

LAW 80/2015

ON HIGHER EDUCATION AND SCIENTIFIC RESEARCH IN HIGHER EDUCATION INSTITUTIONS IN THE REPUBLIC OF ALBANIA

Article 1

The mission of higher education

Higher education is good and public responsibility and has the mission:

- a) to create, develop, transmit and protect knowledge through teaching, scientific research, as well as to promote and develop arts, physical education and sports;
- b) to train senior specialists and prepare young scientists, in accordance with the development priorities of the country, contributing to the increase of the standards of democracy in the country;
- c) provide equal opportunities to benefit from higher education and lifelong learning;
- ç) to contribute to the economic, social and cultural development at national and regional level, as well as to the strengthening of public and national security;
- d) to support the strategic priorities and development interests of the country;
- dh) to integrate teaching with scientific research;
- e) to promote international cooperation in the field of higher education.

Article 2

The purpose of the law

This law aims to:

- a) to determine the role of the state in higher education;
- b) to define the mission, the main objectives of higher education and scientific research, the rules of establishment, organization, management, administration, financing and closure of higher education institutions;
- c) to create a unified system of higher education, scientific research in higher education institutions, contemporary and competitive innovation in the European space of higher education;
- ç) to establish sustainable quality assurance mechanisms in higher education institutions, in accordance with European standards;
- d) to establish higher education on a stable financial basis, creating the possibility for the use of legal sources of financing;
- dh) to guarantee equal opportunities, on the basis of merit, for all individuals who want to pursue studies in higher education;
- e) to base the higher education system on the principle of free competition between higher education institutions, academic staff and students.

Article 3

Academic freedom and autonomy of higher education institutions

1. Higher education institutions have academic freedom, financial, organizational and staff selection autonomy, in accordance with the law in force.
2. Academic freedom is guaranteed through the right:
 - a. to organize teaching, research, innovation, and creative activities;
 - b. to design and develop study programs and to define the areas of scientific research activity;
 - c. to organize the process of promoting academic staff.

Article 6

Definitions

1. "Accreditation" is the independent process for external quality evaluation, which determines whether the higher education institution and / or study programs it offers, meet the determined quality standards, in accordance with laws and regulations in power.
13. "The Code of Quality" is a summary of standards and guidelines for internal and external quality evaluation in higher education.
14. "The study program" is a whole academic activities and / or scientific research, successful completion of which gives the right of the student to be provided with a certificate, diploma or scientific degree from the higher education institution that offers it, depending on the type of study program.
15. "Higher education institutions" are legal entities that provide higher education or vocational training after secondary education and, depending on the type of institution, also scientific research, as part of the higher education system, established, and operating in compliance with applicable laws and regulations
24. "Internal quality evaluation" is the continuous process of monitoring, evaluation, guarantee, maintenance and improvement of the quality of activities in higher education institutions, which is developed by the institutions themselves.

Article 14

Quality Assurance Agency for Higher Education

1. Quality Assurance Agency for Higher Education (QAAHE) is a public legal entity, responsible for quality assurance in higher education. QAAHE, through quality assurance mechanisms, accreditation and other processes, monitors and evaluates the quality of the institutions and the programs offered. QAAHE bases its activity on its guideline, in the Code of Quality for higher education, which is updated with European standards and quality guidelines in the European Higher Education Area.
2. QAAHE realizes the evaluation process for the accreditation of higher education institutions and study programs they offer, as well as ongoing monitoring of their quality.
3. QAAHE collaborates with higher education institutions for the establishment and functioning of the internal quality assurance system.
4. QAAHE has independence in drafting and approving its procedures, evaluation criteria and formats, selection of experts and special evaluation commissions, as well as the content and results of academic quality evaluation reports.

5. QAAHE also operates through elected and independent commissions, according to the main fields of higher education in natural sciences, engineering and technology, medical, agricultural, social and humanities. These commissions have a temporary character and are composed of experts with academic qualifications, with experience in higher education and scientific research and knowledge of quality processes.
6. The appointment of the Director of QAAHE is made by order of the Prime Minister, based on the proposal of the Minister responsible for education.
7. In the framework of external quality evaluation, QAAHE cooperates and coordinates its activity with counterpart agencies, part of the European Network of Quality Assurance (ENQA) and / or the European Quality Assurance Register (EQAR).
8. QAAHE publishes its annual activity report and final evaluation reports of higher education institutions and study programs.
9. QAAHE is financed in a balanced way by the State Budget and the revenues generated from its activity. QAAHE has the right to use 90 percent of this incomes. Unused incomes during one financial year are transferred to the following year.
10. The organization and functioning of QAAHE is regulated by a decision of the Council of Ministers.

