



CLASS: 025-05/23-02/01
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Zagreb, 4 April 2023

Pursuant to the provisions of Article 16 Paragraph 8 of the Act on Quality Assurance in Higher Education and Science (*Official Gazette* 151/22) and the provisions of the Article 32, Paragraph 1, Subparagraph 14 of the Statute of the Agency for Science and Higher Education (CLASS: 003-05/13-01/0001; REF.NO.: 355-01-23-29), following a proposal of the Director of the Agency for Science and Higher Education, assoc. prof. Danijela Horvatek Tomić, PhD, on 3 April 2023 the Accreditation Council electronically adopted the following

ORDINANCE ON IMPLEMENTATION OF ACCREDITATION OF JOINT STUDIES OF DOMESTIC AND/OR FOREIGN HIGHER EDUCATION INSTITUTION(S)

I. GENERAL PROVISIONS

Article 1

(1) This Ordinance on Implementation of Accreditation Procedure of Joint Studies of Domestic and/or Foreign Higher Education Institution(s) (hereinafter: Ordinance) shall govern the implementation of the procedure for accreditation of joint studies of at least one domestic and one foreign higher education institution (hereinafter: Joint Studies).

(2) This Ordinance contains provisions aligned with the following acts:

- **Act on Quality Assurance in Higher Education and Science** (*Official Gazette* 151/22) (hereinafter: the Act),
- **European Approach to Quality Assurance of Joint Studies** (hereinafter: A European Approach) adopted by the Ministers of the European Higher Education Area at the Yerevan conference on 14–15 May 2015, and
- **Standards and Guidelines for Quality Assurance in the European Higher Education Area** (ESG) (hereinafter: ESG), adopted by the Ministers of the European Higher Education Area at the Yerevan Conference on 14–15 May 2015.

(3) Higher education institutions participating in the delivery of joint studies (hereinafter: Consortium) jointly select the agency to conduct the accreditation procedure for the joint study, which must be registered in the European Quality Assurance Register for Higher Education (EQAR) (hereinafter: EQAR).



(4) In the case of joint studies which must meet the minimum qualification requirements for professions covered by the EU Directive 2005/36/EC, the European Commission must be notified about the programme by a competent body of one of the Member States of the European Union. The partners in the Consortium must take this into consideration when selecting the agency to conduct the accreditation.

(5) In the process of accreditation of a joint study, the **Quality Standards in the Procedure for Accreditation of Joint Studies** shall be applied, which are adopted by the Agency and published on its website.

(6) If the Consortium selects the Agency for Science and Higher Education (hereinafter: the Agency) for the process of accreditation of a joint study, the Agency shall charge a fee, following a decision of the Management Board of the Agency which sets the fee for such a procedure.

Article 2

The terms used in this Ordinance which have a gender meaning shall be used neutrally and shall refer equally to the male and female sex.

II. PROCEDURE OF ACCREDITATION OF THE JOINT STUDY CONDUCTED BY THE AGENCY

1. Initiation of the process of initial accreditation of studies

Article 3

(1) The procedure of accreditation of a joint study shall be initiated following a request of the Consortium. The application shall be submitted to the Agency.

(2) In addition to the application, the Consortium shall submit:

1. **Self-Evaluation Report**,
2. **Contract** between all the partners in the Consortium.

(3) In the process of accreditation of joint studies, the Agency shall establish cooperation with the national competent bodies, i.e. the quality assurance agencies in the countries of each higher education institution participating in the Consortium.

(4) The Consortium is obliged to inform the Agency of any changes in composition of the Consortium that occur during the implementation of accreditation procedure of the joint study, or during the follow-up process.



2. Self-Evaluation Report (ESG 2.3)

Article 4

(1) Self-Evaluation Report for the purposes of accreditation of the joint study shall be drawn up on the form set out in **Annex 1** to this Ordinance and shall form an integral part thereof.

(2) The Consortium is obliged to demonstrate compliance with each quality standard in order for the Expert Panel to have sufficient information to issue an opinion, that is to say, it shall demonstrate that the joint study complies with each quality standard, and shall provide the evidence referred to in the Self-Evaluation Report for this purpose.

(3) For the purpose of demonstrating compliance with the quality standards referred to in Paragraph 2 of this Article, the Consortium shall, *inter alia*, enclose the following documents to the Self-Evaluation Report:

1. a proposal of the study programme, to which the Article 15, Paragraph 3, shall apply accordingly;
2. employment contracts with the teaching staff, or evidence of other cooperation with the teaching staff;
3. evidence of disposal of facilities and equipment for implementation of the joint study;
4. evidence of financial resources for implementation of the joint study.

