

Pursuant to Article 36 of the Law on State Administration (Official Gazette of Montenegro 78/2018, 70/2021 and 52/2022), and in conjunction with Article 42 of the Law on Higher Education (Official Gazette of Montenegro 44/2014, 52/2014, 47/2015, 40/2016, 42/2017, 71/2017, 55/2018, 3/2019, 17/2019-other law, 47/2019, 72/2019, 74/2020, 104/2021 and 86/2022) and Article 18 of the Articles of Association of the Agency, the Agency for Control and Quality Assurance of Higher Education hereby adopts the

RULES
on the procedure for reaccreditation of higher education institution

Subject
Article 1

These Rules govern the procedure, manner and criteria for conducting the reaccreditation of higher education institution in Montenegro (hereinafter referred to as: institution).

Reaccreditation of institution
Article 2

Reaccreditation of institution is a process under which the quality of licensed higher education institution and accredited study programmes is verified.

Reaccreditation of institution and study programmes is based on the Self-evaluation Report of the institution, external evaluation procedure and the Institution Reaccreditation Report.

Reports referred to in paragraph 2 of this Article are prepared on the templates in line with the criteria that make an integral part of these Rules, set out by the Agency for Control and Quality Assurance of Higher Education (hereinafter referred to as: Agency) and published on its web page.

Criteria referred to in paragraph 3 of this Article arise from the Standards and guidelines for reaccreditation of higher education institutions, harmonized with the European standards and guidelines for quality assurance in the European Higher Education Area (hereinafter referred to as: European standards and guidelines).

Reaccreditation costs shall be borne by the institution in accordance with the law governing the area of administrative fees.

Plan of institutions reaccreditation
Article 3

By 30 June of the current year, the Agency publishes the reaccreditation plan for the next year on the notice board and on the official web page of the Agency. Apart from the plan, the institution can be reaccredited at the proposal of the competent Minister or at the request of authorized authority of the institution undergoing reaccreditation.

Procedure before the competent authority
Article 4

Provisions of the Law on Administrative Procedure apply in the institution reaccreditation procedure, unless these Rules govern otherwise.

Submitting the reaccreditation application

Article 5

The reaccreditation procedure is initiated by the institution by submitting the application.

The institution shall submit the application for reaccreditation (hereinafter referred to as: application) at least eight months before the expiry of accreditation, that is, of previous reaccreditation of institution.

The authorized authority of the institution submits the application to the Agency on a prescribed institution reaccreditation application form prescribed by the Agency, which makes an integral part of these Rules and is published on Agency's web page.

Along with the reaccreditation application, it is mandatory for the institution to submit the following:

- documents indicated in section C of the application form,
- filled in Self-evaluation Report form with evidence on meeting the criteria and
- certificate of payment of administrative fee.

The institution submits the reaccreditation application in hard copy and electronically (on USB within the envelope) in language in official use and in English language.

The institution reaccreditation procedure will end within six months following the submission of application, and in accordance with these Rules.

Review of completeness of reaccreditation application

Article 6

The Agency verifies the formal completeness and timeliness of the reaccreditation application within 7 days following the submission of application.

In case the application is incomplete or incomprehensible, that is, that not all of the required documents have been submitted, the Agency notifies the applicant in writing to remedy the observed deficiencies within eight days following the receipt of the notification.

If the applicant fails to remedy the observed deficiencies within the period referred to in paragraph 2 of this Article, the Agency shall reject the application by its Decision.

Self-evaluation

Article 7

The institution shall implement the self-evaluation procedure in a manner and under the criteria set out by the Self-evaluation Report form, which makes an integral part of these Rules.

During the self-evaluation procedure, the institution assesses the compliance of criteria with regard to the study programmes, teaching equipment, qualifications of academic staff, teaching method, student admission, percentage of students passing the exams, percentage of graduates and other.

The self-evaluation procedure has to end before the submission of the reaccreditation application.

After the procedure is closed, the institution submits to the Agency the Self-evaluation Report for the period of maximum five years, adopted by a competent authority of the institution that has to comprise all relevant data regarding the institution and the study programmes.

Reaccreditation Committee

Article 8

In the interest of establishing facts of significance for making the decision on reaccreditation application of institution, the Agency sets up the expert Committee for reaccreditation of institutions (hereinafter referred to as: Committee).

Members of the Committee are appointed by the Agency from a pool of experts set on the basis of the public call that is published on web page of the Agency.