Article 15

Accreditation Board

1. For the accreditation process of higher education institutions and study programs, the Accreditation Board is established at QAAHE, which is a collegial decision-making body and independent in its activity.
2. The Board makes the final decision on the accreditation of higher education institutions and the study programs they offer.
3. The Board approves, at the request of the higher education institution, the realization of the external evaluation by one of the member agencies of ENQA.
4. The Accreditation Board consists of foreign and domestic experts, personalities in the field of higher education and quality assurance.
5. The mandate of the members of the Accreditation Board is 4 years.
6. The appointment and dismissal of the Chairman and members of the Accreditation Board is done by order of the Prime Minister, upon the proposal of the ministry responsible for education.
7. The organization and functioning of the Accreditation Board, as well as the amount of remuneration of the Chairman and its members are determined by a decision of the Council of Ministers.

Article 17

Organization of higher education institutions

1. Higher education institutions are organized in public, non-public and independent public institutions, according to the provisions of this law. Higher education institutions are

established, opened, organized, financed, accredited, evaluated, suspended and closed in accordance with this law and bylaws issued in its implementation. They offer licensed study programs, for which they issue diplomas after the accreditation of the institution and the study program.

2. Public institutions of higher education are public legal entities that are self-financed, financed from the State Budget or other legal sources.
3. Non-public institutions of higher education are private legal entities. The activity they carry out can be for-profit or non-profit.
4. Independent public institutions of higher education are public legal entities established by decision of the Council of Ministers, according to the provisions of this law.
5. Higher education institutions, which offer study programs in areas with specific academic activities, related to the organization and development of the teaching process, have a special status. This status is given to the institution of higher education by a decision of the Council of Ministers, on the proposal of the ministry responsible for higher education.
6. Higher education institutions, which have a special status, in cases when they are not subject to the regulations determined by the decision of the Council of Ministers and the relevant instruction of the Minister responsible for education, function and are administered according to the principles and provisions of this law for higher education institutions.
7. Higher education institutions such as university colleges or academies, which for at least three academic years do not have more than, respectively, six hundred and three hundred students, and which meet the requirements of the Quality Code of the teaching process, may not meet the conditions of point 4, of article 25, in agreement with the ministry responsible for higher education.
8. The types of higher education institutions are: universities, **university colleges, academies and higher professional colleges.**

Article 18

University

1. The University is an institution of higher education operating in the field of education, scientific research, creative and professional activities.
2. The University represents an integrated structure and consists of main units, basic units and other units, according to the provisions of the statute of the institution. It has at least three faculties.
3. The University offers higher education, development of knowledge, science, innovation and professions.
4. The University conducts basic and applied scientific research, creative activities, provides services and exercises other activities, in accordance with the fields of study programs, with this law and its statute, as well as supports the training of academic staff in function of his mission.
5. The University offers study programs in all cycles of higher education, as well as study programs of a professional nature.

Article 19

Academy

1. The Academy is a profiled institution of higher education, operating in the field of higher education and scientific research, creative and professional activities.
2. The Academy represents a structure composed of at least one faculty. In accordance with the relevant field of competence, the academy can offer study programs in all cycles of study, as well as study programs of a professional nature.
3. The Academy can carry out basic and applied scientific research, services, as well as other activities, based on this law and its statute.

Article 20

University College

1. The university college is an institution of higher education that operates in the field of education, scientific research, creative and professional activities.
2. The university college represents a structure composed of main units, basic units and other units, according to the provisions of the statute of the institution. It has at least two faculties in its composition.
3. The College offers higher education, development of knowledge, science, innovation and professions.
4. The College may conduct scientific research, creative activities, provide services, as well as exercise other activities, in accordance with the fields of study programs, with this law and its statute, as well as supports the training of academic staff in function of its mission.
5. University college offers study programs in the first and / or second cycle of studies and study programs of professional character

Article 21

Higher professional College

1. Higher professional college is a higher education institution with professional orientation, which prepares professionals with practical skills.
2. The senior professional college represents a structure composed of at least two departments.
3. The senior professional college offers teaching and training activities, lasting one or two academic years with a load of 60 or 120 ECTS credits, respectively, and which are finalized with the issuance of a professional certificate or diploma, respectively.
4. The higher professional college can be established at the institutions of higher education, which have the status of universities and Colleges University. In these cases it is considered as the main unit of the institution. In all other cases the higher professional college is considered a separate unit of higher education.
5. The manner of its organization and functioning is regulated by a decision of the Council of Ministers.

Article 35

Opening, closing and reorganization of study programs in higher education institutions.

5. Foreign higher education institutions of one of the countries of the European Union, the United States of America, Canada and Australia may offer study programs or higher professional training. These programs must be accredited in the country of origin and offered to accredited Albanian institutions of higher education after their approval by the minister responsible for education. The implementation of the program is carried out with the same standards, modalities and academic staff as it takes place in the country of origin of the foreign institution. The Albanian institution of higher education is responsible for meeting the standards and conducting the academic process. The opening of these programs is subject in advance to the evaluation and recognition process by ASCAL and the Accreditation Board, in accordance with the Quality Code, as well as other legal obligations.

