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Zagreb, April 11, 2025

Pursuant to the provisions of Article 31 Paragraph 2 Item 8 of the Act on Quality Assurance in Higher Education and Science (Official Gazette, 151/22) and provisions of Article 32 Paragraph 1 Sub-paragraph 15 of the Statute of the Agency for Science and Higher Education (CLASS: 003-05/13-01/0001; FILE NUMBER: 355-01-23-29), at its 22<sup>nd</sup> session held on April 10, 2025, at the proposal of the director of the Agency for Science and Higher Education, Prof. Danijela Horvatek Tomić, Ph.D., the Accreditation Council adopted the following

## **ORDINANCE ON THE CROSS-BORDER EVALUATION OF HIGHER EDUCATION INSTITUTIONS**

### **I. GENERAL PROVISIONS**

#### **Article 1**

(1) This Ordinance on the Cross-Border Evaluation of Higher Education Institutions (hereinafter referred to as: the Ordinance) shall govern the conduct of the procedures of cross-border external evaluation of higher education institutions (hereinafter referred to as: higher education institutions), the role and status of the Agency for Science and Higher Education (hereinafter referred to as: the Agency) in cross-border evaluation procedures, as well as the framework for the implementation of the procedure.

(2) This Ordinance shall comprise the provisions aligned with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) (hereinafter referred to as: the ESG), adopted by the ministers of the European Higher Education Area at the conference held in Yerevan on 14 and 15 May 2015.

(3) Foreign higher education institutions, within the procedure of cross-border evaluation, may choose an agency that will conduct the cross-border evaluation of the higher education institution. The agency conducting the procedure must be listed in the European Quality Assurance Register for Higher Education (EQAR) (hereinafter referred to as: EQAR) in which the Agency for Science and Higher Education is also registered.

(4) The Quality Standards (hereinafter referred to as: the Quality Standards) which are based on the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) shall be applied in the cross-border evaluation of higher education institutions. The Quality Standards in the Procedure of Cross-Border Evaluation of Higher Education Institutions are adopted by the Accreditation Council and are published on the Agency's official website.



(5) The procedure of cross-border evaluation of higher education institutions is generally conducted in English.

(6) The Agency conducts the procedure of external evaluation of higher education institutions outside the territory of the Republic of Croatia as an economic market activity, generating its own revenue from this service. The Agency obtains the funds for conducting external evaluation procedures outside the territory of the Republic of Croatia from other sources, in accordance with legislation, the Agency's Statute, the Ordinance on generating and allocating own and earmarked revenue, incentives and salary bonuses, a decision of the Management Board of the Agency and the cooperation agreement concluded between the Agency and the client.

## **II. THE PROCEDURE OF CROSS-BORDER EVALUATION OF HIGHER EDUCATION INSTITUTIONS**

### **1. Initiation of cross-border evaluation of higher education institutions**

#### **Article 2**

(1) The procedure of cross-border evaluation of a higher education institution is initiated upon a request of the higher education institution. The request is submitted to the Agency, which, upon receiving the receipt of the request of the higher education institution for cross-border evaluation, shall seek the consent of the Management Board to move forward with the procedure.

(2) Along with the request, the higher education institution is required to submit:

1. Self-evaluation report,
2. Evidence of fulfilment of the quality standards.

(3) In the process of cross-border evaluation of a higher education institution, the Agency shall establish cooperation with the competent national authorities i.e. the quality assurance agency in that country.

(4) The higher education institution shall inform the Agency of any changes that occur during the evaluation procedure or during the follow-up period.

### **2. Self-evaluation report (ESG 2.3.)**

#### **Article 3**

(1) The higher education institution shall produce a self-evaluation report in English for the purpose of conducting a cross-border evaluation procedure, and shall submit the necessary information.



(2) The self-evaluation report, for the purpose of conducting the cross-border evaluation of a higher education institution, is prepared using the template provided by the Agency.

(3) In the self-evaluation report, the higher education institution shall provide evidence of meeting each quality standard so that the expert panel may have sufficient information to formulate an opinion, i.e. the higher education institution shall provide evidence of compliance with each quality standard and shall submit evidence to that effect along with the self-evaluation report.

(4) The self-evaluation report must also include information on the national framework within which the higher education institution operates, providing agencies and members of the expert panel with useful context, primarily regarding the positioning of the higher education institution within the national higher education system.

