

Working Package 1**Mapping 3M activities in partner universities****Deliverable 1.3**

Study on legal limitations for developing 3M activities in Albania

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ALBANIAN UNIVERSITIES****Project No: 530243-TEMPUS-1-2012-1-ES-TEMPUS-SMHES**

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1 OVERVIEW OF THE NATIONAL HE AND RESEARCH SYSTEM

1.1 Basic characteristics of the HE system

1.1.1 General structure of the system

1. According to the Constitution higher education authorities that determine educational policy for tertiary education are the Government and Parliamentary Bodies. They formulate and pass laws and other regulations and execute other activities in the field of tertiary education envisaged by law. The Ministry of Education and Science and local or municipal authorities ensure that citizens requirements in the field of education are met. The State Administration's activities in tertiary education at national level are executed by the Ministry of Education and Science.

2. The competences of the Ministry of Education and Science include: the implementation of laws and other regulations approved by the Parliament and the Government; decisions on legal matters; management and professional supervision; passing of statutes, and other provisions. The Ministry issues regulations on the structure of institutional governance. It requires higher education institutions to develop a strategic plan and approves it.

3. Along with the Ministry of Education and Science, the Government executes the tasks of the State Administration. They decide on the establishment of post-secondary schools and universities and other higher education institutions, make the budget for higher education and orchestrate development issues in the field of education.

4. To ensure quality and comparability of qualifications, the organization of studies and general degree requirements have to conform to principles and regulations established by the Law of Higher Education and the State Quality Standards (Ministry of Education and Science, Orders Nr. 126, date 17.03.2011; Nr. 134, 135 and 136, date 21.03.2011.).

5. The Public Agency for the Accreditation of Higher Education and the Council of Accreditation are the responsible bodies for external quality assurance in both public and private higher education institutions. Higher Education Institutions can also involve foreign evaluation agencies, which are part of the ENQA.

6. Higher Education Institutions are either public or private institutions, recognized by the state. In their operations, including the organization of studies and the designation and award of degrees, they are both subject to higher education legislation. There are five types of higher education institutions: (1) university; (2) academy for specific fields such as arts, sports, public order and other professional fields; (3) School of higher education (Higher School); (4) inter-university centre; (5) professional college. Specifications for each type are

outlined in articles 4, 5, 6, and 7 of the law On Higher Education in the Republic of Albania.

The new Law on Higher Education No 9741, of 21 May 2007 and its amendments regulates the activities of universities and faculties, the establishment and work of the governing bodies, and methods of recruiting teaching staff, etc. The role of the university, its scope of work and basic work conditions and objectives are regulated by laws, while the overall organisation and activities are more closely defined by their statute.

7. The Law on Higher Education, amended by a new law no. 10 307, dated 22.07.2010, regulates the types of tertiary education programmes and qualifications according to the Bologna cycles. The programmes of study in private Higher Education Institutions are organized after the Albanian Higher Education system or another model, when it is offered by an institution, which awards diplomas of a foreign institution or equivalent to it. In this case, they should provide an evaluation in ECTS credits in order to facilitate the recognition of studies and transfer of students, which are to be made public in advance.

8. The following study cycles are included in the Albanian system with their respective degrees: (i) **Short cycle**: Professional studies (two year, 120 ECTS); (ii) **First cycle**: Bachelor study programmes (Bachelor degree, three years, 180 ECTS); (iii) **Second cycle**: (1) Master study programmes (Master of Science or Master of Arts, two year, 120 ECTS), (2) Professional Master programmes (Master of Professional Studies, 1,5 years, 60-90 ECTS), (3) Integrated study programmes of the second cycle mainly in human medicine (Program i Integruar i Ciklit të Dytë, 5-6 years, 300 ECTS); (iv) **Third cycle**: Doctorate study programmes and long term specializations in medicine (Doktoratura, PhD., three or more years, at least 60 ECTS in theory and methodology).

9. Each academic year is organised in two semesters. Each semester usually lasts for 15 weeks. The first semester starts in October, the second semester in March. In between there are winter exams, national and religious holidays and spring and autumn exams.

10. The State Matura Examination after 12 to 13 years of schooling allows for admission to all higher educational studies. Admission to higher education institutions of Art/Music may be based on other or require additional evidence demonstrating individual aptitude. Higher Education Institutions may in certain cases apply additional admission procedures.

1.1.2 Overall size of the system

11. Higher education is offered by 14 public higher education institutions (12 universities, and 2 academies the most recent being the Academy of Arts in the

city of Shkodra, which was opened in September 2012), 2 inter-university centres and 45 private higher education institutions (only 5 universities, the rest are colleges and schools of higher education) and faculties operating in Albania.

12. A total of 162 875 full-time and part-time students (excluding Ph.D. students) were enrolled in public and private higher education institutions (135 593 in public and 27 282 in private institutions) in the academic year 2012-13, with a total of 10 652 of full-time (6300) and part-time (4352) teaching staff.

