



Strengthening university autonomy and
increasing accountability and transparency
of Western Balkans Universities.

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transparency of Western Balkan universities

State of play of university autonomy in Albania

Erasmus+ Capacity Building in Higher Education
Structural measures project



Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.

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Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.

Introduction

Background

Higher education stakeholders broadly agree on the considerable benefits and importance of university autonomy. In several declarations, the European University Association (EUA) has reaffirmed the crucial role of institutional autonomy for higher education institutions and society at large. While autonomy is not a goal, it is a vital precondition for the success of European universities.

Autonomy does not mean the absence of regulations. While acknowledging that there are many different models, EUA has identified the basic principles and conditions, which are important for universities if they are to optimally fulfill their missions and tasks. The Autonomy Scorecard methodology was developed by EUA with the input of its collective members, the National Rectors' Conferences of 29 higher education systems in Europe, between 2009 and 2011. It offers a tool for benchmarking national higher education frameworks in relation to autonomy and enables the establishment of correlations between autonomy and other concepts, such as performance, funding, quality, access, and retention. It was subsequently updated and the third version was released in 2023 (see www.university-autonomy.eu).

The Scorecard has been used in several European countries to support their higher education reform process. The scorecard methodology has thus been broadly acknowledged by the various higher education stakeholders in Europe as an adequate tool to use for reform process development.

The **STAND project** aims to improve the processes and mechanisms of university autonomy by increasing the management capacities, accountability, and transparency of universities in the Western Balkans in three target countries: Albania, Kosovo, and Montenegro.

The development of a EUA Autonomy Scorecard-inspired analysis for all three countries contributes to raising awareness in the higher education sector of the changes needed to create a regulatory environment favorable to university autonomy. It corresponds with WP 1.3 and WP2: the adaptation of methodology for the University Autonomy Scorecard and the second WP that targets roundtable discussions in partner countries in order to support the drafting of assessment reports in University Autonomy and delivery of University Autonomy Scorecard Assessment.

The present report includes the results of the analysis that has been carried out by the taskforce, including STAND consortium members from Albanian universities, in consultation with the Ministry, and with the support of EUA.

Albanian universities

Main characteristics of the system:

Based on the statistics in higher education for the year 2021-2022 compiled by INSTAT¹, it appears that the structure of participation in higher education has roughly stayed the same during the past three academic years.

In Albania, according to information provided from the Quality Assurance Agency in Higher Education, 15 public Higher Education Institutions and 27 non- public Higher Education Institutions are currently operating.²

In the academic year 2021-22, the number of students (123,880) marked an increase of 0.1% compared to the previous year.

Students enrolled in public higher education comprise about 76.3% of the total number of students.

In all higher education programs, during the same academic year, female students (73,493) comprised 59.3% of the total number of students in higher education.

For the same period about 72,852 students were enrolled in the bachelor studies, thus marking a decrease of 2.1% compared to the academic year 2020-21.

The external reference authority is the Ministry of Education, while the main legal basis is the Law no. 80/2015 on “Higher Education and Scientific Research in Higher Education Institutions in the Republic of Albania.”

Additional regulations include Decisions of the Council of Ministers, and further instructions of the ministry that delineate the procedures of academic life (for example, the opening and closing of study programs, the designated syllabus elements, curriculum parameters, etc.).

Data collection

The approach followed for this analysis directly builds on the experience that EUA gained with two previous data collection rounds in the framework of the EUA Autonomy Scorecard, in the ATHENA project (Scorecard applied to Armenia, Moldova, and Ukraine) and in the TRUNAK project where EUA applied a methodology inspired from the Autonomy Scorecard to Kazakhstan. It preserves the main features while adapting to a significantly shorter timeframe by simplifying the data validation and processing phases.

The EUA team organized an online training seminar for the STAND consortium in May 2021 to present the main features of the methodology and discuss the data collection process. Next, EUA built a survey

¹ <http://www.instat.gov.al/al/temat/tregu-i-punës-dhe-arsimi/arsimi/publikimet/2022/statistika-të-regjistrimeve-në-arsim-2021-2022/>

² <https://www.ascal.al/en/hei-list/private-institutions>

that covers all items addressed in the general Autonomy Scorecard, requiring in addition data on the university governance bodies as well as contextual financial information (typical income structure).

The consortium established national “taskforces” to drive the data collection process. EUA designed “autonomy dashboards” for each system, based on the structure and indicators of the EUA Autonomy Scorecard. Each taskforce coordinated the process to fill in these dashboards, in collaboration with the relevant ministry.

The Ministry was requested to describe the relevant regulations for each indicator. The university partners worked together to provide additional descriptions of the practice corresponding to the indicator, thus enabling the consortium to detect possible cases where regulation and practice were not aligned. The dashboards were validated within the taskforce and submitted to EUA for additional comments and clarifications. As a result, the dashboard methodology has made it possible to identify areas presenting specific difficulties and challenges. For each indicator, based on the situation described, the dashboards allow to identify:

- “Autonomy enabler” (the regulatory framework allows universities to operate in a relatively autonomous way)
- “Implementation gap” (where the regulatory framework allows universities to operate in a relatively autonomy way, but this does not translate into actual practice)
- “Practice ahead of regulation” (showing that the regulatory framework should be updated)
- “Barrier to autonomy” (the regulatory framework creates obstacles to university autonomy).

The data collection was coordinated in Albania during Spring and Summer of 2021. In the second phase (Autumn 2021), EUA and the taskforce worked together to aggregate, clarify and validate the data submitted.

The present report is intended to serve as a basis to support a structured discussion around autonomy in the country.

Each partner university in the project has compiled the dashboards in collaboration with the reference offices.

University "Aleksander Moisiu"

University "Aleksander Moisiu" of Durrës was composed of: the Vice Rector for academic affairs Prof. Renata Tokrri, the Vice Rector for Institutional Development Prof. Eva Allushi, the Director of Financial Administration Ms. Etleva Laci. Additional collaborators included the Directorate of Human and Legal Resources, the Directorate of Curriculum and Quality Standards, and the Center for Research and Excellence.

In October 2022, a roundtable was held to present the assessment Report of the University Scorecard Autonomy in Albania.

Polis University



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The team engaged in this process at POLIS University is as follows: Dr. Elona Karafili, Deputy Rector; Dr. Manjola Hoxha, Head of Internal Quality Assurance Unit, MSc. Aurel Plasa, Administrator and Dr. Flora Krasniqi, Head of International Unit and Projects.

University of Tirana

The University of Tirana's team included: the Vice Rector Prof. Ass. Bernard Dosti; Skerdi Dafa, Administrator; Prof. Esmeralda Kromidha, and Dr. Ledjon Shahini.

This roundtable was held after an evaluation process carried out in individual partner universities. Those interested discussed more concretely about the report, since the participants in the seminar were also members of the Task Force for Albania for the Evaluation of Scorecard of University Autonomy.

[Results and conclusions of report analysis in Albania](#)

The roundtable organized by the partner HEIs from Albania in the STAND project was focused on the different dimensions of autonomy, where the results of the Assessment Report of the Scorecard of the autonomy of HEIs in Albania were presented.

