

The Assessment Decision of the EKKA Quality Assessment Council for Higher Education

12/10/2015

**A proposal to the Minister of Education
of the Republic of Moldova**

NOT TO ACCREDIT
the Master's study programme
"Constitutional and Administrative Law"
of the Academy of Public Administration

Acting in accordance with the authorization granted by the § 10 (4) of the Universities Act and sections 3.7.1 and 3.7.3 of the Statutes of the Estonian Quality Agency for Higher and Vocational Education (EKKA) and based on section 33.2 of the document "Requirements and Procedure for Accreditation of Study Programmes in Moldova", the EKKA Quality Assessment Council for Higher Education shall state the following.

1. On February 23, 2015, the Director of EKKA approved by her order the following composition of the

Assessment Committee:

Aalt Willem Heringa – Chair	Professor of (Comparative) Constitutional and Administrative Law, Faculty of Law, Maastricht University, Holland
Aušra Rauličkyte	Adviser to the Ministry of Justice of the Republic of Moldova
Aliis Liin	Legal Counsel, University of Tartu, Estonia
Stela Buiuc	Deputy Director, Centre for Legal Approximation, Ministry of Justice, Moldova; PhD Student, Law Department, State University of Moldova

2. The Assessment Visit to the Academy of Public Administration took place on May 22, 2015.

3. The Assessment Committee sent the preliminary report to EKKA on July 6, 2015. The Assessment Committee received the comments of the Academy of Public Administration on July 22, 2015, and approved the final version of the component assessments on September 9, 2015.
4. The Secretary of the Council forwarded the assessment report containing the component assessments to the members of the EKKA Quality Assessment Council for Higher Education on September 24. The assessment report forms an integral part of the assessment decision. The report will be made available on the EKKA website.

5. The component assessments were as follows:

Study programme and its development	Does not conform to requirements
Teaching and learning	Partially conforms to requirements
Teaching staff	Partially conforms to requirements
Students	Does not conform to requirements
Resources	Partially conforms to requirements

6. The EKKA Quality Assessment Council discussed the assessment report along with the comments of the Academy of Public Administration and other relevant materials at its session on October 12, 2015, with the participation of 9 Council members. The Council decided to point out the following strengths and areas of improvement of the Master's study programme "Constitutional and Administrative Law":

6.1.

Study programme and its development	Does not conform to requirements
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Areas of improvement and recommendations

- For reasons of academic depth and research orientation the international comparability is absent. In that respect the programme does not meet the EQF criteria and level necessary for an alleged master programme. It is recommended to ensure that regular master students do have their share of theory and academic depth. Academic depth and theory must be reflected in the substance of all courses and not solely in their names.
- The Committee has not found the objectives of the programme to be realized. The courses are rather basic and the research skills have appeared to be largely absent. It is recommended to revise the whole Constitutional Law and Administrative Law MA programme and to start from rethinking the objectives and learning outcomes of the programme. It does not make sense to analyse the achievement of learning outcomes if the learning outcomes themselves are set randomly and without sufficient analyses. The

APA should seek guidance in this respect from foreign benchmarks and examples of similar programmes.

- The Committee recommends splitting the programme for civil servants already working in public administration who want their knowledge and skills to be updated, on the one hand, and a master programme for law bachelors on the other hand. The first programme may be tailor-made for those working in practice; the second has to be a true master programme.
- It is to be recommended that the courses were to be upgraded so as to include foreign materials, in-depth academic articles and analysis. Also methodology of legal research, focus on European law aspects for Moldova (legal approximation) ought to be included. For the legal professionals' sake skills such as legal drafting might be relevant.
- The hours studied by the students, combined with the teaching (class) hours, do not add up to the hours that are necessary to merit the 120 credits. It leads to the obvious question whether the learning objectives and specifically the academic features of the programme may be fully met and can lead to a justifiable recognition as a full-time programme.
- A structural process of collection and evaluation of courses, feedback from alumni and labour market is not in place, and therefore there is no clear evidence that the curriculum was set according to wishes and an exchange of and with state organs. It is necessary to develop a system for regular feedback from all relevant stakeholders – students, staff, and employers in order to develop the substance of the programme. Closer links with employers should be developed, used and maintained.
- Although the teaching staff is aware of the objectives of their own courses, they have not been thinking how their courses contribute to the achievement of the objectives and learning outcomes of the whole study programme. It is necessary to help the teaching staff to become more aware of the overall objectives of the study programme.

6.2.

Teaching and learning	Partially conforms to requirements
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Areas of improvement and recommendations

- The methods of the staff do not appear to be oriented towards active learning of the students. It is recommended to introduce a course for the teaching staff about modern and interactive teaching methods to encourage them to use these in the teaching process.
- It is recommended to develop and start implementing a strategy for improving the English language skills of the staff and students of APA to make them more competitive and give them a chance to use more up-to-date teaching materials in English.
- The average grades of the students are unreasonably high. The implementation of the grading system does not make it possible to distinguish the students according to their

knowledge acquired. It is recommended to analyse the implementation of the grading system and give the teaching staff instructions about its correct implementation.