(4) Self-Evaluation Report must also contain:

– **information on the national frameworks of each partner participating in the Consortium** that will be useful for the agencies and members of the Expert Panel to understand the context, notably the positioning of the programme within the national higher education systems; and

– **a justification of 'jointness'** that distinguishes the joint study programme from others, as a joint venture between higher education institutions from several national higher education systems.

3. Contract between all Consortium partners

Article 5

(1) The contract between all the partners in the Consortium shall specify the organisation, implementation, completion, venue of implementation, holder and method of issuing the final document of the joint study, and the holder of the procedure of accreditation of the joint study.

(2) The contract referred to in Paragraph 1 of this Article must contain, *inter alia*, explicitly:

1. the title obtained at the end of the study;
2. the manner of cooperation and the responsibilities of the partners involved in organisation and financial management (including financing, sharing of costs and revenue from the joint study);



3. the methods of student enrolment, and a description of the enrolment process;
4. the manner of regulation of mobility of students and teachers;
5. regulations on evaluation of student knowledge, methods of student evaluation, credit recognition, and graduation within the Consortium.

4. Expert Panel (ESG 2.3 and 2.4)

Article 6

- (1) In the process of accreditation of the joint study, the Accreditation Council shall appoint an Expert Panel composed of **at least four members**, three of which shall be teachers, and one a student. If necessary, an additional member shall be appointed, who is from the economic sector or from an activity which is closely linked to the evaluated joint study.
- (2) The Expert Panel shall be composed in such a way as to ensure knowledge of the higher education systems of the Consortium partners, as well as the language(s) of the classes.
- (3) If the joint study programme belongs to the field of a regulated profession, at least one member of the Expert Panel shall be an expert in the regulated profession, for which the qualifications shall be earned upon completion of the joint study.
- (4) The members of the Expert Panel must be from at least two of the countries involved in the Consortium.
- (5) The Accreditation Council shall, where appropriate, appoint a higher number of members to the Expert Panel.
- (6) Prior to the visit, the Agency shall organise a training session for members of the Expert Panel, informing them on particularities of the procedure, their role in the procedure, and deadlines.
- (7) The members of the Expert Panel shall have the right to remuneration in accordance with the general acts of the Agency.
- (8) The work of the Expert Panel shall be supported by a staff member of the Agency as a coordinator and, if necessary, an interpreter.



5. Conflict of interest and data confidentiality (ESG 2.4)

Article 7

- (1) Members of the Expert Panel shall be free from any conflict of interest.
- (2) A conflict of interest exists if:
1. a member of the Expert Panel signs an employment contract, or another cooperation contract with one of the partners in the Consortium, or has signed such a contract in the last three years;
 2. a member of the Expert Panel participates in a project of one of the partners in the Consortium, or has participated in such a project in the last three years;
 3. a member of the Expert Panel participates in the governing, professional, or advisory bodies of one of the partners in the Consortium, or has participated in one in the last three years;
 4. a member of the Expert Panel is personally linked to the head, i.e. the persons who perform managerial functions in a Consortium partner;
 5. a member of the Expert Panel studies at the Consortium partner, or has completed a study at a Consortium partner;
 6. a member of the Expert Panel is in legal proceedings against the Consortium partner.
- (3) A conflict of interest also exists where the aforementioned relationships include close family members of a member of the Expert Panel (spouse or non-marital partner, direct blood relatives, siblings, and adoptive partner).
- (4) The Expert Panel members shall maintain confidentiality of information they have acquired during the process of accreditation of the joint study.
- (5) All members of the Expert Panel shall sign a Declaration of confidentiality, and an Avoidance of conflict of interest.

6. Objection to the appointment of Expert Panel members

Article 8

- (1) Upon appointment of the Expert Panel members, the Agency shall deliver the Decision on appointment of the Expert Panel members to the Consortium, which shall have the right to object to the appointment of the Expert Panel members within 7 days from receipt of the Decision.
- (2) In this occasion, the Accreditation Council shall examine the objection and, if it considers it justified, appoint a new Expert Panel member.



7. Expert Panel visit (ESG 2.3)

Article 9

(1) The Expert Panel visit is carried out in a virtual environment (online), in a hybrid format (partly online, and partly by visiting the venue of the study), or by visiting the venue of the study (on-site).

(2) The Expert Panel, in agreement with the Consortium, shall visit one or more venues for the joint study, but shall consider implementation of the joint study and additional content at all venues.