1.1.3 General funding mechanisms

13. Albania is not a wealthy country, and spends less than 0.7 per cent (public and private expenditure) of its GDP on education/higher education, though the government has agreed a target of 1% of GDP on higher education by 2014–15, an increase of about 10% per year. The amount per student spend on higher education is about 74,000 ALL (though this depends on exactly what is included in the calculation) while the per capita GDP is 370,000 ALL – so the amount spent on higher education per student amounts to about 20% of per capita GDP.

14. The funding approach is traditional: universities negotiate their needs with the Government, and the Government to provide them with funding, based in part on what the universities say they need and in part on what Government can afford. In 2008 a funding formula was introduced. It was used only for one year and then abandoned. It contained too many input variables: like the qualifications and seniority of members of staff, separate calculations for non-teaching staff, and separate funding for goods and services and salaries. Therefore the present method for allocating funds is very much simpler, and is based only on student numbers in different subjects, to which relativities are based on normative staff: student ratios are applied.

15. There is a degree of cost sharing between students and the Government. The student fee ranges from \$150 to \$300 per year for first cycle students, or less than 20 per cent of the total cost of teaching. Universities receive a block grant (unconditional transfers), which they are free to spend as they decide following the law on financial management. Although the block grant is calculated in some detail, universities are not required to spend the money as they receive it. Universities may roll forward unused grant from one year to the next.

1.2 Basic characteristics of the research activity in Albania

1.2.1 Overall structure of R&D in Albania

16. Higher education institutions provide scientific research, studies, development projects and other innovative activities, according to their statutes

and their specific institution objectives. The research activities aim to assure the integration of the teaching and research processes. The objectives, themes and deadlines of research are defined by the HE institutions themselves, based on the country's need for development, on the programmes of scientific collaboration and financial resources available.

17. The HE institutions carry out research activities also with external stakeholders. Such activities may represent an additional source of income for the institutions concerned. The institutions require an annual report for the research activity. Research activities can also be linked with study programmes in the third or even second cycles. Public universities receive a separate budget for research activities from the Ministry of Education and Science.

18. Albanian Agency for Research and Innovation is the coordinating body for the national and international research projects. The funding comes from the government and ARTI only distributes it accordingly. ARTI is the responsible body aiming to build a modern system of science, strengthen of research and technology, as well as their integration inside the higher education system. ARTI facilitates the exchanging of knowledge, mutual activities and partnership within and outside the country.

1.2.2 Distribution of research activity between university- based and other types of research centres

19. Before 2005-6 there were independent research institutes responsible for fundamental and applied research and development attached to the Academy of Sciences of Albania (ASA). In 2006 the research institutes were detached from the Academy and were integrated into the Tirana universities. Research Institutes (RIs) belonging to line ministries were re-organised and twelve Technology Transfer Centres and Agencies were created, having as their main mission the transfer of technologies and knowledge with technical support to policy-making in the relevant field.

Table 1: Research funding through public funds (in ALL)

INSTITUTION	No. of Projects	Equipments	Study	TOTAL
AGRICULTURE UNIVERSITY OF TIRANA (OLIVE PROJECT)	1	33.000.000	600.000	33.600.000
POLYTECHNIC UNIVERSITY OF TIRANA	11	10.786.000	7.801.000	18.587.000
MINISTRY OF HELTH	1	17.595.000	472.000	18.067.000
UNIVERSITY OF TIRANA	11	6.027.000	9.490.000	15.517.000
CENTRE FOR ALBANOLOGY STUDY	2	0	10.500.000	10.500.000
AGRICULTURE UNIVERSITY OF TIRANA	12	120.000	7.725.000	7.845.000
Univ. "L.Gurakuqi" Shkodër	1	2.158.000	900.000	3.058.000
Studio "D-Tirana" (PRIVATE NGO)	1	690.000	2.310.000	3.000.000
BINDI, Shpk (LTD COMPANY)	1	0	2.885.000	2.885.000
Univ. "F. S. Noli" Korçë	1	1.530.000	1.324.000	2.854.000
ALBANIAN GEOLOGICAL SERVICE	2	460.000	1.640.000	2.100.000
FOUNDATION FOR FUTURE (PRIVATE NGO)	1	0	1.700.000	1.700.000
U.N.Y.T (PRIVATE UNIVERSITY)	1	312.000	1.284.000	1.596.000
INSTITUTE OF PUBLIC HEALTH	2	596.000	519.000	1.115.000
Univ. "I. Qemali" Vlorë	1	300.000	750.000	1.050.000
INSTITUTE OF FOOD AND VETERINARY SECURITY	1	0	800.000	800.000
Univ. "E.Çabej" Gjirokastër	1	54.000	306.000	360.000
T O T A L	51	73.628.000	51.006.000	124.634.000