The analysis started from the Constitutional aspects of the principle of autonomy of HEIs in Albania, whereby this constitution states that the autonomy of the Universities is regulated by the law. The expression "By law", means a relative legal reserve, something that forces the legislator to be careful about autonomy. Therefore, he obliges *in meius* and not *in peius* as it is his duty to guarantee it.

On the other hand, the legal reserve leaves space for intervention on the part of the executive power for the purpose of defining some procedures through the Decisions of the Council of Ministers/ Ministry Instructions/Ministerial Orders. All these interventions, which have occupied layers over time have not only created uncertainty for their legitimacy and are often accused of excessive discretion in content, to the detriment of an autonomy that should be understood as an instrument for guaranteeing the freedom of teaching and for the implementation of the right to study.

In this aspect, it was discussed what the limits/ boundaries of government intervention in the discipline of this university autonomy are.

It turns out that in reality, the limit is the need for state norms to leave an adequate margin for the implementation of the regulatory autonomy (regulations, statutes, etc.) of universities.

Even at the level of regulatory autonomy, regardless of the margins of action reserved for universities, there is a certain basic homogeneity in the pursuit of legislative discipline and the development of the university system as a whole. This is probably because the acts are numerous, and detailed, leaving little room for autonomy.

Undoubtedly, these stratifications not only discourage universities but also create a domino effect in internal acts as well, because while the rules are stratified, motivation is weakened, research declines, and teaching is discouraged.

On the other hand, it seems as if Albanian universities are yet to gain more experience in managing the spaces for independent decision-making and to better utilize the potential that this principle carries.

The universities' autonomy is strongly tied to their financial autonomy. As an example, universities cannot decide on staff salaries themselves, an aspect that tends to affect the quality of education provided.

Another fact at the center of the discussions involved didactic autonomy, since many aspects of the curricula of the study programs are foreseen in legal acts. Also, the preliminary evaluation by the Ministry for opening new study programs makes it difficult for the departments to absorb students based on the new offers of study programs.

As a result, since university regulations are based on the law, which provides a great level of detail, there is nothing left but for the Universities to consolidate the internal regulations of their institutions at teaching and research levels.

Section 1: Analysis per autonomy dimension

This section considers each dimension of autonomy (organizational, financial, academic and staffing autonomy) in a sequence, describing the current framework for public universities. At the end of each sub-section, a table assesses the situation for each indicator. Color coding is used to show the level of regulations / constraints that universities operate with for each indicator. Green means autonomy enabler; yellow refers to significant constraints; red represents a significant lack of autonomy.

1. Organizational autonomy

Public universities

1- Leadership

APPOINTMENT: The selection of the executive head is validated by an external authority.

According to Article 92 / G, of the Constitution of the Albanian Republic, the President of the Republic appoints the Rectors of the University according to the law.

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania":

Article 7, item J, the Ministry of Education in Albania verifies the legality of holding elections in public institutions of HE and forwards the winning candidate for the rector of public universities to the President of the Republic.

Article 39, of the Law on Higher Education, item 8 states that "The President of the Republic decrees the rectors of higher education institutions, according to the provisions of this law".

This aspect requires not only a modification of the ordinary law but also a constitutional amendment. Also, in item 9 of the Law, a clause is provided where only in cases of establishment of a public university, the President of the Republic appoints the Rector for a term of one year, with the task of organizing and conducting general elections of that institution within this term.

CRITERIA: Selection criteria for the executive head stated in the law.

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania",

Article 39, item 3, the Rector in HEIs has the status of "Professor" and may come from the ranks of the academic staff of the higher education institution or outside of it.

According to Article 6, item 17, the category "Professor" includes the academic titles: "Professor", "Associate Professor", "Professor emeritus", as well as the titles "Associate Academic" and "Academic", recognized under the applicable legal framework. The title "Professor" involves a doctoral degree as a prerequisite. Some universities, such as UT, provide for specific criteria in their Statutes.

MANDATE: The length of the executive head's term is stated in the law.

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania":

Article 39, item 7, the Rector's term lasts four years. They serve in office for one term, with the right to be re-elected only once. Therefore, a maximum of 8 years.

DISMISSAL: Procedure for the dismissal of the executive head.

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania":

Article 39, item 10: In cases of committing flagrant criminal offenses or serious violations of the law, inability to perform their duties, and in the cases provided for in the Code of Ethics of the HEI, the Minister suspends the Rector and proposes to the President of the Republic their dismissal, which is announced within a month. In case the President of the Republic does not express themselves within this deadline, the proposal of the Minister is considered tacitly approved. Following the dismissal decree, the Minister announces early elections within six months from the date of dismissal.

- **Separate paragraph with assessment: excessive influence of external authorities on this matter?** All indicators show tight control from public authorities.

The law provides that "The Ministry of Education controls the compliance of the activity of HEIs with the legal and sub-legal Acts in force". The Statute does not foresee the competence of the Academic Senate in the revocation of the Rector but reserves this competence to the law.

Governance structure

1. **Description of the governance structure (Board, Senate), with corresponding levels of power explained. Description of the Governance tab from the dashboard. Size and composition as regulated by law, and capacity for universities to decide on these matters.**

According to Law no. 80/2015:

1. ACADEMIC SENATE - Article 37/5, "The number of members, the way of functioning and the representation of the main units in the senate are defined in the statute of the HEI.

It is also specified that students receive a 10% representation in the Academic Senate of public institutions, whereas the level of this representation is determined internally in non-public institutions.

According to article 37/3 of the Law no. 80/2015, Members of the Academic Senate are selected from the assemblies of key departments' academic staff through a general vote for a four-year term with the right of re-election, selecting from full-time members of academic staff that have made proposed their candidacy. For the Senate, universities cannot include members other than academic staff and students. As a result, there is a restriction on the composition rather than the size of an Academic Senate.

Article 38: Functions of the Academic Senate

1. The functions of the Academic Senate are as follows:

- a. guarantees the autonomy of the higher education institution, its academic freedom, and the rights of students;
- b. proposes the strategic plan for the development of the higher education institution;
- c. adopts the statute by two-thirds of the votes of its members, after receiving prior approval from the Board of Administration;
- d. drafts the general structure of the higher education institution and proposes to the Board of Administration the number of staff of the institution at all levels;
- e. adopts the regulations of the institution and other Acts, according to the definitions made in the statute;
- f. adopt new programs of study, of scientific research, their changes, and their closure. The new study programs should be based on the annual draft budget of the institution;
- g. proposes the closure and reorganization of the higher education institution, as well as the division or merger of the higher education institution with another higher education institution;
- h. approves the opening, reorganization, or closure of units of the higher education institution on the basis of the proposals of the main units and core units. In these cases, it receives a preliminary assessment from the Board of Administration;
- i. Approve the annual plan of academic and research activities;
- j. approves the detailed annual report of the institution's activity, drafted by the rectorate, and forwards it to the ministry responsible for education;
- k. elects its representatives to the Board of Administration;
- l. approves in advance the annual and medium-term budget plan of the institution;
- m. establishes the Permanent Committee for the Promotion of Academic Personnel, for the granting of academic titles of "Associate Professor" and "Professor", when the institution meets the legal criteria, as well as the other committees defined in the statute of the institution;
- n. guarantees the internal quality assurance of the higher education institution;
- o. establishes mechanisms for evaluating the teaching and research activities of academic staff;
- p. organizes the joint meeting, in cooperation with the Board of Administration, at the end of each academic year, discussing the teaching, research and financial activities.

