations of higher education institutions

1. HEIs implement primary and secondary legislation regulating the field of quality assurance and accreditation in higher education in the Republic of Kosovo.

2. HEIs assure students that their admission and registration in their institution will be only if the institution and their programme has valid accreditation from KAA and is licensed by MESTI.

3. For the purpose of transparency and public information, HEIs publish all SCQ decisions on their websites and licensing/relicensing decisions issued by the Ministry, as well as data on their study programmes, academic staff and other relevant data.

4. Under no circumstances can HEIs start working without first being provided with accreditation and/or institutional re-accreditation, accreditation and/or re-accreditation of the study programme/s, licensing and/or re-licensing of institutions and programmes by the Ministry.

Article 47

Representation of students in quality assurance procedures

1. Students attending higher education institutions in the Republic of Kosovo are guaranteed participation in quality assurance processes.

2. Student representatives are members of all decision-making, executive and advisory bodies of higher education institutions.

3. Student representatives are participants in the drafting of quality assurance policies and strategies by the KAA.

Article 48

Financing of KAA

1. Funds for financing the work of KAA shall be provided from the budget of the Republic of Kosovo, own source revenues, donations and other alternative financings in compliance with the legislation into force.

2. All own source revenues realized by KAA shall be deposited to the state budget and shall be allocated according to the legislation into force.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

Article 49

Transitional provisions

1. The current members of the SCQ continue to exercise their function until the end of their mandate.

2. The Director of KAA continues to exercise the function in the capacity of General Director until the end of the current mandate.

3. The current members of the Appeals Commission continue to exercise their function until the end of their mandate. The Appeals Commission is filled with new members in accordance with the provisions of this Law.

Article 50
Sub-legal acts

1. Sub-legal acts foreseen by this Law shall be issued within six (6) months from the entry into force of this Law.

2. Until the issuance of sub-legal acts foreseen in paragraph 1 of this Article, there shall be implemented the sub-legal acts into force that are not in contradiction with this Law.

Article 51
Entry into force

This Law shall enter into force fifteen (15) days after the publication in the Official Gazette of the Republic of Kosovo.

Law No. 08/L-110
7 June 2023

Promulgated by Decree No. DL-117/2023 dated 22.06.2023 President of the Republic of Kosovo Vjosa Osmani-Sadriu