#### Article 4

(1) The self-evaluation report shall be adopted by the competent body of the higher education institution and signed by the head of the higher education institution. The head of the higher education institution guarantees, by their signature, that the information contained in the self-evaluation report is true and accurate.

### 3. Composition of the expert panel and conditions for the selection of expert panel members (ESG 2.4.)

#### Article 5

(1) In the procedure of cross-border evaluation of a higher education institution, the Accreditation Council shall appoint an expert panel composed of **at least five members**, i.e. at least four teachers and one student.

(2) The expert committee must be composed in such a way that at least one member of the expert committee is from the country in which the higher education institution operates.

(3) Prior to the site visit, the Agency shall organise training for expert panel members, to introduce them to the specifics of the procedure, their role and obligations in the procedure, and deadlines.

(4) Expert panel members are entitled to remuneration for their work, in accordance with a general act of the Agency.

### 4. Conflict of interest and data confidentiality (ESG 2.4.)

#### Article 6

(1) The expert panel members shall not have a conflict of interest.

(2) An expert panel member shall have a conflict of interest if:





1. they have signed an employment contract or other cooperation agreement with the HEI, or have had an employment contract or other cooperation agreement with the HEI in the last three years;
2. they have participated in publications with employees of the HEI and/or projects which this HEI is participating in or carrying out, or if they have participated in publications and/or such projects in the last three years;
3. they are participating in governing, professional or advisory bodies of the HEI, or have participated in these bodies in the last three years;
4. they have a personal connection to the head, i.e. the persons performing management duties at the HEI;
5. they are studying at the HEI or have completed a study programme at this HEI;
6. they are part of a court proceedings against the HEI.

(3) A conflict of interest also exists if the above-mentioned relations refer to the panel member's immediate family (legal spouse, first-degree relative, siblings, adoptive parent or adopted child).

(4) The expert panel members shall safeguard the confidentiality of the information and data they have learned and/or obtained when conducting the procedure of cross-border evaluation of higher education institutions.

(5) All expert panel members shall sign a confidentiality and non-conflict of interest statement.

## **5. Appointing members of the expert panel**

### **Article 7**

- (1) The expert panel shall be appointed by the Agency's Accreditation Council.
- (2) The Agency shall deliver the decision to appoint an expert panel to the higher education institution.

## **6. Request for the exclusion of expert panel members**

### **Article 8**

(1) A higher education institution may submit to the Accreditation Council a request for excluding an expert panel member within seven days from the day of submission of the decision to appoint an expert panel.

(2) In that case, the Accreditation Council shall decide on the request for exclusion and shall, if it considers the request justified, appoint another expert panel member.



## 7. Site visit (ESG 2.3.)

### Article 9

(1) The Agency shall inform the higher education institution about the date of the site visit by the expert panel no later than 30 days before the site visit.

(2) Site visit is either conducted online, in a hybrid manner (partly online and partly as a site visit to the higher education institution) or as a site visit to the higher education institution (“on site”).

(3) The expert panel shall, in agreement with the higher education institution, visit one or more sites where the higher education institution performs its activities.

(4) The site visit shall take place in accordance with a planned protocol which shall be submitted to the higher education institution 14 days prior to the conducting the procedure. The obligatory part of every site visit protocol shall be meetings with HEI representatives (HEI management and persons responsible for HEI study programmes, representatives of teaching staff, representatives of scientific staff, students and others); a tour of the facilities (lecture halls, library, laboratories, student administration office, IT classrooms, work facilities); a meeting with representatives of employers, the business sector and business associates; former students if applicable and non-teaching staff, if necessary. If necessary, representatives of the civil society and/or professional associations may be invited to a meeting with the expert panel.

(5) In case a site visit to a higher education institution is organized, the higher education institution shall ensure adequate premises for all the meetings planned in the protocol, wireless internet access and a separate room where the expert panel may have their internal meetings, breaks and lock away any personal belongings.

(6) The higher education institution shall provide the expert panel with access to documents governing its activities (such as ordinances, agreements, copies of employment contracts for employees and their registration for health and pension insurance, copies of employment contracts for external associates, copies of appointment to titles for teachers and external associates, if applicable, etc.) and examples of student evaluations.