2. The powers to perform the functions provided for in items "b", "d", "e", "f" and "j", of paragraph 1 of this article, are set out individually in the statutes of non-public higher education institutions.

3. Other functions of the Academic Senate shall be defined in the statute of the higher education institution.

2. BOARD OF ADMINISTRATION

The composition of the Board of Administration is determined depending on the medium-term budget plan of the public institution of higher education, approved by the Board of Administration.

If the institution provides fifty percent or more of the mid-term budget, four of the members include representatives of HEIs, and three are representatives of the Ministry of Education.

In cases where the institution provides itself less than fifty percent of the mid-term budget, three of the members are representatives of HEIs, and four are representatives of the ministry responsible for education.

Referring to the Decision of the Council of Ministers no. 782 dated 26.12. 2018 provides that:

- The representatives of the university on the Board are elected by the Senate.
- Regarding Members selected by the Ministry:
 - One (1) of the representative members of the Ministry on the Board is elected by the University Students. Students submit three (3) candidacies to the Ministry. The Minister nominates one of the candidacies submitted by the students.

Regarding the members of the Board of Administration, it seems that the law leaves a gap of interpretation with regard to representatives of the university. However, the University Regulations stipulate that the Representative Members of the University are elected by the Academic Senate, from the list of effective academic staff (full-time) who are self-nominated or nominated by the departments. To date, the practice is that the University representatives in Public Universities are part of the academic staff.

- **Focus on external members (appointment procedure, role of universities in this process, requirements for selection, typical profile)**

1. Regarding the members of the Board of Administration, representatives of the Ministry: Decision of the Council of Ministers no. 782, dated 26.12.2018 "On determining the criteria and procedures for the selection of members of the Board of Administration, representatives of the ministry responsible for education, in public institutions of higher education" provides in item 4, "Representative members of the ministry responsible for education will be recognized experts in the academic, managerial, journalistic, economic and legal fields and will be appointed by the minister responsible for education". Additionally, under item 10 it is foreseen that, "Every candidate considered as a board member must be a person with a public profile and outstanding achievements inside or outside the country, in the academic, managerial, journalistic, economic and legal fields." The law and other sub-legal acts do not state that the members of the Board, representatives of the Ministry, must be employees of the Ministry. But such a candidacy is typically not denied.

The main legal problem related to the Law on Higher Education is in its detailed content, leaving very little space for university statutes to elaborate. This is one of the reasons why the statutes of various universities are a faithful copy of the law.

The other problem in the law is the legal treatment of the concept of university autonomy, which is very detailed, so on the one hand autonomy is proclaimed, on the other hand, everything is indicated.

Regarding the Board of Administration, throughout recent years public universities in Albania have encountered challenges. The function of the Board of Administration is more of a guaranteed role in terms of financial aspects and has no influence in strategic aspects.

In Albania, the Board is not "recognized" as the highest decision-making authority, as in practice it does not formulate policies for all issues and areas of activity of the university. It is a body similar to all other bodies, such as the Senate. The board deals more with aspects of university microfinance rather than political interests, visions, or objectives. This positioning of the board regarding micromanagement has often led to conflicts within higher education institutions.

Article 49: Functions of the Board of Administration in Higher Education Institutions

1. The Board of Administration has the following main functions:

- a. guarantees the financial sustainability of the higher education institution and the fulfillment of its mission;
- b. upon the proposal of the Academic Senate, approves the strategic plan for the development of the institution and supervises its implementation;
- c. upon the proposal of the Academic Senate, approves the annual and medium-term budget of the institution and supervises their implementation;
- d. upon the proposal of the Academic Senate, approves the number of staff at all levels;
- e. evaluates in advance the closure and reorganization of the higher education institution, as well as the division or merger of the higher education institution with another higher education institution;
- f. approves in advance the opening, reorganization, or closure of the constituent units of the higher education institution;
- g. gives an opinion on the draft Regulation of the institution and approves its financial regulation;
- h. sets out the rules for the allocation of income that the institution provides from the exercise of its activities, and oversees the use of funding sources;
- i. It is responsible for setting the criteria and procedures for the employment of administrators and administrative staff, based on the acts of the higher education institution;
- j. appoints and dismisses the administrator of the institution;
- k. approves in advance the statute of the higher education institution, before it is forwarded to the Academic Senate;

h) approves the detailed annual report on the activity of the institution, drafted by the Rectorate.

2. In public higher education institutions, decisions of the Board of Administration, for the determination made in letter "k", of paragraph 1, of this article, shall be taken by not less than three-fifths of the votes of members.

3. The powers to exercise the functions provided for in paragraphs "b", "c", "d", "e" and "f", of paragraph 1, of this article, in non-public higher education institutions are defined in their statutes.

4. Other functions of the Board of Administration are defined in the statute of the higher education institution.

In cases where the local government unit, in the territory of which the institution of higher education operates, contributes financially, at least to the extent of ten percent of the medium-term budget of the HEI, then one of the representatives belonging to the ministry responsible for education is determined by the local government unit.

2- Academic structures

According to the Law no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania," Article 18/2 provides: "The University represents an integrated structure and consists of main units, core units, and other units, according to the provisions of the statute of the institution. It is composed of at least three faculties". To be further explained, the

minimum three main units is the basic precondition for one Institution to be acknowledged as a university. (The main units are faculties, scientific research institutes and higher professional colleges, in cases when they are established near higher education institutions that have the status of universities and university colleges. Whereas the basic units are departments and scientific research centers.)

3- Legal entities

According to the Law no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania", Article 17/ 2 and 3 provides: "Public higher education institutions are public legal persons that are self-financed, financed by the State Budget or by other legitimate sources." and "Non-public higher education institutions are private legal persons. The activity they carry out may be for-profit or not-for-profit." This article is also often cited in the University Statutes.

Otherwise, Non-profit organizations operate according to the specific law on non-profit organizations.

ASSESSMENT

Public universities in Albania have limited capacities to decide autonomously on issues of governance and organization. This is a consequence of the fact that the law and the Acts implementing it are very detailed. The selection of the academic governing authority (Rector) is subject to the decree of the President of the Republic.

Whereas the administrative body that ensures the financial settlement is made up of its majority from the elected officials by the ministry.

So, the board-type body is perceived as external, considering that it is "in majority" because the university still selects some members via the senate, even if it is fewer members than those selected by the ministry.

Article 48 Composition and Establishment of the Board of Administration

1. The Board of Administration in public higher education institutions consists of seven members, employed on a part-time basis.
2. The composition of the Board of Administration is determined depending on the medium-term budget plan of the public institution of higher education, approved by the Board of Administration.