(3) The Expert Panel visit shall take place according to a pre-defined protocol submitted to the Consortium prior to the procedure. Mandatory parts of the visit protocol are: meetings with representatives of all collaborative higher education institutions – partners (including the higher education institutions' administrations and the persons responsible for the joint study programme, representatives of teaching staff, students, etc.), venue visits (classrooms, libraries, laboratories, student administration office, IT classrooms, worksites), meeting with representatives of employers, businesspersons, business associates, and, where applicable, alumni and non-teaching staff. If necessary, the representatives of civil society and/or professional associations shall be invited to a meeting with the Expert Panel.

(4) If the Expert Panel is to visit the venue of the studies, the Consortium is obliged to provide an adequate venue for all meetings scheduled in the protocol, Internet access (Wi-Fi), and the space to be used by the Expert Panel for its meetings, breaks, or disposal of their personal belongings (locked).

(5) The Consortium is required to provide the Expert Panel with documents governing its activities (e.g. ordinals, agreements, copies of employment contracts for employees, and their registration with the health and retirement insurance, copies of contracts for external collaborators, copies of advancement in academic ranks for teachers and collaborators, where applicable, etc.), as well as examples of student evaluation.

(6) The Expert Panel members shall be independent in their work, and shall not represent their parent institutions. When participating in the process of accreditation of a joint study, members of the Expert Panel shall be guided by the principle of impartiality and objectivity.

(7) The Expert Panel members shall be prohibited, during the process of accreditation of the joint study, to offer or accept gifts from the Consortium, or from any partners participating in the Consortium.

(8) The Expert Panel visit ends with a meeting with the management of the Consortium, where the Expert Panel shall inform participants of the evaluation observations. Time for discussion about these observations is not predicted at this meeting. The Expert Panel shall not give the administration their opinion on the outcome of the procedure in question.



8. Report (ESG 2.3 and 2.6)

Article 10

- (1) After the visit, the Expert Panel shall create a report.
- (2) The Expert Panel shall submit the report using the form found in **Annex 2** of this Ordinance, and shall constitute an integral part thereof.
- (3) The report shall be submitted to the Agency within 30 days from the end of the visit.
- (4) The report shall contain relevant evidence, analyses, and conclusions, with regard to Quality Standards, recommendations for further development of the joint study, and a final recommendation on the outcome of the conducted procedure.
- (5) The conclusions of the Expert Panel and recommendations for further development of the joint study shall explicitly address the specific features of the joint programme.

9. Manner of evaluation according to the Quality Standards and final recommendations of the Expert Panel

Article 11

- (1) Considering the descriptions of the individual standards, the Expert Panel shall, based on the gathered evidence and available indicators, evaluate each standard. The ratings are at the level of standards: *not met*, *partially met* and *met*.
- (2) The rating '**met**' entails that the study is fully or mostly aligned with the standard. The rating '**partially met**' entails that the study is aligned with some elements of the standard, but not with others. The rating '*partially met*' can also be given when the standard is met, but the manner of its implementation is not effective enough, thus certain improvements are proposed. The rating '**not met**' entails that the study does not meet the standard. A standard is deemed not to have been met if one of the criteria, or conditions laid down by other legislative acts applicable to that profession, is not met (for example, conditions related to regulated professions). A standard is also deemed not to have been met if elements of the standard are not met to the greatest extent.
- (3) When adopting the final recommendation for the outcome of the conducted procedure, the Expert Panel shall be guided by the following rules:
 - if any of the standards is evaluated with the ranking *not met*, the Expert Panel shall give the final recommendation that the study programme shall not be accepted, i.e. that the negative opinion be issued.
 - if all or most of the standards are evaluated by the rating *met* or *partially met*, and no standard is evaluated with the rating *not met*, the Expert Panel shall give the final recommendation that the study programme should be accepted, i.e. that a positive opinion be issued.



10. Comments of the Consortium to the Report of the Expert Panel

Article 12

- (1) The Consortium shall have the right to comment on the report of the Expert Panel within 15 days from the date of receipt of the Report.
- (2) The comments referred to in Paragraph 1 of this Article shall relate to the request for rectification of purely factual inaccuracies or obvious errors in the report of the Expert Panel, and shall be submitted in the form found in **Annex 3** of this Ordinance, and shall form an integral part thereof.
- (3) The Agency shall submit the observations of the Consortium to the Expert Panel, which shall rectify the report in so far as it considers justified and, within 15 days, submit the final report to the Agency. In this case, the final report shall be submitted to the Consortium to take note of.
- (4) If the Consortium does not respond to the report within the proscribed deadline, the report shall be considered final.

11. Proposal of the Accreditation Council (ESG 2.5)

Article 13

- (1) The final report of the Expert Panel in the process of accreditation of the joint study shall be submitted to the Accreditation Council of the Agency, which shall make a reasoned proposal on the granting of licence to conduct the joint study.
- (2) The Accreditation Council may, where it considers necessary, ask the Expert Panel to attend the session and provide the necessary clarifications.