(7) The expert panel members are independent in their work and do not represent their home institutions. In the cross-border evaluation of a higher education institution, the expert panel members shall adhere to principles of impartiality and objectivity.

(8) In the cross-border evaluation of a higher education institution, the expert panel members may not give to nor accept gifts from the HEI or any of the HEI teaching, scientific or administrative staff, or their external associates.

(9) The site visit of the expert panel shall conclude with a meeting with the HEI management, when the expert panel shall inform the attendees of their observations during the evaluation. This meeting shall not include time for discussion regarding these observations. The expert panel shall not provide the HEI management with their opinion on the outcome of the procedure in question.





## 8. Final report (ESG 2.3. and 2.6.)

### Article 10

- (1) After the site visit, the expert panel shall draw up a report.
- (2) The report shall be submitted to the Agency within 30 days of the day of the conclusion of the site visit.
- (3) The report shall include relevant evidence, analyses and conclusions with a view to the Quality Standards, quality grades, recommendations for improvement and/or further development, and a final recommendation on the outcome of the conducted procedure.

## 9. Method of grading according to quality standards and issuing final expert panel recommendations

### Article 11

- (1) Taking into account the descriptions of individual standards, the expert panel shall grade each standard on the basis of the submitted evidence and available indicators. Grades at the level of the standard are as follows: *The standard is not fulfilled*, *Minimal fulfilment of the standard*, *Satisfactory fulfilment of the standard* and *The standard is completely fulfilled*.
- (2) The grade *completely fulfilled* implies that the higher education institution fully complies with the standard and that its implementation has been successful. The grade *Satisfactory fulfilment of the standard* implies that the higher education institution complies with the standard for the most part, and that its principles and spirit are observed in practice. The grade *Minimal fulfilment of the standard* implies that some elements of the standard have been implemented, while others have not, and that its implementation is not sufficiently efficient. The grade *The standard is not fulfilled* implies that the higher education institution does not comply with the standard. A standard shall definitely be deemed *not fulfilled* if one of the criteria laid down by the legislative framework in the country in which the foreign higher education institution operates has not been met.
- (3) Based on the grades assigned to the standards within an assessment area the expert panel shall evaluate each assessment area. Grades at the level of the assessment area are as follows: *Not fulfilled*, *Minimal fulfilment*, *Satisfactory fulfilment* and *Completely fulfilled*.
- (4) In evaluating a particular assessment area, the expert panel does not rely solely on a mathematical calculation, but also takes into account the extent to which individual standards and their level of fulfilment affect the overall quality of an assessment area, i.e., the grade assigned to an assessment area. Likewise, an assessment area may be graded as *completely fulfilled* if most of the standards included in this area have been graded as *completely fulfilled* and no standard has been assigned grade *Not fulfilled* or *Minimal fulfilment*.



(5) In adopting the final recommendation on the outcome of the conducted procedure, the expert panel shall adhere to the following rules:

- If any assessment area is graded as *not fulfilled*, the outcome of a cross-border evaluation of the higher education institution is the denial of the accreditation certificate.

- If the grade assigned to an area is *minimal fulfilment*, the outcome of cross-border evaluation of the higher education institution may be the issuance of a conditional accreditation certificate for a specified period, up to a maximum of three years.

- If all areas are graded as *satisfactory fulfilment* or *completely fulfilled*, the outcome of the procedure is the issuance of an accreditation certificate.

(6) The grades for all standards and assessment areas shall be decided by a consensus of the expert panel.

(7) If no consensus is reached, grades of standards and assessment areas shall be brought by a majority vote of expert panel members.

(8) If a member of the expert panel disagrees with the consensus reached over a grade for a given standard or assessment area, or if he/she disagrees with an analysis of a standard or assessment area, he/she may write a dissenting opinion.

(9) The expert panel member shall justify his/her dissenting opinion and submit a signed document to the Agency staff member providing support to the work of the expert panel.

(10) The dissenting opinion and the justification thereof shall be submitted along with the final report of the expert panel and shall form an integral part thereof.

## **10. The higher education institution's comments on the expert panel report**

### **Article 12**

(1) The higher education institution has the right to submit its comments on the expert panel's report within 15 days from the date of receiving the report.

(2) The comments referred to in Paragraph 1 of this Article refer only to a request for the correction of obvious factual inaccuracies or obvious errors in writing and/or numerical data in the expert panel's report.

