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Consultation document

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The main action areas of the organization:

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Comments:

Descriptive part: Key components and line of reasoning

The document starts by outlining a list of challenges the Kosovo VET system is facing (chap 1). The current legislative and institutional framework is very complex, highly fragmented, and only partially able to address the challenges adequately. Legislative provisions with relevance for the VET system are numerous: the document lists 11 laws and 25 sub-legal acts regulating specific areas of the VET system (p. 13-16). As a broader context, recommendations derived from EU guidelines and experiences from countries similar to Kosovo in terms of structure and level of development (p.16-20) offer a fertile ground for reflecting on potential reform approaches.

As a “main problem” following the problem analysis in chapter 1, the document states an “insufficient harmonization and consolidation of the governing VET institutions” (p. 20). The document highlights seven effects resulting from the lack of harmonization (p. 20):

1. Lack of quality in the teaching results
2. Lack of involvement of industry stakeholders directly in the planning and implementation of VET policies
3. Disconnection of VET programs with the demands of today's labor market
4. Insufficient coordination between governance levels in terms of priorities, their implementation and practical governance of VET schools/institutions
5. Lack of accountability based on performance/productivity (output) and lack of proper planning of resources and their distribution (input)
6. Lack of a quality control system and its use in the further development of the teacher qualification system
7. Increased administrative burden in the governance of VET.

Based on this analysis, the following objectives are defined (p. 23f.):

1. Restructuring of central institutions in the field of VET.
2. Unification of all structures of the 'executive agency' form or similar bodies established by laws or sub-legal acts in the field of VET, in a single body, preferably in the form of a new executive agency under the MESTI. Empowering the new body with the necessary range of competencies in executive/administrative, supporting, assisting, financing functions for IVETs and IVETA, and policymaking in all components except public policies in the form of law (which remain the responsibility of DVETs).
3. Harmonization of laws in the field of VET into one legal act.
4. Creation of independent mechanisms with responsibility for accreditation of IVETs within the agency. Establishing the necessary guarantees of independence for the decision-making components within the new body, which are responsible for the accreditation of IVETs and IVETA in terms of the NQF.
5. The provision of a mechanism that links VET programs with the market needs. The coordination of the decision-making of the new body, in the issues that are key for the final effect of the graduates in the labor market and the sector of specialized industries, in such a way that the decision-making is of a corporate format (with industries or their coalitions/groups as the central stakeholder in decision-making).
6. Creation of an accountable circuit in the governance of vocational education and training. Creating a clear line of accountability for the new troupe, and the creation of a legal mechanism that foresees transparency and performance based on results in front of three audiences: a) The Ministry of Education, as the institution to which the troupe will have institutional subordination; b) IVETs/IVETA, whom the new body will serve but also manage in terms of central level competences,

and, c) stakeholders in the labor market, to whom the new body must prove the delivery of results in the perspective of the final beneficiary.

Essentially, the approach aims to establish an effective and powerful VET agency in order to create the institutional conditions required to effectively tackle and overcome the problems that have been identified. The new institution is to be created as a merger of AVETAE and NQA and secured both organizationally and legally. The VET agency is to take on a variety of tasks and functions, including the following: “implementation of VET policies, validation and accreditation of programs and accreditation of vocational education and training IVETs in the sense of VETAE, the regulation of national qualifications including the population of the NQF and the implementation of strategies in the field of education and professional training, the advancement of education and professional training and quality assurance. Also, the agency deals with the professional development of teachers, the support and strengthening of IVETs (planning of programs, financing, human resources, international projects), the development of curricula, the strengthening and promotion of dual learning modalities, for learning at the workplace, internships in companies, professional internships, etc., the implementation of IVETs evaluations, etc. (p. 26).

The concept document then introduces and reflects on possible ways of how the reform ambitions set out in the objectives could be anchored and most effectively be implemented within the legislative framework. The document presents three options for discussion (p. 24f.):

1. No legal changes but remedial interventions at the level of internal organizational documents of institutions in the field of education and professional training.
2. Improvement and adaptation of strategic documents steering the implementation and execution of respective legal provisions with a focus on better coordination and efficiency of governing institutions.
3. Amendments of individual laws, updating the legal framework by drafting (a) basic law for VET; (b) supplement-amendments of two related laws (law on VET for adults; law on NQF).

The options differ above all in terms of the regulatory obligation to which the reform approaches are to be anchored. Each option is explained (to varying degrees) and assessed in terms of its suitability. While options 1 and 2 are rejected with good reason, option 3 is considered the best. The three options are then assessed with regard to 37 categories with 126 "key impacts" listed-up in Annexes 1-4 (e. g. budgetary, economic, social impacts). In addition, implementation plans are outlined for the options (p. 31-37). Chap 7 finally outlines the implementation plan of the recommended option.

2. Evaluative part: Analysis and recommendations

The concept document is assessed along the following questions:

- Is the strategic approach to establish a VET agency as a driver for the advancement of the VET system convincing?
- Are the objectives clear and well founded?
- Is the decision for option 3 well-reasoned?

Following the discussion of these questions, suggestions for some optimizations are given.

Is the strategic approach to establish a VET agency as a driver for the advancement of the VET system convincing?

As a strategic approach, the establishment of a VET agency as part of a reform at the institutional and legal level is intended to lay the foundation for the necessary reforms in the VET system. In view of

the fragmented and inefficient responsibilities within the current system, this appears to be a necessary and meaningful lever. As a result, the concept document remains largely fundamental; the concrete solution to the problems outlined in chapter 1 are to be addressed in subsequent steps.