Assessment per category³

Autonomy indicator	Situation for public universities	Assessment	Commonly found situation in European universities (in higher education systems analyzed in the EUA Autonomy Scorecard)
Selection procedure for Rectors	As set by law / Appointment by the President	Barrier to autonomy – reform needed	The executive leader is nearly always chosen by the institution itself, but this requires the validation of an external authority in about half of the surveyed systems. This is a formality in most, though not all, cases: in some systems, the external authority may carry considerable weight in the selection process.
Selection criteria for Rectors	As set by law / Professor Title	Selection criteria may be added by universities. The candidates may come from other institutions.	Provisions regarding the qualification requirements for the rector are specified by law in roughly two-thirds of the systems. Where universities may decide on selection criteria for their executive head, conditions for eligibility feature in the university’s own statutes or stem from common practice, rather than from legal prescriptions. The most common legal requirement is the need for the rector to hold an academic position.
Dismissal of Rectors	As set by law / Dismissal by President of the Republic upon proposal of the Minister	The barrier to autonomy – reform needed	Dismissal is a key factor when assessing the rector’s accountability to the institution and to other stakeholders. The law does not contain provisions regarding the rector’s dismissal in a little over a third of the systems considered. In the remaining systems, the dismissal of the executive head is more or less strictly regulated: external involvement may be limited to confirming the dismissal. The law may also specify the procedure to be followed.
Term of the office of the Rector	4-year period as set by law / renewable once		The length of the term is almost always specified in the law, as a fixed duration or a minimum/maximum range.

³ Green: autonomy enabler; yellow: significant constraints; red: important lack of autonomy



Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.

<p>External members in governing bodies</p>	<p>As set by law / the board/ appointment procedure controlled by an external authority/ strong representation of public authorities</p>	<p>The control of external authorities on the selection and appointment of external members remains too high a barrier to strategic profiling of the institution.</p>	<p>In most Northern European countries, universities are able to freely select their external members, although in some of these countries, an external authority formally appoints external members who were put forward by the university. In a majority of systems, the government continues to partly or completely control the appointment of external members.</p> <p>In a majority of European universities, external members participate now in the most important decisions in the institutions’ governing bodies. Selection and nomination processes have also been revised to the advantage of the university.</p> <p>The ‘type’ of external members involved in university governing bodies remains an issue in some systems. When they come from public authorities, their involvement may be seen as a way for the state to gain greater influence over internal decision-making processes, thus reducing institutional autonomy, or conversely as a practical way to clear potential subsequent hurdles.</p>
<p>Internal academic structures</p>	<p>Guidelines specified by law regarding the type of units</p>	<p>Autonomy enabler/opportunities to address</p>	<p>Most universities are free to decide on their internal academic structures and can create legal entities. In a number of cases, institutions gain more autonomy if they carry out certain additional activities through such distinct legal entities.</p>
<p>Creation of legal entities</p>	<p>Both for-profit and non-for-profit legal entities</p>	<p>Autonomy enabler/opportunities to address: this opportunity is not taken up</p>	



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Public Universities vs Private Universities in regard to Organizational Autonomy

Public Universities	Private Universities
Law of Higher Education	Law of Higher Education and Statue of the University
The President of the Republic decrees the rectors of higher education institutions, according to the provisions of this law	The Rector is appointed by the Assembly of Partners and confirmed by the Academic Senate every four years
<p>The composition of the Board of Administration is determined depending on the medium-term budget plan of the public institution of higher education, approved by the Board of Administration.</p> <p>If the institution provides fifty percent or more of the mid-term budget, four of the members include representatives of HEIs, and three are representatives of the Ministry of Education.</p> <p>In cases where the institution provides itself less than fifty percent of the mid-term budget, three of the members are representatives of HEIs, and four are representatives of the ministry responsible for education.</p>	<p>The board of administration is the highest collegial administrative body which guarantees the fulfillment of the mission of the Institution of higher education in terms of its financial and administrative management.</p> <p>The administration board has five members in its composition, of which four are representatives of the Assembly of Partners and one member of the academic senate</p>

2. Financial autonomy

Public universities

1- Financial management

- Length of funding cycle: the length of funding period is one year.
- Autonomy to allocate funds internally
- From contextual financial information: funding modalities of research activities (mainly via competitive schemes and Recurrent funding for scientific activity)

On the Law no. 80/2015 “On higher education and scientific research in higher education institutions in the Republic of Albania”, Article 110, “Allocation of funds from the State Budget” item 3, and Decision of the Council of Ministers no 75, dated 12.02.2018. The implementation of the financing scheme, according to this law, for public higher education institutions, shall be carried out according to the joint instruction of the Minister of Finance and the minister responsible for education.

University funds are allocated in the form of a grant. Funds from the State Budget are distributed in the form of grants, according to the following categories:

- a) grant of development policies for higher education institutions.
- b) grant for teaching.
- c) grant of scientific–research work and creative activities.

According to the Law no. 80/2015 “On higher education and scientific research in higher education institutions in the Republic of Albania”, Article 108 “Financial autonomy of higher education institutions”, item 3: “All revenues generated by public higher education institutions are used by them and the unused portion of income is carried forward in the following year. These funds are used in those items that are inherited, so in the same category where were allocated.”

- Keeping surpluses on own and public funding, capacity to borrow’

Loans seem possible in theory only, currently, the regulatory framework to apply this is not in place; however, it is possible for private universities.

Based on the Law no. 80/2015 “On higher education and scientific research in higher education institutions in the Republic of Albania”, Article 115 “Loans for public higher education institutions:”

Public higher education institutions have the right to receive loans for their institutional and infrastructural development, but there is no decision from the Council of Ministers to determine the legal steps. Up to now, there are no legal Acts adopted to clarify this procedure.

However, in 2022, the opinion of public HEIs was requested on the Decision Project, "On determining the conditions that must be met by public institutions of higher education for obtaining loans." In this draft decision, the right of public institutions of higher education to receive loans is defined; as lending institutions, not nominally, but their type, i.e. financial lending institutions, licensed according to the legislation in force for lending and which operate in the territory of the Republic of Albania; the purpose of obtaining loans, i.e., only to finance capital expenditures, for their institutional and infrastructural development; the conditions for obtaining the loan.

It is foreseen that the conditions that must be met for applying for a loan will be determined by a decision of the Council of Ministers.

- Real estate management (owning and selling buildings and land)

The universities cannot own or sell the buildings in which they operate, because the law allows universities only to preserve and maintain property in administration, given that the premises are owned by the state.

2- Tuition fees

- Description of the model: regulations are tighter at the Bachelor level compared other degree levels
- Short section on non-differentiation between national and foreign students

For tuition fees at the bachelor level Universities are obliged to respect a ceiling set by the government, which is adopted every year. There are different ceilings depending on the cost structures of the program. For master and doctoral levels, the tuition fee is determined by the university itself. Tuition fees for foreign students are the same as for national students. For students with excellent results and for students at bachelor level, coming from disadvantaged social backgrounds the government grants scholarships, these students are also exempted from the tuition fee. At Master level, the government grants half of the tuition fee for national students who have excellent results or coming from disadvantaged social backgrounds, the rest is paid by the student themselves.

ASSESSMENT

Given such a model, in combination with a strict control on public funds, the core issues involve the extent to which the state grant covers the actual costs linked to the student, and the quasi-absence of strategic allocation of funds, notably towards investment necessary to guarantee both the financial sustainability and strategic development of the institution.