Article 70

Study cycles and programs

1. Higher education institutions offer study programs, organized in modules and assessed on credit, in accordance with the European Credit Transfer System (ECTS).
2. The normal amount of credits accumulated during an academic year by a student is 60 credits.
3. Study programs are drafted by the basic units of higher education institutions and approved in their academic senates.
4. Study programs in higher education institutions are organized in three consecutive cycles: first cycle, second cycle and third cycle, referring to levels 6-8 of the Albanian Framework of Qualifications. Higher education institutions also offer professional diplomas, referring to level 5 of the Albanian Qualifications Framework.
5. Higher education institutions publicly announce open and accredited study programs, before the start of applications for student admission.

Article 72

Professional study programs

1. Higher education institutions can offer study programs of professional character, after secondary education, with 60 or 120 credits, referring to level 5 of the Albanian Qualifications Framework. Their normal duration is one or two academic years and at the end is issued respectively "Professional Certificate" or "Professional Diploma" in the field of education completed.
2. Credits accumulated during higher professional studies can be transferred to undergraduate studies, referred to at level 6 of Albanian Qualifications Framework, according to the criteria set by higher education institutions.

Article 73

First cycle study programs

1. First cycle study programs, referring to level 6 of the Albanian Qualifications Framework, are organized with not less than 180 European credits (ECTS) and their normal duration is three academic years.
2. Students in the programs of the first cycle of studies graduate with a general final exam or diploma thesis. Higher education institutions set in their regulations the average grade threshold, which entitles the undergraduate student to graduate, preparing and defending a thesis.

3. At the end of the first cycle programs is issued the diploma "Bachelor" in the field of education.

Article 74

Admission to the first cycle of studies

1. Admission to the study programs of the first cycle is possible for any candidate who has successfully completed the cycle of secondary education and who meets the criteria of the average grade determined each year by decision of the Council of Ministers.
2. Higher education institutions may also establish additional admission criteria for the selection of candidates, which are announced by the higher education institution and made available to the Center for Educational Services and the ministry responsible for education.
3. At the beginning of the academic year, the institutions of higher education send to the Center of Educational Services the list of enrolled students.

Article 75

Second cycle study programs

1. Second cycle study programs include the study programs of "Master of Science", "Master of Arts" and "Professional Master", referring to level 7 of the Albanian Qualifications Framework.
2. All criteria and modalities for obtaining the diploma "Master of Arts" are the same as those for obtaining the diploma "Master of Science", with the difference that the diploma "Master of Arts" is issued by institutions of higher education that offer trainings in the field of arts.
3. "Master of Science" study programs provide graduates with in-depth theoretical knowledge, as well as training for scientific research in a specific field. These programs are organized in:
 - a. programs that are realized with not less than 120 credits of training following the first cycle and with a normal duration of two academic years;
 - b. Integrated study programs of the second cycle, which are realized with 300 and 360 credits and with normal duration, respectively five and six academic years. Integrated second cycle study programs are offered in the fields of law, medicine, dentistry, pharmacy, veterinary medicine and architecture. The Council of Ministers determines other areas in which integrated second cycle study programs can be offered.
4. "Master of Arts" study programs provide graduates with in-depth knowledge, theoretical and practical, in the field of arts. These programs are realized with not less than 120 training credits following the first cycle and with a normal duration of two academic years.
5. The studies of the second cycle "Master of Science" are concluded with a diploma thesis and at the end of them a diploma "Master of Science" is issued in the field of education.
6. "Professional Master" study programs provide graduates with in-depth, professional knowledge in a certain field. These programs are organized with 60 or 120 credits and their normal duration is one or two academic years. The studies of the second cycle "Professional Master" are concluded with a final exam formation or diploma thesis and at the end of them is issued a diploma "Professional Master" in the field of education.

Article 76

Admission to second cycle study programs

1. Admission to second cycle study programs is possible for candidates who have completed a first cycle study program and meet the admission criteria of the higher education institution where they apply.
2. Admission to integrated study programs is possible for candidates who meet the criteria set out in point 1, article 74, of this law.
3. The criteria for admission of candidates in the programs of the second cycle of studies are determined by the basic provider unit of the program. Exceptions to this rule are integrated study programs. The criteria are made public by the main unit and QSHA and are approved according to the provisions in the statute of the HEI.
4. Admission criteria in a study program of the second cycle "Master of Science" is the recognition by the candidate of one of the five foreign languages of the European Union: English, French, German, Italian, Spanish. If the individual has earned a degree from a study program conducted in one of these languages, the degree earned serves as evidence of meeting this criterion. The level of foreign language proficiency is determined by a sub-legal act of the responsible ministry of higher education.
5. Higher education institutions may recognize the credits obtained in the study programs of the second cycle "Professional Master", in order to transfer them to the study programs "Master of Science".
6. At the beginning of the academic year, higher education institutions send to QSHA the list of enrolled students