To use an analogy: If you want to increase the literacy rate in a country, you can try to teach every single citizen to read. But you can also build libraries where reading courses are held in a structured way and books are available for citizens to borrow. At the same time, just building libraries is not enough: books must be purchased, librarians employed and reading courses set up. The library is a potential, but it is the utilization of this potential that determines the impact. A VET agency creates potential, but it is the implementation that determines its impact.

Are the objectives clear and well founded?

Five of the six objectives provide a clear picture of how the new VET agency is meant to function. While objective 1 sets out the main thrust of the reform, objective 2 defines the functions of the VET agency. Objective 4 specifies the responsibility within the framework of the accreditation of IVETs and combines this with the necessary independence in the fulfilment of this task. Objective 5 finally commits the VET agency to the central task of involving the business sector in realizations of dual learning. Objective 6 closes the circle by linking the functions of the VET agency with accountability and thus embedding them in the governance of the VET system.

Objective 3, on the other hand, does not really fit into the chain of argumentation. The establishment and implementation of a new VET agency clearly requires some embedding in the legal framework, but the modalities and wording should only be decided at the end of the process. For example, a reference to the legal framework could be included in the objectives after the characteristics of the VET agency have been defined. It could also be formulated more openly. The current wording ("harmonization of laws in the field of VET in one legal act") prejudices the decision on the three options (see below) in favor of option 3. Alternatively, the wording could read as follows: "Appropriate anchoring of the new agency with its tasks, competences and responsibilities in the legal framework".

Is the decision for option 3 well-reasoned?

Ideally, a decision in favor of one of the options requires a comparison on the basis of valid criteria. The criteria should be derived from the objectives to be achieved. Instead, the concept document explains each of the three options and justifies why the respective option is (not) suitable. The reasons alternate across the options so that there is no criteria-based comparison.

On the other hand, the decision in favor of option 3 appears tautological in a certain sense. If "harmonization of laws in the field of VET in one legal act" is stated as one of the objectives, implementation inevitably requires intervention at the legal level which only option 3 provides. After recommending option 3 in Chapter 3 (p. 27), all three options are again assessed against a set of eight impact categories (p. 27-29). The significance of this step in the line of reasoning remains unclear. On the one hand, the decision in favor of one of the options has already been made, and on the other hand, the impact categories have no recognizable connection to the objectives. While four of the eight impact categories in annexes 1-4 are underpinned by a total of 126 key questions, four others receive no further backing.

Despite these objections, the decision and justification for option 3 is comprehensible and clear. The intended scope of the institutional changes requires a strong and comprehensive legal basis.

(Minor) suggestions for optimization of the document

- Learning potential of experiences of other countries (p. 17-20) has not been taken up in the line of reasoning. The examples remain quite descriptive, there is no elaboration in terms of promising ideas that could be used for the further development of the VET system in Kosovo.
 - “Effects” (p. 20) are only partly based on previous problem analysis in chapter 1. Some aspects of the problem analysis are missing in the numeration of “effects” (e.g. financing, career guidance).
 - Link between “main problem” and detailed problem areas (“effects”) on p. 20 is largely implicit and could be explained in more detail.
- Some formal aspects:
- Overviews and charts are labelled in different ways: “Figure” (e.g. p. 1, 7, 27); “image” (p. 28ff.); “table” (p. 38).
 - Numbering of chapter 4.1 stays without subsequent numbering.
 - P. 44: repetition of question “Will it have an impact on higher education?”
 - Some inconsistencies with regard to “impacts on fundamental rights” (compare p. 28 and p. 48).
 - Images 11-13 include a column on “expected costs”. Without exception, it includes the value ‘0’ and provide no discriminative information.
 - Naming of MESTI not always consistent: “Ministry of Education” (p.23); “Ministry of Science, Technology and Innovation” (p. 1).

3. Food for thought:

Issues in need for further consideration in the implementation of the conceptual suggestions

While the concept document has been designed to sketch the focal points and broad directions for a reform of the Kosovo VET system, attention should also be paid to what appears behind the next curve of the implementation. The document already points out a series of problems to be addressed (chapter 1), it also states a variety of tasks and functions a newly established VET agency should take on (chapter 3). Without claiming to be exhaustive, here are some of the suggestions that might be considered during further implementation:

- Objectives so far primarily focus on institutional and legal framework. There is also some strong reference to a better alignment with labour market needs and the engagement of the business sector in the design and development of the VET system. One step further would elaborate on the advancement of VET programmes along the lines of dual learning. Ongoing discussions on what action needs to be taken to strengthen dual learning approaches should feed into coming reform steps.
- Although the concept document already mentions many challenges to be addressed with high priority, the institutional structures of the new agency should not only be geared towards current problems but should also be able to react flexibly to future challenges.
- Although it is self-evident, the new VET agency needs a correspondence between the functions to be operated and the financial and personal resources necessary to achieve the respective tasks professionally. When defining the task profile, it could be advisable to prioritize individual tasks.
- The balance between autonomy to carry out central tasks professionally and integration into political directive structures and practical needs requires further clarification of the specific profile of the VET agency. Internationally, there are examples of national VET agencies with similar orientations that can be used for further clarification processes.

- Transition from existing institutions (AVETAE; NQA) into a new VET agency has some implications, not only organizationally and legally but also socially with the transfer of staff.
- Change processes of that scale need both speed and thoroughness. A good balance of committed change leadership and effective change management is necessary to maintain speed and practice careful driving. Implementation plan (p. 31ff.) could be elaborated with some rough timeline and information on the design of the change processes.