20. The science system in Albania includes the higher education, scientific research, development and knowledge and technology (innovation) institutions. The activities are distributed in these institutions:

- a) **The higher schools** are academic research institutions, which, according to the higher education strategy (2008) ensure tertiary education, scientific research, development and transfer of knowledge and technology.
- b) **The national research centres** are research-oriented academic institutions whose mission is to carry out scientific research, to educate and deepen university education in the second and tertiary circle of studies, to develop and transfer knowledge and technology. The Albanology Study Centre has been established based on the re-organization of the Albanology Institutes of the Academy of Sciences.
- c) **Public Centres/Agencies of development and technology transfer** have the mission of carrying out studies and development projects and of transferring knowledge and technologies in the practice of product and service delivery. The following centres/agencies operate in the relevant line ministries: (1) six centres/agencies in the Ministry of Agriculture, Food and Customer Protection; (2) one agency in the Ministry of Environment, Forests and Water Administration; (3) one centre in the Ministry of Tourism, Culture, Youth and Sport; (4) two centres/agencies

in the Ministry of Economy, Trade and Energy; (5) two centres in the Ministry of Public Works, Transports and Telecommunication.

- d) **Centres/Agencies/institutes and other private entrepreneurships** dealing with research, development, technology and knowledge transfer fields. This chain of the system is still in its first steps of development in Albania, but the development trend is very positive. The development of private entrepreneurship in research, development, technology and knowledge transfer has, in all cases, been speedier than that of public institutions, because of the absence of stimulating financial mechanisms for researchers and genuine public institutional reform of the science system.

2 NATIONAL POLICIES, LEGAL FRAMEWORK AND FUNDING ON U3M ACTIVITIES

2.1 The legal framework supporting the development of U3M activities

21. The actual legal framework supports the development of U3M activities. The law Nr. 9741, date 21.05.2007 "On the Higher Education in the Republic of Albania" recognizes the academic, human resources policy, administration and financial autonomy to the public universities.

22. According to the law Article Nr. 2 "The mission of the higher education is

- i. to establish, transmit, develop, and protect knowledge through instruction, scientific research and services; develop and further advance arts, physical fitness and sports; develop and prepare highly qualified specialists and young scientists;
- ii. *to offer possibilities to benefit from a life-long higher education;*
- iii. to sustain the economic development at national and regional level;
- iv. to contribute in increasing democracy standards and developing the society and its youth."

23. Article Nr. 5/3 states that "[u]niversities conduct applied and scientific researches, and creative activities, offer services in compliance with their mission, support and sustain the professional development of their academic staff. Any university, depending on the mission and its main role identified in its statute, retains an appropriate ratio between education, research and other services. "

24. Also Article Nr. 8/4 provides the possibility for universities to establish colleges of vocational trainings: "Colleges of Vocational Training are entitled to

affixing their activities to Universities, Academies or other schools of higher education. In this case, their organizational structure is similar to the relevant faculties.”

25. Article Nr. 30/4 states “Institutions of Higher Education offer training education programs. Such programs are a form of life-long learning, aiming at training, qualification, completion, updating and intensification of knowledge. They may also be advanced research training. The life-long training education programs help the individuals to enhance their qualifications and to develop their professional skills.”

2.2 National policy on third mission activities at universities and the mechanisms of implementation

26. The Strategy for Higher Education notes that the current system of public universities is too homogeneous, with all universities being treated in the same way and all trying to do the same things. In future, the Government expects universities outside Tirana (public or private) to adopt a mission that focuses more on the explicit needs of their region.

27. With the stronger applied focus on the needs of their region, **research and development** activities within the universities outside Tirana will be more at the ‘development’ end of the spectrum – rather than scientific ‘research’. The Government expects each of these universities to develop themselves so that they also operate as a form of ‘Regional Development Centre’ to help with the development requirements of their locality, for example arranging short executive courses for local enterprises. This does not necessarily mean they should set up a new unit for the task, but it does mean that each university should have a mechanism that actively encourages such work, through dialogues both within the university and with the wider community outside. The MoES will set up a ‘Strategic Development Fund’ to fund accepted bids from universities to help them in establishing Regional Development Centres.

28. **Regional Development Centres (RDC).** This Fund will be available to public universities to help with the costs of developing their capacity to act as a RDC for their region. As well as the costs of any external advice, the Fund could also be used to help with start up costs, including establishing ways to interact with local communities and local economy, and setting up internal arrangements to encourage the involvement of academic staff (both through a changed orientation in their teaching and/or by undertaking developmental research of direct local value). Universities would need to submit reasoned and budgeted proposal bids to the Fund. The Fund will have a life of three years.