12. The Consortium's complaint to the proposal of the Accreditation Council (ESG 2.7)

Article 14

- (1) The proposal of the Accreditation Council shall be sent to the Consortium, which shall have the right to object within 30 days from the date of receipt of the proposal.
- (2) The complaint must be reasoned and accompanied by relevant evidence.
- (3) The Complaints Committee shall examine the merits of the complaint and shall comment on all the allegations laid out in the complaint within 15 days from the date of receipt of the complaint.



13. Decision on the licence (ESG 2.5 and 2.7)

Article 15

(1) On the basis of a reasoned proposal of the Accreditation Council and the observations of the Complaints Commission, if an objection has been raised, the Agency shall decide on granting the licence by way of:

1. Issuing the licence, or
2. Refusal to grant the licence.

(2) The decision referred to in Paragraph 1 of this Article shall be adopted no later than 30 days from the date of receipt of the reasoned proposal, or of the observations of the Complaints Commission.

(3) The Agency's decision referred to in Paragraph 1 of this Article shall not be subject to appeal, but it is possible to initiate an administrative case litigation.

14. Follow-up (ESG 2.3)

Article 16

(1) The decision granting the licence shall also determine the follow-up procedure on the implementation of the joint study, to be conducted by the Follow-up Committee.

(2) The follow-up procedure shall assess the fulfilment of conditions (if any) and/or evaluate **enforcement of the Expert Panel's recommendations**.

(3) The follow-up procedure shall include the submission of an action plan for quality improvement of the joint study, in line with the recommendations of the Expert Panel, and reporting on the implementation of the action plan.

(4) The Follow-up Committee shall provide the Accreditation Council with its opinion on the adoption or non-adoption of the action plan, and shall report on the implementation of the action plan.

(5) The opinion shall be considered at the session of the Accreditation Council and, once adopted, shall be delivered to the Consortium.

15. Public

Article 17

The final report, the observations of the Consortium, and the decision granting the licence to implement the joint study or rejecting the application for licence shall be publicly available, and shall be published on the Agency's website in Croatian and English.



16. Feedback

Article 18

Upon completion of the accreditation process of the joint study, the coordinator shall collect feedback from the Consortium and the members of the Expert Panel through a questionnaire. The collected information shall be gathered for the purpose of improving the work of the Agency.

III. ACCREDITATION PROCESS OF A JOINT STUDY CARRIED OUT BY ANOTHER QUALITY ASSURANCE AGENCY ENROLLED IN THE EQAR

Article 19

(1) The Consortium (in which the Croatian higher education institution participates as a partner) may select another quality assurance agency enrolled in the EQAR to conduct the accreditation procedure of the joint study.

(2) If the higher education institutions referred to in Paragraph 1 of this Article choose another agency enrolled in the EQAR, the domestic higher education institution shall, after completing the accreditation procedure, provide the Agency with a report on the conducted procedure and the accreditation decision.

(3) If the decision of the other agency is positive, the Agency shall issue a decision on recognition of the decision of the other agency, and a decision on the licence to execute the joint study.

(4) The licence of the joint study referred to in Paragraph 3 of this Article shall be issued for a period of five years.

(5) The decision referred to in Paragraph 3 of this Article shall not be subject to appeal, but it is possible to initiate an administrative case litigation.

IV. TRANSITIONAL AND FINAL PROVISIONS

Article 20

(1) The joint study shall be entered in the Register of Study Programmes managed by the Ministry of Science and Education, and the Agency shall submit the decision on the licence to conduct the joint study to the Ministry of Science and Education.



(2) The external evaluation procedures of joint studies initiated before entry into force of this Ordinance shall be completed in accordance with provisions of the Procedure for External Evaluation of Joint Studies (CLASS: 030-02/20-02/0047; REF.NO.: 355-01-20-0001, 15 December 2020).

(3) The Procedure for External Evaluation of Joint Studies (CLASS: 030-02/20-02/0047; REF.NO.: 355-01-20-0001, 15 December 2020) shall expire as of the entry into force of this Ordinance.

(4) This Ordinance shall be published on the Agency's website and shall enter into force on the day of its publication.



President of the Accreditation Council

prof. dr. sc. Sonja Vila

ANNEX 1. – FORM FOR THE SELF-EVALUATION REPORT

ANNEX 2. – FORM FOR THE EXPERT PANEL REPORT

**ANNEX 3. – FORM FOR THE CONSORTIUM'S OBSERVATIONS ON THE
REPORT OF THE EXPERT PANEL**