Assessment per category⁴

Autonomy indicator	Situation for public universities	Assessment	Commonly found situation in European universities (in higher education systems analyzed in the EUA Autonomy Scorecard)
Funding cycle	Annually	Significant constraint for financial planning	Annual funding cycles are the norm in Europe but there is a trend towards multi-annual contracts to enhance financial planning capacity. In Europe the norm is that annual funding sustains both teaching and research activities.
Public funding modalities	Division in 3 categories (Development, Teaching, Scientific activities)		Line-item budgets are now extremely rare. Nevertheless, in many of the systems that use block grants, internal allocation possibilities continue to be limited by law. This ranges from a division into broad categories with no or limited possibility to shift funds between them to the earmarking of certain parts of the grant for specific purposes.
Ability to keep surplus on public funding	Available but the carry-over is limited to its originally intended use	This is a theoretical scenario as the funding situation does not allow to generate surpluses.	Restrictions regarding financial management remain rather stable; a majority of systems allow universities to borrow money under some conditions, and most often let universities keep surpluses.
Ability to borrow money	Possibility granted in the law	Reform is needed to make this possible (missing framework).	
Ability to own buildings	No	Barrier to autonomy	Most systems make it possible for universities to own buildings. There also continue to exist, intermediary models, where a (semi)-public agency owns university buildings. Only about a third of the systems where universities can own buildings actually allow them to sell real estate freely. Restrictions apply in all other cases, usually in the form of an external approval, or a notification to an external authority.

⁴ Green: autonomy enabler; yellow: significant constraints; red: important lack of autonomy

Tuition fees for BA students	Universities set the level under a ceiling set by an external authority	Strict constraint (ceiling: ALL 25,000/year)	The general rule remains that universities are seldom in a situation where they control tuition fees for the main Bachelor student population, with slightly more margin for maneuver at Master level. None of the systems surveyed introduced tuition fees at either level during the period considered.
Tuition fees to MA students	Universities are free to set fees	Autonomy enabler	
Tuition fees to PhD students	Universities are free to set fees	Autonomy enabler	
Tuition fees to foreign BA students	Universities set the level under a ceiling set by an external authority	No differentiation with domestic students: an opportunity for reform	Universities are typically granted more autonomy in setting tuition fees for international students. This particular part of the student population is discussed differently, with less emphasis on the social and societal dimensions. It is therefore rather rare that universities are not able to charge fees for these students (only Norway and the German states considered in the analysis). They are more often free to decide on fee levels (in 14 systems both at Bachelor and Master levels, compared to four systems at the Bachelor level and seven systems at Master level when looking at national/EU students).
Tuition fees to foreign MA students	Universities are free to set fees	Autonomy enabler	
Tuition fees to foreign PhD students	Universities are free to set fees	Autonomy enabler	

Public Universities vs Private Universities in regard to Organizational Autonomy

Public Universities	Private Universities
Lower and still highly dependent on the state budget	Higher

3. Academic autonomy

1- Admission

- Description of student admission process

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania", Article 74/1 and 2 has foreseen following basic criteria.

- "Admission to the study programs of the first cycle is possible for any candidate who has successfully completed secondary education cycle and meets the grade point average criteria defined each year by decision of the Council of Ministers".
- "Institutions of higher education can establish additional admission criteria for the selection of candidates, which are announced by institution of higher education and are put in disposal to the Center for Educational Services and ministry responsible for education". 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 institution of higher education where they apply.
- Admission to integrated study programs is possible for candidates who meet the criteria set out in item 1, of Article 74 of this law.
- Criteria for admission of candidates in second-cycle study programs are defined by the basic provider unit of the program (Department or Center). There is an exception to this rule for integrated study programs. The criteria are made public by the main unit (Faculty or institute) and CES (Center of Educational Services) and are approved According to the provisions in the statute of HEI.
- Admission criterion to a study program of the second cycle "Master of Science" is the mastery by the candidate of one of five foreign languages of the European Union: English, French, German, Italian, and Spanish. If the individual has earned a degree from a study program conducted in one of these languages, the degree obtained serves as evidence for meeting this criterion. The level of foreign language proficiency is determined by a by-legal act of the ministry responsible for higher education.

- Decision on an overall number of students

According to LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania", Article 69/3 a student admission quotas system is applied in Albanian universities.

Article 69/3 of the Law provides: "Admission of students to higher education institutions in all study programs is made by the decision of the institutions, in accordance with national standards, academic and the infrastructural capacities. These standards are verified and certified by the ministry responsible for education, before declaring the admission quotas for all higher education institutions."

Each university submits its quotas yearly for each study program, to be approved by the Ministry of Education. Upon an evaluation of the university's infrastructure and fulfillment of staff standards by the Ministry, a decision is taken on the proposed quotas. The process is based on the accomplishment of standards. A free admission system does not apply to Albanian higher education institutions.

- Capacity for universities to set selection criteria for students at Bachelor and Master levels

Every year, the universities send the admission criteria for each cycle and program to the Ministry. These criteria have to comply with the law and government acts in force. The Law has foreseen some common admission criteria such as:

- Grade Average
- For Bachelor degrees: completed high school education
- For Masters degrees: completed Bachelor's degree

The admission process for foreign students is the same as for Albanian students, with the addition that they must have completed the equivalent of the secondary education cycle diploma issued by Albanian institutions, as validated by the Center of Academic Services (QSHA).

2- Academic offer

- External Quality Assurance mechanisms and providers

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania", Articles 14/1, 2, and 3 established that:

1. "The Higher Education Quality Assurance Agency (ASCAL) is a public legal entity. It is responsible for quality assurance in higher education. ASCAL, through quality assurance mechanisms, accreditation, and other processes, monitors and evaluates the quality of the institution and of the programs offered. ASCAL supports its activity on its guidelines, on the Code of Quality in Higher Education, which is updated with the European quality standards and guidelines in the European Higher Education Area.
2. ASCAL carries out the evaluation process for the accreditation of higher education institutions and the study programs they offer, as well as the ongoing monitoring of their quality.
3. ASCAL cooperates with higher education institutions for the establishment and functioning of the internal quality assurance system. Also, the same law provides in Article 15/3: "The Board approves, at the request of the higher education institution, the conduct of external evaluations from one of the ENQA member agencies".

- Capacity to introduce degree programs

Introduction of new programs is regulated by the Law no. 80/2015 "On Higher Education and Research in the Institutions of the Higher Education in the Republic of Albania" and by two by-law documents, one issued by the Council of Ministers and the other by the Ministry of Education. In Albania, each new program must be approved by the Ministry, followed by accreditation at a later time. So, Article 35/1 provides that: "The opening of study programs, closure, as well as their reorganization to the extent of 20 percent of their content, expressed in credits, after a complete cycle of study, is approved by the minister responsible for education, on the basis of the request of the higher education institution, based on the assessment of necessities for skills in the labor market and in accordance with the provisions of this law."

Universities can propose new study programs every year based on their infrastructural and academic capacities and based on a market survey. This proposal is sent to the Ministry. The latter has the competence to confirm whether the program can be opened or not. At a later time, after the opening

and enrollment of the students, the accreditation of the study program follows. This procedure is valid for all study cycles.