2.2.1 U3M activities in the agenda on innovation

29. U3M activities are included in the agenda of research and innovation. Orientation of research is normally done through a number of national research programmes that target fields selected as a priority due to their socio-economic relevance.

30. Albania's National Strategy of Science and Innovation underlines the importance of modernising economic sectors such the agro-food industry and tourism, as well as the strategic importance of energy, environmental and water resource management. Proposals for prioritisation in fields of research have been made by the stakeholders of the research system in areas such as agriculture and food, information and communication technologies, public health, Albanology and humanities, natural resources, biotechnology, biodiversity, defence and security.

31. One of the main goals to be achieved within the framework of the national strategy of science by 2015 is the establishment of **four or five Albanian Centres of Excellence in Science** including dedicated laboratory equipment or workspaces that could be used for new technology based firms (pre-incubation, testing, certification, etc.).

32. Another goal is to **increase innovation activity in 100 companies** (this figure was to be revised once the results from the first business RTDI survey were published) through investment in R&D through own laboratories, or via consortia with the academic RIs or in partnership with foreign partners.

33. **National Technology Programme** aimed at bringing together consortia of academic research institutes with the private sector or other public sector organisations (e.g. water or energy utilities) in order to develop a medium-term programme of applied research with a social or economic impact. The aim would be to launch at least one such programme in the period 2010–2015 and two or three more by 2020. For this reason it is important that government set up a special fund in order to stimulate companies in the fields of research and innovation.

2.2.2 Specific national policy for knowledge transfer and practice

34. There is a specific national policy for knowledge transfer, which encourages enterprises and universities to put into practice expressed in the National Strategy for Development and Integration 2007-12 and Strategy of Technology and Innovation in Business. The goal is to develop and implement policies that affect the dynamic and sustainable growth of SMEs, industry and mining sector.

35. The focus of the strategy is enhancing the competitiveness of entrepreneurship & non-food industry sector. Its vision is the "Development of a dynamic entrepreneurship and a productive industry, able to respond to the

challenges of development and integration, regional and global competition”. Its primary objectives are the (1) Continuous improvement of business and investment climate, reducing administrative barriers and business costs; (2) Development of a productive industrial and mining sector, capable of processing raw materials in the country and increasing the added value through investments and application of new technologies, clean production, increased professionalism and employment, which stimulates creation of a competitive industry; (3) Creating a partnership between government and business regarding the needs for improved technology, innovation and ability to prepare "skilled workforce". (4) Creation of an competitive and dynamic industry, foreign investment, growth and diversification of exports, and stimulating the creation of new businesses.

36. The two main responsible bodies for the technology transfer are ARTI and BRIC (Qendër Ndërmjetësimi dhe Inovacioni për Bizneset). BRIC is under the auspices of the strategies implemented by the Ministry of Economy and Energy and Albinvest (Albanian Agency for Business and Investment).

2.3 Other policy instruments at national level to develop third mission activities

37. There are no other policy instrument at national level designed to encourage universities and enterprises to develop third mission activities.

2.4 Barriers presented to universities and/or enterprises to develop U3M activities

38. In general there are no national policies or legal restrictions for universities and enterprises to develop U3M activities.

39. Concerning the hiring of academic staff there are no restrictions. Article 47/48/49 of the law on the higher education provides total authority to the universities, but article 50 sets a floor for the teaching load and gives the Minister the authority to issue a decree (nr. 20, 09.05.2008 “On the academic activity of the academic personnel”) to regulate the teaching and research activity of the academic personnel.

40. According to article 78 of the law on HEI “Public institutions of Higher Education are entitled to elaborating and approving of their own annual budget as rectorate, faculties, departments, research centres and other entities equal to these, in compliance with their own statute and regulation. All these entities are autonomous in the administration of their budget in compliance with laws and bylaws acts in force.” But universities have to comply with the law on financial management (Law nr. nr.10 296, date 8.7. 2010 “On the financial management and audit”).

2.5 Systematised national information on the different types of U3M activities

41. There is no systematized national information on the different types U3M activities.

3 INSTITUTIONAL POLICIES TO PROMOTE U3M

3.1 University-Enterprise partnership

42. Some public universities have included in their strategy and implemented business relationships with enterprises, but these activities are very limited in scope and in time. For instance University of Durrës, University of Tirana, Agricultural University of Tirana and Polytechnic University of Tirana have developed long- and short-term collaboration with enterprises like the National Bank of Commerce, Intesa San Paolo Bank, or different private or public research laboratories.

3.2 Internal and external accountability mechanisms including the development of U3M's activities

43. Universities do not have in their internal accountability mechanism that includes the development of U3M activities, because such internal accountability measures don't exist.

44. The Accreditation Public Agency for Higher Education provides in the standards for the accreditation the evaluation of the university involvement in the community and the development of U3M activities. However the evaluation on this matter is not essential or prerequisite for the accreditation.