Universities Reaccreditation Committee consists of minimum seven members and the other institutions Reaccreditation Committee of minimum five members.

At least five members of Universities Reaccreditation Committee, that is, three for the reaccreditation of other institutions, have to be university teachers with academic title or scientists from the scientific research institutions in scientific areas in which the study programmes are performed in institution under evaluation.

At least three members of the Universities Reaccreditation Committee, that is, two members for reaccreditation of other institutions, referred to in paragraph 4 of this Article, have to be employed at an international university or scientific institute.

One member of the Committee has to be a student of the final year of undergraduate studies, master studies or doctoral studies, who is elected based on the Agency's public call.

The student must not be studying in the institution under evaluation and has to be recognized by excellence and regular attendance of studies.

One member of the Committee may be an expert in the area of labour market, who is elected out of the pool of experts referred to in paragraph 2 of this Article.

Rights and duties of the Committee members

Article 9

A member of the Committee shall:

- analyse the filled in forms and documentation submitted by a Coordinator,
- notify the Coordinator of possible need for clarifications or additional documentation;
- visit the institution;
- keep notes during the discussion with representatives of the institution during the visit;
- participate in the training and meetings when invited by the Agency;
- participate in writing the institution Reaccreditation Report and assess the fulfilment of criteria;
- give recommendations for improvement of the quality of work of the institution;
- at the Agency's request, plead with regard to the institution's opinion on the institution Reaccreditation Report;
- if needed, correct the institution Reaccreditation Report in accordance with the institution's justified opinion and
- meet all of the given deadlines.

The Agency appoints one of the Committee members as Chairman of the Committee.

The Chairman of the Committee shall:

- be familiar with the quality assurance system in higher education in Montenegro,
- be familiar with European standards and guidelines;

- coordinate the Committee's work and determine precise assignments for other members of the Committee;
- chair the Committee meetings and manage electronic and other communication of the Committee members;
- propose to the Coordinator the replacement for the Committee member who performs his/her tasks unknowingly in accordance with these Rules;
- conduct meetings with managers of the institution undergoing assessment and study programmes being conducted in that institution;
- ensure the consistency of Reaccreditation Reports and
- integrate the final Report and deliver it to the Agency.

Chairman and members of the Committee shall participate in the Committee's work and knowingly perform the entrusted assignments.

Chairman, as well as the Committee members, shall be entitled to a fee in the amount determined by the Agency's director in accordance with appropriate regulation.

Conflict of interest

Article 10

Members of the Committee must not be in the conflict of interest. Members of the Committee are in the conflict of interest if:

- a) a member of the Committee is/was under an employment contract or any cooperation agreement or has for the last two years been under an employment contract or any other cooperation agreement with the institution under reaccreditation, or participates in a project the respective institution takes part in;
- b) a member of the Committee takes part or has in the last two years taken part in management, professional or advisory bodies of the institution under reaccreditation;
- c) a member of the Committee is a person related to the members of management bodies of the institution under reaccreditation, i.e. is a relative of the Committee member in a straight line and laterally to the second degree of kinship, is in-law up to the first degree of kinship, marital and extra marital spouse, adopter and adoptee;
- d) a member of the Committee studies in the institution under reaccreditation.

A member of the Committee cannot be employed in the institution he/she evaluates within three years following the completion of the reaccreditation procedure.

Before and after the Committee's visit to the institution there shall be no direct communication between the members of the Committee and the institution under reaccreditation.

Communication referred to in paragraph 3 of this Article shall be carried out by a Coordinator.

In case of any breach of the provision referred to in paragraph 3 of this Article, the member of the Committee shall notify the Coordinator thereof. Expert who has breached the provision referred to in paragraph 3 of this Article shall be excluded from the pool of experts.

Before, during and after the visit to the institution, the Committee members may not give or accept any gifts.

Members of the Committee sign the Confidentiality and Non-conflict of Interest Statement on a separate form which makes an integral part of these Rules.

Coordinator of the reaccreditation procedure

Article 11

For each procedure the Agency determines a Coordinator among the Agency's employees, who shall:

- check the completeness of the reaccreditation application in accordance with Article 6 and return it to the institution for amendments if needed;
- coordinate the Committee's work;
- suggest the composition of the Commission to the director of the Agency (hereinafter referred to as: Director) not later than within 5 days after the application becomes formally complete;
- carry out the tasks of written and verbal communication with the institution and members of the Committee;
- deliver to the Committee members the acts required for the implementation of the reaccreditation procedure;
- organize and conduct training of experts for working in the Committee;
- organize the visit to the institution with the predetermined protocol;
- check factual and structural correctness of the institution Reaccreditation Report;
- complete the documentation on reaccreditation of institution and
- coordinate the subsequent monitoring of implementation of recommendation from the institution Reaccreditation Report (follow-up).