- Process to close programs

According to the LAW no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania", Article 35/ 1 provides: "The opening of study programs, closure, as well as their reorganization to the extent of 20 percent of their content, expressed in credits, after a complete cycle of study, is approved by the minister responsible for education, on the basis of the request of the higher education institution, based on the assessment of necessities for skills in the labor market and in accordance with the provisions of this law."

The universities present a proposal with arguments for closing a study program to the Ministry of Education and the Ministry takes the decision. Article 35/7 of the Law has foreseen: Permission granted to open the new program of the study becomes invalid in cases where the higher education institution does not activate the study program within twenty-four months from issuing the opening order.

Termination of degree programs requires negotiation between universities and external authorities, as the closure needs to be approved by the Ministry.

- Choosing the language of instruction

According to the Law No. 80/2015 article 88/ 1 and 2 regulate this issue.

1. Study programs in institutions of higher education are typically offered in the Albanian language. These programs can be also offered in one of the official languages of the European Union, adopted in the relevant act of opening of a study program. Joint study programs offered in cooperation with foreign higher education institutions and study programs aimed at learning foreign languages are exempted from this rule.

2. In the case of study programs that are offered in a foreign language, students must prove mastery of the relevant foreign language in the level required to conduct tertiary studies, determined by the institution of higher education that offers the study program, based on the by-law document issued by the Ministry of Education, precisely from the Order of the Ministry of Education, Sports and Youth, no. 1 dated 14.01.2020 provides in Chapter IV, 3, v, on the procedures for opening a new study program that "in the case of a study program in a foreign language, the academic staff must have obtained at least one diploma of a study program in one of the cycles of university studies conducted in the language in which the study program will be developed, or to prove evidence for level C1 of knowledge of the respective language in which the program will be offered, certified through international tests, which are on the list approved by the Ministry of Education, Sports and Youth for admissions in the second and third cycle."

- Intervention of external authorities in the content of degree programs

According to the Law, no. 80/2015 "On the higher education and scientific research in higher education institutions in the Republic of Albania", Article 83/ 3 and 4 state that: "Second cycle study programs of the teaching field should contain 25 percent of credits on general psycho-pedagogical education." Also "Second cycle study programs, that prepare teachers of the same field of teaching education, must have at least 80 percent of the curriculum with similar content".

While the article 86, item 2 requires: Study programs of the same field of study, or cycles of study with the same title, must have at least 70 percent similar content.

Other ministerial acts provide for a specific scheme of the percentage of credits that the subjects must also have specific, elective subjects.

ASSESSMENT

The implemented admissions system makes universities the "recipients" of state-sponsored students, whom they do not recruit or select. The public authorities exercise strict control over academic matters by prescribing part of the content and percentages of the subjects of the academic programs and by imposing, in fact, in Albania the program is subject to the initial approval of the Ministry, instead, the first accreditation is done in a second moment. The initial approval of the study programs is one of the most problematic moments considering the high number of proposals rejected by the Ministry. This has meant that for many years Universities have been refused applications to open study programs for the third cycle (Ph.D.) and for many years these proposals have been refused. In this way, the universities have seen themselves without the possibility of carrying out scientific research within their own universities. There are no official statistics for the refused applications to open new study program

As far as the accreditation agencies are concerned, it seems that the only one to refer to is the Albanian one. ASCAL carries out the evaluation process for the accreditation of higher education institutions and the study programs they offer, as well as the ongoing monitoring of their quality. ASCAL is financed in a balanced way by the State Budget and the income generated by its activity. The accreditation board set up under ASCAL approves, at the request of the higher education institution, the performance of external evaluation by one of ENQA's member agencies.

The status of private universities regarding academic autonomy is the same as that of public universities. The law does not provide for differentiation in this aspect.

Assessment per category⁵

Autonomy indicator	Situation for public universities	Assessment	Commonly found situation in European universities (in higher education systems analyzed in the EUA Autonomy Scorecard)
Capacity to decide on overall number of students	Negotiation / quota system	The model is based on the assessment of the universities' capacities (academic & infrastructure)	Most countries impose some regulations on the overall number of students, and three basic models can be found. Roughly a quarter of systems operate on the basis of free admission for everyone holding the basic qualifications. However, pressures on this model continue to be tangible; in some systems the number of academic fields, where a numerous clauses applies, is increasing. At the opposite end of the spectrum, about a quarter of systems leave it to universities to decide on the number of study places, usually (but not systematically) also granting them control over admissions. In between those two models, half of the systems privilege mixed approaches, where there is a certain degree of negotiation or split in the decision-making competencies between universities and the state.
Student Selection	Fixed by external authority / additional criteria set by universities		The selection of students at the Bachelor level is carried out independently by the university in a minority of the surveyed countries (about a third), but it is common practice at Master level (two-thirds of cases).

⁵ Green: autonomy enabler; yellow: significant constraints; red: important lack of autonomy

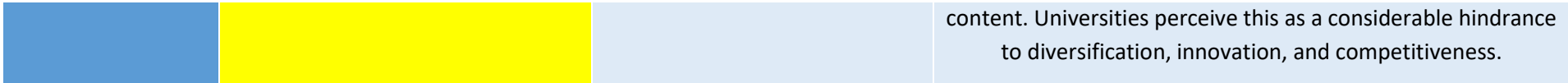


<p>Introduction of Degree Programs</p>	<p>Prior Ministry approval needed (in addition to institutional accreditation) followed by program accreditation</p>	<p>Autonomy barrier – reform needed (accumulation of processes)</p>	<p>The introduction of new degree programs usually requires some form of approval from a public authority. In approximately a quarter of the surveyed countries, universities are able to open Bachelor’s or Master’s degree programs without prior accreditation. It is only slightly more common at doctoral degree level. In most of the remaining systems, universities require prior accreditation for programs to be introduced or publicly funded. The practice of institutional external quality assurance is nevertheless expanding (no longer requiring program accreditation). Several systems maintain pre-determined academic profiles for their institutions, in the framework of which universities may introduce programs without requiring accreditation (Estonia, Finland, and Iceland).</p>
<p>Termination of Degree Programs</p>	<p>By external authority upon the proposal of the university</p>	<p>Accredited institutions should be fully competent to decide on the termination of programs.</p>	<p>Universities in most countries have full authority to close programs. Only in a small number of systems do they need to negotiate this with a public authority. There may nevertheless be requirements to provide students with adequate alternatives to continue their studies in the same academic field, whether in the institution or not.</p>
<p>Language of Instruction</p>	<p>No significant restriction for universities to decide on the language of instruction</p>		<p>In more than two-thirds of the countries studied, universities can choose the language of instruction. In the remaining countries, there are varying restrictions which are seen as a competitive disadvantage when trying to attract international students and staff. Only 2 systems (LV, and HR) do not provide public funds for programs taught in other languages.</p>