(3) The higher education institution's comments shall not address the views and conclusions of the expert panel.

(4) The Agency shall submit the higher education institution's comments to the expert panel, which shall correct the report insofar as it considers the corrections justified, and shall, within 15 days, submit the final report to the Agency. In this case, the final report shall be submitted to the higher education institution for information.



(5) If the higher education institution does not comment on the report within the prescribed time frame, the report shall be considered final.

## **11. Expert opinion of the Accreditation Council (ESG 2.5.)**

### **Article 13**

(1) The final report of the expert panel in the procedure of cross-border evaluation of a higher education institution is submitted to the Agency's Accreditation Council, which issues an expert opinion on the issuance of an accreditation certificate for the foreign higher education institution, the issuance of a conditional accreditation certificate, or the denial of the certificate.

(2) If it deems it necessary, the Accreditation Council may request additional clarification from the expert panel.

## **12. The higher education institutions' complaint against the expert opinion of the Accreditation Council (ESG 2.7.)**

### **Article 14**

(1) The expert opinion of the Accreditation Council shall be submitted to the foreign higher education institution, which is entitled to lodge a complaint with the Complaints Committee within 30 days of receipt of the expert opinion.

(2) The complaint shall be reasoned and accompanied by relevant evidence.

(3) The Complaints Committee shall investigate the validity of the complaint and respond to each claim made in the complaint no later than 15 days following its receipt.

## **13. Accreditation certificate (ESG 2.5. and 2.7.)**

### **Article 15**

(1) Based on the expert opinion of the Accreditation Council and the comments submitted by the Complaints Committee, if a complaint has been submitted, the Agency decides on the issuance of a certificate to the higher education institution regarding the conducted cross-border evaluation in one of the following ways:

1. issuing an accreditation certificate for a period of five years or
2. issuing a conditional accreditation certificate for a specified period, up to three years or
3. denying an accreditation certificate.





(2) The decision to issue a conditional certificate shall define the measures that a higher education institution should take in order to meet the criteria for operating as a higher education institution, as well as the deadline for taking said measures.

(3) The decision referred to in Paragraph 1 of this Article shall be made no later than 30 days from the date of receiving the opinion or the comments of the Complaints Committee.

#### **14. Follow-up in case of issuance of a conditional certificate (ESG 2.3)**

##### **Article 16**

(1) In the event of the issuance of a conditional certificate, the Follow-up Committee shall follow up on the operations of the higher education institution for a period of three years.

(2) A higher education institution that has been issued a conditional certificate is obligated, within no later than six months from the date of issuance of the conditional certificate, to adopt a plan specifying the activities, deadlines, and indicators necessary for implementing the measures prescribed by the conditional certificate.

(3) If the higher education institution fails to carry out the activities in accordance with the established deadlines, the Agency may revoke the conditional certificate for the operation of the higher education institution.

(4) In cases where it is determined, based on the provided evidence, that the higher education institution has remedied the deficiencies due to which the conditional certificate was issued, the Agency shall issue an accreditation certificate.

#### **15. Public information**

##### **Article 17**

The final report, the comments of the higher education institution and the Agency's certificate on the outcome of the conducted cross-border evaluation shall be public documents, and shall be published on the Agency's website in Croatian and English.

#### **16. Feedback**

##### **Article 18**

Upon completion of the cross-border evaluation of a higher education institution, the Agency shall collect feedback from the higher education institution and the expert panel members by means of a questionnaire. Feedback is collected in order to improve the work of the Agency.



### III. TRANSITIONAL AND FINAL PROVISIONS

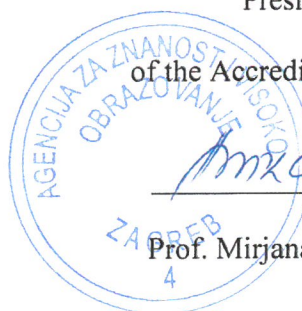
#### Article 19

(1) The Agency shall submit a certificate regarding the outcome of the cross-border evaluation of the higher education institution to the higher education institution, the national quality assurance agency, and, if necessary, the competent Ministry in the country where the higher education institution operates.

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

President

of the Accreditation Council



Prof. Mirjana Hruškar, PhD