Article 77

Third cycle study programs

1. Third cycle study programs include the study programs of "Executive Master", long-term specialized study programs, as well as doctoral studies, referring to level 8 of the Albanian Qualifications Framework.
2. "Executive Master" study programs offer a high level of scientific and professional education. They have a normal duration of one or two academic years and are organized with 60 or 120 credits respectively. They are concluded with a diploma thesis and at the end of them is issued a diploma "Executive Master" in the field of education.
3. **Long-term specialized study programs** are vocational training programs that provide knowledge for specific professions. They last no less than two academic years and are organized with no more less than 120 credits. They are concluded with a training exam or a diploma thesis and at the end of them a "Specialization Diploma" is issued in the relevant field of the study program.
4. **Doctoral studies** are built on individual programs for independent training of candidates in scientific research in the fields of defined by the base unit or main unit. They are based on scientific research and creative activities. Doctoral studies last not less than three academic years and not more than five years academic. At the end of the doctoral studies, the diploma of the scientific degree "Doctor" is issued. Higher education institutions set criteria for the annual evaluation of the candidates' progress and the continuation of the work for the development of the research project.

CHAPTER X
QUALITY ASSURANCE IN HIGHER EDUCATION

Article 103

Internal quality assurance

1. Higher education institutions are responsible for drafting policies and procedures for internal quality assurance. The structure and functioning of the internal quality assurance unit are defined in the statute of the higher education institution.
2. The quality assurance unit periodically evaluates the results of teaching and research activities.
3. At the end of each semester or before the exam season, the unit organizes the student questionnaire on the quality of teaching for the subjects of each study program.
4. The quality assurance unit conducts follow-up studies to assess the progress of student employment and the effectiveness of programs offered by the institution of higher education.
5. Standards for quality assurance are drafted by higher education institutions, in accordance with the Quality Code.
6. Evaluation reports, drafted by the internal quality assurance units of higher education institutions, are used as a source for external evaluation and continuous quality improvement.

Article 104

External quality assurance

1. External quality assurance in higher education is realized through external accreditation evaluation processes, analytical and comparative evaluations, as well as other processes that promote and improve quality.
2. All higher education institutions and study programs they offer are subject to the first evaluation, periodic evaluation and comparative evaluation. The results of these assessments are made public by ASCAL.
3. The first institutional evaluation and evaluation of programs is performed before the issuance of the first diplomas by a higher education institution. Institutional evaluation precedes that of study programs.
4. Periodic evaluation is performed for educational institutions and study programs that have gained the first accreditation, within the time limit of its validity.
5. Higher education institutions are subject of the teaching process evaluation, every three years, by QAAHE and are continuously monitored through the National Student Survey.
6. External quality evaluation is performed in accordance with the Quality Code in Higher Education. The responsible ministry and QAAHE can cooperate with foreign quality assurance agencies, which are members of ENQA.

Article 105

Quality Code of higher education

1. The Quality Code of higher education is the main document for all quality assurance processes and procedures in higher education. It sets state quality standards, mandatory for implementation by higher education institutions.
2. The Quality Code of higher education is drafted by the QAAHE and the ministry responsible for education and is approved by a decision of the Council of Ministers.

Article 106

Accreditation

1. Institutional accreditation is the process of certifying the quality of activity of higher education institutions, in accordance with the Quality Code of higher education.
2. Accreditation of study programs is the process of certifying their quality, in accordance with state quality standards.
3. The first institutional and program accreditation is performed before the issuance of the first diplomas by a higher education institution. Institutional accreditation precedes that of study programs.
4. The validity of any institutional accreditation and related study programs cannot last more than 6 years.
5. The decision for accreditation is positive or negative. In case the institution of higher education is not accredited institutionally or for a study program, it cannot issue diplomas for the respective study programs it has offered.
6. The standards, on the basis of which the accreditation is granted, must be met for the entire period of validity of the accreditation. If the ministry responsible for education finds deviations from these standards, it sets conditions and deadlines for their fulfillment.
7. For institutions of higher education, which develop joint study programs with foreign institutions of higher education, as well as for branches of foreign institutions of higher education operating in the Republic of Albania, the evaluation and accreditation are performed by taking into account also their assessment and accreditation in the country of origin.
8. Expenditures for external quality assessment and accreditation are covered by the higher education institutions themselves, according to the tariffs determined by a decision of the Council of Ministers.