<p>Selection of QA Mechanisms</p>	<p>Both institutional and program accreditation are mandatory</p>	<p>Barrier to autonomy – reform needed (institutional accreditation should progressively reduce the need for program accreditation)</p>	<p>It is rare for universities to be able to select quality assurance mechanisms freely and according to their needs. This is the case only in the three German states included in the Scorecard update, as the law now allows universities to apply for institutional accreditation (referred to as ‘system accreditation’ in Germany). Institutions that successfully undergo system accreditation are able to accredit their own study program, although they may also retain program accreditation.</p> <p>There are however developments in a series of systems towards institutional external quality assurance, moving away from accreditation on a program basis.</p>
<p>Selection of QA Providers</p>	<p>Theoretically possible for universities to apply to other agencies than the national agency, but cost issue</p>	<p>Other agencies may be approached for external evaluations (ENQA member agencies) but the extra costs deter Albanian universities from doing so.</p>	<p>Just over a quarter of systems make it possible for universities to select quality assurance providers. They may also select an agency from another country. In Germany, universities may select agencies that have been accredited by the German Accreditation Council. In all other systems, universities are not able to choose a quality assurance agency. However, in a number of them, institutions may seek complementary, external quality assessments in addition to the mandatory accreditation/evaluation carried out by the national agency.</p>
<p>Design of Program Content</p>	<p>General regulations about the consistency of content across study programs with same titles</p>	<p>The restrictions are not considered a significant barrier to autonomy.</p>	<p>In a large majority of systems, universities are free to determine the content of degrees other than for the regulated professions, such as medicine. Exceptions include Latvia and Lithuania, where authorities continue to prescribe some</p>



Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.



Public Universities vs Private Universities in regard to Academic Autonomy

Public Universities	Private Universities
Same criteria apply	Same criteria apply

4. Staffing autonomy

1- Status of staff

- Description of the status for academic and for administrative staff in Albanian public universities
- Description of recruitment procedures (academic / administrative)

Based on the Article 3 and 64 of the Law 80/2015, “On Higher Education and Scientific Research”, aims to guarantee the autonomy of universities in relation to organization and selection of personnel by recognizing the right of Universities to determine the number of the personnel, the criteria, and procedures for its selection. This principle is also reiterated by the Statute of the University. The process of recruitment is carried out by the University. The criteria of employment are defined in general by the Statute and specified further by the departments in the call for employment (basic unit) based on its needs and approved by the rector.

The academic and administrative structure of the institutions, in general terms, is regulated by an Instruction of the Ministry of Education (Order 27, 2017). The Instruction details the provisions of the law, on administrative units/departments that should be included in the University (both the rectorate, faculties as main units, and departments as core units). Thus, the number of administrative staff recruited should be in line with the general structure as per the Instruction.

Administrative and Academic Structure of the Public Higher Institutions, Law on Higher Education, and the Statute; and in line with the structure approved by the Senate and transmitted for final approval of the Board of Administration. In line with the structure, the University shall start the procedures for the employment of administrative staff for the available positions.

Recruitment of academic staff and administrative staff is provided free of charge by the university based on the same criteria as the department or faculty that there is no confirmation required from an external authority.

- Description of salary-setting (academic/administrative)

The monthly salary for teaching at the universities is determined by the Decision of the Council of Ministers 268/2017 and is paid by the national budget, based on the Decision of the Council of Ministers. Even though Article 3/ç, of Law 80/2015, “On Higher Education and Scientific Research”, establishes that higher education institutions have the autonomy to independently determine the number of staff, the criteria, and procedures for their selection, as well as to determine staff salaries, in accordance with the form of the institution. The Academic staff may receive also other benefits defined by the Board of Administrators. Even if Law Article 67, gives the right to universities that for the categories of administrative staff and salary levels are approved by the Board of Administration, salary levels of the Administrative Staff are however regulated by the Decision of Council of Ministers 187/2017, which does not allow universities to have full financial autonomy.

Description of promotion and dismissal procedures

The main legal basis for the dismissal of academic staff is the Law on Higher Education and its bylaws, and in cases when such a specific legal basis does not regulate the procedure, the Labor Code may be used. The procedures are related to the specific status of the Academic Staff, based on the Law on Higher Education, and it is based on this law and the Status of the University. Administrative staff does

not have civil servant status. The administrators have a specific status on the basis of the Law on Higher Education and Scientific Research.

By the Decision of the Council of Ministers Nr. 329, dated 12.4.2017, academic staff is eligible for special status. Academic staff is not considered civil servants; however, their employment contract is for an indefinite period of time. It should be noted that the decision of the Council of Ministers on the status of academic staff includes only some aspects, leaving many legislative vacuums. (To give an example, there is no provision for the suspension of academic staff when they are subjected to a criminal investigation. The Constitution abides by the principle that no one is guilty unless convicted). The administrative staff has no specific status

ASSESSMENT

When considering all four dimensions of autonomy, public universities seem to have more capacity in staffing matters. Institutions can in principle act more independently at least in relation to the hiring, dismissal, and promotion processes. Nevertheless, a core enabler of autonomy in the staffing area is the availability of funding. Low levels of overall funding represent a practical barrier to real staffing autonomy, as universities cannot afford to use salaries as a tool for increasing institutional attractiveness.

Assessment per category⁶

Autonomy indicator	Situation for public universities	Assessment	Commonly found situation in European universities (in higher education systems analyzed in the EUA Autonomy Scorecard)
Academic Staff Recruitment	Internal matter to universities	Autonomy enabler	Significant differences in recruitment procedures across Europe, ranging from a large degree of independence in the recruitment of staff to formalized procedures that necessitate the approval of an external authority, in connection to civil servant status of staff in some systems.
Administrative Staff Recruitment			Overall, in Europe, the recruitment of senior academic staff continues to be a more regulated staff category than senior administrative staff.
Academic Staff Salaries	Salaries may be set by the universities under a ceiling set by function/title by external authority	In practice, universities would not have the possibility to afford higher salaries because of the underfunding situation.	Universities in Europe are generally not entirely free to set the salaries of their senior academic or administrative staff members. In over half of the systems, salaries are set or framed (via salary bands) by an external authority. These tend to correspond to countries where most senior university staff has civil servant status. Salaries of senior administrative staff are slightly less often regulated than for senior academic staff.
Administrative Staff Salaries			
Academic Staff Dismissal	Specific regulations apply for academic staff, but no specific regulation for administrative staff.	There is a need to assess more in-depth the restrictions associated with the status for academic staff.	Less than a third of analyzed systems do not include specific regulations for university staff dismissals, with again a slight difference between senior academic staff and senior administrative staff, the latter being less often subject to special rules.
Administrative Staff Dismissal			

⁶ Green: autonomy enabler; yellow: significant constraints; red: important lack of autonomy



Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.

Academic Staff promotion	Highly regulated, including criteria and committee outlined in the law.	Autonomy barrier	Universities can decide on promotion procedures for academic staff in less than half of the systems considered, and only barely more in the case of administrative staff. In most other countries, promotions are only possible when positions at a higher level exist, since there is still frequently a form of control over the overall number of publicly-funded posts by the state.
Administrative Staff Promotion			

Regarding the salaries of private universities (academic/administrative), unlike public universities, they are free to set their own salaries for academic and administrative staff.