- It is necessary to make the recognition of prior learning and work experience a common practice in the APA.
- It is recommended that APA takes more active role in finding the placements of internship to all students and provides everybody with an internship place directly related to the study programme “Constitutional and Administrative Law”.
- There is no system of gathering feedback from the students about the satisfaction with the quality of supervision of the thesis. It is recommended to gather feedback from students about the satisfaction with the quality of supervision of master thesis and launch a course for the teaching staff on improving the competences of teaching, including the skills of supervising the thesis.
- In writing MA thesis, outdated materials are used. There are almost no references to the materials in the English language and other foreign languages besides Russian. It is recommended to encourage the students and staff to search for more up-to-date literature and learning materials.
- It is recommended to increase a research-based aspect in all courses and in the thesis, as well as in all syllabi and teaching materials.

6.3.

Teaching staff	Partially conforms to requirements
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Areas of improvement and recommendations

- As there is no academic staff in younger age groups teaching in the programme, the current distribution of full-time teaching staff by age and the percentage of young members of the teaching staff does not ensure the sustainability of the programme in the long run.
- The majority of full-time teaching staff do not regularly develop their skills at foreign education institutions and participate in international networks, staff development methods are neither planned in advance nor implemented in a systematic way. It is recommended to update the staff development system with required and effective modules on languages and other relevant staff development modules.
- The APA must set in place a strategy and policy about staff exchange and mobility. Visiting staff could also contribute to reflections about the curriculum, modes of delivery and other didactical aspects. It could be considered to use video conferences/lectures for involving academic staff from foreign higher education institutions in the teaching process.
- It is recommended to invest as a part of Human Resource Management Policy in possibilities for staff to upgrade teaching skills abroad and to learn from foreign experiences.

- It is recommended to foster the participation of teaching staff in joint national and international research projects. A master programme ought to benefit from international research cooperation.
- The aspect of research activities also requires a strong and consequential Human Resource policy with annual feedback and checks.

6.4.

Students	Does not conform to requirements
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Areas of improvement and recommendations

- The Academy is recommended to assess and revise the admission strategy in order to ensure some clarity with regard to categories of the candidates who can apply and a fair distribution of budget funded places. It is recommended to distinguish between students who are coming from Law BA programmes and those coming with BA degrees in the fields other than law and thus lack prior basic knowledge in law. Such a difference in intake should be levelled out for the students coming from other fields before starting the MA programme.
- The admission criteria include a specialty exam and evaluation of the IT and foreign language skills (English/French). However, only a few students could demonstrate the command of a foreign language. It is recommended to improve the foreign language skills of the students which are needed by the public administration authorities and for research activities.
- It is recommended to explore the possibilities under the current cooperation agreements, expand the cooperation relationships with other foreign universities or related institutions from the EU countries and establish a unit responsible for mobility in order to raise the level of information and awareness among students.
- The Academy does not have in place systems for career guidance and psychological counselling. The Academy is recommended to establish well-organized and efficient systems for career and psychological counselling and develop a more close cooperation relationship with the labour market.
- It is recommended to pay due attention to detection and prevention of academic fraud and develop a database and an anti-plagiarism software.
- It is recommended to establish an efficient tracking mechanism of the employment rate and career development of the graduates of the APA and create a formal Alumni association.
- The Academy has no accurate information about the drop-out rate. It is recommended to ensure the accuracy of the information on the drop-out rate which will facilitate planning adequate measures for reducing the high drop-out rate.

6.5.

Strengths

- Some of the facilities for teaching and learning seem to be recently renovated; they have the adequate capacity considering the number of students and are well equipped with IT solutions and other tools necessary for conducting studies.

Areas of improvement and recommendations

- There is a need to make investments into human resource development, international mobility of teachers and students and a thorough upgrade of the library lacking international databases and international publications in English language.
- 7.** According to section 33.2 of the document “Requirements and Procedure for Accreditation of Study Programmes in Moldova”, if at least one of the component assessments “does not conform to requirements”, the Quality Assessment Council shall decide to make a proposal to the Minister of Education not to accredit the study programme.
- 8.** Taking into account the component assessments referred to in clause 5 and that:
- The study programme does not meet the EQF criteria and level necessary for an alleged master programme.
 - The objectives of the programme have not been realized. The courses are rather basic and the research skills have appeared to be largely absent.
 - The hours studied by the students, combined with the teaching (class) hours, do not add up to the hours that are necessary to merit the 120 credits.
 - During admissions, no distinction is made between students who are coming from Law BA programmes and those coming with BA degrees in the fields other than law and thus lack prior basic knowledge in law.
 - The Academy has no accurate information about the drop-out rate of the students.
 - The Academy does not have in place systems for career guidance and psychological counselling of the students.
 - There is a need to make investments into human resource development, international mobility of teachers and students and thorough upgrade of the library lacking international databases and international publications in English language.

the Council DECIDED

To make a proposal to the Minister of Education of the Republic of Moldova not to accredit the Master’s study programme “Constitutional and Administrative Law” of the Academy of Public Administration.

The decision was adopted by 9 votes in favour and 0 votes against.

9. Contestation:

- 9.1.** Evaluation proceedings conducted by EKKA may be disputed if the proceedings do not comply with the procedure provided for in this document. The challenge is filed with the Management Board of the Archimedes Foundation within 30 working days after the person filing the challenge became or should have become aware of the contested finding.
- 9.2.** The assessment decision by the EKKA Quality Assessment Council may be disputed after adoption of the corresponding administrative decision by the Ministry of Education of the Republic of Moldova.

Tõnu Meidla
Chair of the Council

Hillar Bauman
Secretary of the Council