After the Coordinator recognizes that the reaccreditation application is formally-legally accurate, Director appoints members of the Committee within 5 days following the submission of the Coordinator's proposal.

The Agency will submit the decision appointing the members of the Committee to the institution, for the purposes of providing the opinion.

The institution will submit the opinion regarding the decision on setting up the Committee within three days.

If the institution provides negative opinion and the Agency assesses it as justified, the Agency will appoint new Reaccreditation Committee.

Training of the Reaccreditation Committee

Article 12

Before the site visit, all members of the Committee shall undergo training regarding the proceedings, tasks, procedures and method of preparing the institution Reaccreditation Reports, evaluation, as well as European standards and guidelines and other issues relevant for the institution reaccreditation procedure.

Five days before the visit to the institution, the Committee shall submit a preliminary Report comprising the preliminary opinion concerning any standard (in accordance with the available documents) and the need for possible submission of additional information, data and documents required for making the objective opinion consolidated by a Coordinator.

One day before the site visit at the latest, the Coordinator sends the list of additional documentation the Committee will have insight in to the institution.

One day before the site visit at the latest, the Coordinator introduces the Committee members to the Plan of the visit and considers the preliminary Report.

The Committee establishes the facts of significance for making the decision on the application by reviewing the reaccreditation application, Self-evaluation Report including criteria and the site visit for the purposes of direct insight into its work.

Committee site visit Article 13

The Committee shall suggest the date of the site visit within 15 days following the receipt of the application, containing the affiliated documentation, for evaluation.

The Coordinator notifies the institution of the time of the visit 5 days following the receipt of the information by the Committee.

The visit to the institution has to be made within 60 days following the submission of the application with the affiliated documentation to the Committee for its evaluation.

The Coordinator submits the Plan of visit of the Committee to the institution at least seven days before the scheduled arrival.

Chairman of the Committee, in agreement with the members of the Committee, drafts the site visit plan, containing a clear protocol with the proposed date of the visit, time of the meetings, topics for discussion, as well as the relevant representatives of the institution the meeting is required with and submits it to the Coordinator not later than one day before sending the Plan to the institution.

The program of site visit, as a rule, includes:

- discussion with the management of institution;
- discussion with the persons in charge of the study programme;
- discussion with current students from different cycles or years and representatives of student organizations (if institution is about to be established, this activity can be completed in the subsequent verification of implementation of recommendations from the institution Reaccreditation Report);
- discussion with the representatives from the labour market who have the cooperation agreements signed with the institution;
- verification of existing documents of significance for the study programme, that is, for institution, and can be reviewed on the site;
- discussion with teaching and non-teaching staff and
- tour of the infrastructural and other material capacities required for the implementation of a study programme (classrooms, libraries, laboratories, computer laboratories, student services, etc.)

The site visits last for one day at least and can last longer at the proposal of the Committee.

In addition to the members of the Committee, Coordinator may also, if necessary, be accompanied by an Interpreter and Assistant Coordinator during the site visit.

Following the approval of the Director and the institution, independent observers may also participate in the site visit and sign the Confidentiality Statement.

The institution shall provide the Committee with all of the required data, free access and insight into the teaching process and Institution management process.

The institution shall provide the Committee with adequate premises for the scheduled meetings during the visit, Internet access and a room the Committee will use for their own meetings.

The site visit ends with the meeting with the management of the institution, in which the Chairman of the Committee informs the participants of his/her essential observations and evaluation.

Audio, visual and audio-visual recording without the knowledge and approval of the participants in the reaccreditation procedure is forbidden.

Institution Reaccreditation Report Article 14

The Committee makes a unique institution Reaccreditation Report.

The institution reaccreditation report is made on the basis of reaccreditation application, Self-evaluation Report and documents submitted by the institution, as well as on the basis of knowledge acquired during the site visit.

The Report is prepared on a template which makes an integral part of these Rules and mandatory contains recommendations for improvement.

Institution Reaccreditation Report particularly contains:

- assessment of fulfilment of criteria and comments to the fulfilment of each of the criteria within the standard;
- observed deficiencies in the work of the institution being reaccredited with the clarification and suggestions for their remedying;
- recommendations for improvement of the work of the institution being reaccredited and
- position of the Committee on reaccreditation of institution (hereinafter referred to as: reaccreditation position).