Public Universities vs Private Universities in Regard to Staffing Autonomy

Public Universities	Private Universities
Qualification of staff and quantitative criteria	Same
Salaries are determined by the Decision of the Council of Ministers	Regarding the salaries of private universities (academic/administrative), unlike public universities, they are free to set their own salaries for academic and administrative staff.



Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.

Section 2: Challenges and opportunities

1. Organizational autonomy: Challenges / Areas for reform

Organizational autonomy: Opportunities to explore

Challenge	System-level	Institution-level	Indicate feasibility level ⁷ and timeframe
	Action proposed	Action proposed	
Modernizing selection of university leadership	Adapt selection procedure as indicated by the law with balanced committee and remove need for external validation	Develop criteria for Rector's appointment as adapted to institutional profile	Low priority Long term
	Allow universities to decide on selection criteria		
Modernization of governance bodies	Limit rules regarding size and composition of bodies to basic parameters	Develop internal guidelines clarifying the respective roles of the governing bodies and the roles of advisory bodies Develop guidance / induction material for external members	Medium priority Medium-term
	Board: Limit involvement of the Ministry and broaden the rules for inclusion of external partners to foster the participation of representatives of civil society and business in the board		

⁷ According to the following logic : 1 – short term ; 2 – medium term ; 3 – long term

2. Financial autonomy: Challenges / Areas for reform

Challenge	System-level	Institution-level	Indicate feasibility level ⁸ and timeframe
	Action proposed	Action proposed	
Inadequate funding modalities	Incorporate a small number of output-related criteria into the calculation of the block grant to incentivize performance	Get engaged in a dialogue on the selection of criteria to ensure fitness for the purpose	High priority Short term
	Permit universities to internally allocate block grants without restrictions	Develop financial planning and budgeting strategy, as well as principles, formula and sums available for internal allocation	High priority Short term
	Develop recurrent funding for research activities		High priority Short term
Restricted ability of universities to manage their own assets and financial affairs	Give universities full control over renting and selling property	Recruit or train staff to develop capacities	Medium priority Medium-term
	Provide funding for staff development in facility management		Medium priority Medium-term
	Permit universities to keep surpluses	Develop long-term planning for investment	Medium priority Medium-term
Lack of income diversification	Introduce tax incentives to encourage business investment	Draft guidelines for diversifying university income streams	<i>High priority</i> <i>Short term</i>
	Provide incentives to institutions to attract income from other sources (for example indicator in block grant)	Recruit or train staff to develop capacities for this	<i>High priority</i> <i>Short term</i>

Financial autonomy: Opportunities to explore

Capacity to borrow money	The capacity to borrow money enables universities to access additional funds for strategic investments, in particular for the development of infrastructure	In most European systems, universities may borrow funds (most often subject to restrictions). This possibility is usually connected to the ownership of buildings that can then serve as
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⁸ According to the following logic : 1 – short term ; 2 – medium term ; 3 – long term



Strengthening university autonomy and increasing accountability and transparency of Western Balkans Universities.

	(teaching facilities; research equipment; student accommodation).	collateral. Systems. Strategic borrowing also requires specific skills within the institutions to practically exploit opportunities related to borrowing.
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3. Academic autonomy: Challenges / Areas for reform

Challenges	System-level	Institution level	Indicate feasibility level ⁹ and timeframe
	Action proposed	Action proposed	
No influence of universities on student intake and selection	Negotiate overall student intake with universities	Take a more active role in student intake planning	Medium priority Medium-term
	Involve universities in state-sponsored student selection	Plan autonomous student selection processes	Medium priority Medium-term
Excessive Ministry control over academic affairs	Rely on strong institutional accreditation procedure (remove need for program accreditation)		High priority Short term
	Remove provisions prescribing mandatory study content in curricula and pass complete control to universities	Plan for transfer of increased responsibility over academic course planning Review content of study programs	High priority Short term
Limited scope for internationalization	Consider expanding public funding to cover English-taught programs		High priority Short term

⁹ According to the following logic : 1 – short term ; 2 – medium term ; 3 – long term



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Academic autonomy: Opportunities to explore

Capacity to select the Quality Assurance Agency	National universities can select the quality assurance agency to carry out the accreditation process and may contract with foreign EQAR-registered agencies.	According to EQAR, there are currently seven EQAR-registered foreign agencies operating in the country. The Institutional Evaluation Program (coordinated by EUA) is also registered in the country and has carried out an evaluation of one university.
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4. Staffing autonomy: Challenges / Areas for reform

Challenge	System-level	Institution-level	Indicate feasibility level ¹⁰ and timeframe
	Action proposed	Action proposed	
Enhance flexibility for strategic recruitment	Consider removing the student/staff ratio and taking a more qualitative approach	Develop strategic thematic portfolios of responsibilities for vice-rectors	Medium Medium
Modernization of Human Resources practices / excessive administrative burden on academic staff	Allocate targeted funding to develop Human Resources skills across the university sector	Draft tailored salary and promotion processes to incentivize staff development	Short Medium
		Recruit and train staff to develop capacities	Short medium
	Remove the three-year contract duration limit for academic staff from the law	Develop a strategic institutional staffing policy	
Limited ability to compete on salaries	Allow greater flexibility in salary setting		

¹⁰ According to the following logic : 1 – short term ; 2 – medium term ; 3 – long term

Staffing autonomy: Opportunities to explore

<p>Recruitment of senior staff</p>	<p>In principle universities have freedom to recruit senior staff according to their own rules. Reports that a faculty to student ratio applies nevertheless bring an important caveat (particularly considering the limited say universities have on determining the number of students they enroll). The use of student numbers as a basis for determining staff numbers has limited value, in particular for staff profiles less directly connected to student activity (for instance, emerging staff profiles including research support or innovative financial management) There is a possibility for universities to top up salaries on the basis of own funds. There is therefore potential for universities to compete for highly skilled staff.</p> <p>Nevertheless, low levels of funding can significantly harm the actual capacity of universities to attract and retain high-level staff.</p>	<p>Practice regarding staff recruitment and salary setting are particularly diverse in Europe. Civil servant status may be granted to (part of) the university staff in several systems.</p> <p>There are strong connections between staffing and financial autonomy. The lack of capacity to allocate funding internally in a strategic way prevents universities from exploiting the potential offered by a comparatively high level of staffing autonomy. The fact that universities receive only exceptionally public funding for English-taught programs is another hindrance. Finally, limited-time contracts of a maximum of 3 years undermine attractiveness and constitute an obstacle to sustainable career paths. As a result of these limitations, universities are unable to realize their potential in terms of international competitiveness because they are in a weaker position to compete with universities in other countries for academic staff.</p>
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INFO FROM EURYDICE:

2021

The new draft strategy on education

The new "Strategy on education" which is currently at draft version will include also higher education as a part of this strategy. In this way also higher education will have a strategic framework that is in line with changes that followed the adoption of law No. 80/2015 "On higher education and scientific research in higher education institutions in the Republic of Albania".

Information on the regulatory framework (Law 80/2015) and its latest amendments:

<http://arsimi.gov.al/wp-content/uploads/2019/08/P%C3%ABrmbledhje-e-legjislacionit-p%C3%ABr-arsimin-e-lart%C3%AB-23-shtator-2020.pdf>