Reaccreditation position referred to in paragraph 4 indent 4 of this Article makes an integral part of the Reaccreditation Report and can be:

1. acceptance of the reaccreditation application for the period of maximum five years, with recommendations for improvement;
2. rejection of the reaccreditation application.

Reaccreditation Report of the Committee containing the reaccreditation position, signed by its members, shall be submitted to the Agency within 30 days following the site visit.

The Committee member who does not agree with the decision of its majority has to submit his/her opinion in writing, as an integral part of the institution Reaccreditation Report.

If any of the Committee's member wishes to add his/her review to the Reaccreditation Report, he/she will submit it as its integral part.

Coordinator reviews the institution Final Reaccreditation Report submitted by the Committee. If he/she establishes the Report needs to be upgraded, he/she shall electronically submit his/her suggestions for upgrading the Report to the Committee. The Committee shall, within 8 days, upgrade the Report and deliver it to the Agency together with its reaccreditation position.

The Agency shall submit the Reaccreditation Report containing the reaccreditation position to the institution so that it can provide its comments and suggestions within eight days.

The Agency shall pass the institution's declaration to the Committee within 3 days following its receipt.

The Committee shall respond to possible objections of the institution within seven days following the receipt of the declaration.

Decision on reaccreditation

Article 15

The Agency makes the decision on institution reaccreditation in the Reaccreditation Report, based on the proposal of the Committee for acceptance of the reaccreditation application.

The Agency shall make the decision rejecting the reaccreditation application based on the reaccreditation position of the Committee referred to in Article 14 paragraph 5 point 2.

The decision referred to in paragraph 1 and paragraph 2 of this Article the Agency passes within 8 days following the receipt of final reaccreditation report of the institution.

The Agency submits its decision and reaccreditation report to the institution.

Reaccreditation certificate

Article 16

Based on the decision on reaccreditation of institution, the Agency issues the reaccreditation certificate to the institution.

Reaccreditation certificate is issued for the period of five years maximum.

The Certificate is issued on a separate template which is established by a competent Ministry.

Additional monitoring of implementation of recommendations from the Report of the Committee (follow-up)

Article 17

The institution undergoing the reaccreditation procedure shall be subject to mandatory monitoring of work and implementation of recommendations from the Report of the Expert Committee (follow-up).

In accordance with the Committee recommendation, institution shall prepare and submit to the Agency the Action Plan for meeting the recommendations from the institution reaccreditation report within 90 days following the adoption of the reaccreditation decision.

The Action Plan referred to in paragraph 2 of this Article indicates executors for each of the proposed activities, time for implementation, measurable indicators and assets for checking the indicators regarding their implementation.

Additional monitoring of the institution's work and implementation of the recommendations from the institution reaccreditation report includes the period of two years following the date of submitting the Action Plan to the Agency.

Three months at the latest after expiry of the period included in the Action Plan, the institution submits the Action Plan Implementation Report to the Agency, in which it describes in details and documents supported with appropriate evidence and attachments the results of implemented activities, aimed at quality assurance.

The Report on additional monitoring of implementation of the recommendations from the institution reaccreditation report is prepared by the Committee.

Based on the Action Plan Implementation Report, the Committee within 30 days submits the Additional monitoring report to the Agency, providing in it the final evaluation regarding the fulfilment of recommendations from the institution reaccreditation report.

The Committee may propose to the institution additional recommendations for improving the quality of work within the range of implementation of recommendations that are the subject of additional follow-up, with deadline for their implementation.

The Institution shall present the Report and additional recommendations of the Committee within the follow-up procedure in the next reaccreditation procedure.

Publications of reports, decisions and register of reaccredited institutions
Article 18

Decision on institution reaccreditation and report on reaccreditation of institution are published on web page of the Agency.

The Register of reaccredited institutions in Montenegro is maintained by the Agency and is published on web page of the Agency.

Detailed contents and method of keeping the Register are established by the Agency.

Entry into force
Article 19

These Rules are published on web page of the Agency and apply as of the date of their publication.

On the date of publication of these Rules, the previous Rules (number 01-630/19-212/1 of 06.12.2019.) shall cease to exist.

Number: 01-607/23-409/1
Podgorica, 22.11.2023.

DIRECTOR
Goran Danilovic (signed)

Round seal of the Agency for Control and Quality Assurance of Higher Education