

Ministerie van de Vlaamse Gemeenschap
Administratie Hoger Onderwijs en Wetenschappelijk Onderzoek

Hendrik Consciencegebouw – Toren A – 7^{de} verdieping
Koning Albert II-laan 15, 1210 BRUSSEL
Tel. (02)553 98 32 – Fax (02) 553 98 45

uw kenmerk

Ons kenmerk

Bijlagen

Vragen naar / e-mail

13DO/MAP/n0317/EOC

1

Marie-Anne Persoons

Telefoonnummer

Datum

Marie-anne.persoons@ond.vlaanderen.be

02/553.98.09

23.07.2003

Subject : country report Bologna implementation

<p style="text-align: center;">RECENT LEGISLATIVE REFORMS IN IMPLEMENTATION OF THE BOLOGNA DECLARATION Flemish Community of Belgium</p>
--

0. Legislation previous to Bologna Declaration :

Acts of the Flemish Parliament on the Universities (1991) and on the Hogescholen (i.e. other higher education institutions) in the Flemish Community (1994)

- *Main issues of the Bologna process concerned : establishment of study point system based on ECTS, introduction of the diploma supplement, facilitation of international recognition of qualifications, mobility and cooperation, establishment of quality assurance system for higher education*

1. Act of the Flemish Parliament on the Structure of Higher Education in the Flemish Community (04.04.2003)

- *Main issues of the Bologna process concerned : establishment of two-tier system, quality assurance and accreditation, facilitation of international recognition, mobility and cooperation; strengthening the links between higher education and research*
- Main objectives of the new Decree
 - Implementation of the Bologna declaration for all degrees offered in the Flemish Community of Belgium (former degree structure to die out gradually) from the academic year 2004-2005 on
 - Reform of the longer academic curricula into a two-tier system, where a Bachelor Degree can be obtained after 3 years of study (180 ECTS study points) and a Master Degree after another 1 or 2 years (60 to 120 ECTS study points, with the exception of medicine which will take longer)
 - Reform of the quality assurance system with integration of mechanisms for accreditation in co-operation with the Netherlands

- Strengthening the links between fundamental and applied research through closer co-operation between universities and other higher education institutions which can form so-called "associations" with each other, especially for the organisation of courses at Master's level in the non-university higher education sector.

➤ Website : www.ond.vlaanderen.be/hoger_onderwijs

Click "changing higher education in Flanders"

➤ Detailed information on the content of the Act in the annex.

2. (In preparation) New Parliament Act on Flexible Learning Paths in Higher Education

➤ ***Main issues of the Bologna process concerned : credit transfer and accumulation, integration of lifelong learning perspective in higher education, social dimension.***

➤ State of procedure : initial draft approved by the Flemish Government on 18.07.2003. This text has to be submitted to the Flemish Education Council (Vlaamse Onderwijsraad - VLOR) and the Social-Economic Council of Flanders (Sociaal-Economische Raad voor Vlaanderen - SERV), the two Flemish advisory bodies which are formally consulted for important legislation in the field of education. Final adoption of the Decree is expected at the end of 2003.

➤ Main objectives of the Act : establishment of a credit accumulation system to replace the actual "year system" where students are assessed for a year package of courses. Students can obtain certificates for acquired credits that will remain valid for a minimum period of 5 years. The increase of flexibility is expected to broaden access to higher education for other publics (e.g. mature students that combine studies with job and/or family responsibilities).

3. (In preparation) Convention between the Netherlands and the Flemish Community of Belgium on the accreditation of programmes in Dutch and Flemish Higher Education

➤ ***Main issues of the Bologna process concerned : European cooperation in quality assurance and accreditation, facilitation of international recognition of qualifications, mobility and cooperation.***

➤ State of procedure : approval by the Flemish Government on 18 July 2003. Text to be passed to the Flemish Parliament. Final adoption by the Parliament expected soon (after summer holidays).

➤ Main objectives of the Convention : joint organisation of accreditation of higher education programmes in the two countries by an independent transnational accreditation body.

ANNEX**THE 4 APRIL 2003 FLEMISH PARLIAMENT ACT ON RESTRUCTURING HIGHER EDUCATION IN THE FLEMISH COMMUNITY OF BELGIUM**

Jan Adé

Director General for Higher Education and Scientific Research

Introduction

In April 2003, the Flemish Parliament adopted an Act which entails one of most dramatic reforms in higher education in Flanders of the last few decades. Since the 1960s there was a growing expansion of university education; in the 1970s laws were introduced related to the structure of higher education, as well as laws pertaining so called “long duration type” higher education, i.e. university level education, offered by non-university higher education institutions. In 1988, the reform of the Belgian state entrusted the organisation of education to the linguistic Communities, and since that time, the Flemish Community has implemented its own education policy. From the beginning it was actively involved with higher education. The 12 June 1991 Flemish Parliament Act on Universities reflected the Flemish policy lines on university education. With the 13 July 1994 Flemish Parliament Act on other Higher Education Institutions (*Hogescholen*) followed the same path.

However, in the last decade it has become clear that Flemish higher education should increasingly respond to international developments. Therefore it was therefore obvious for the Flemish Community of Belgium to sign the Bologna Declaration of June 1999.

The Bologna Declaration

The Bologna Declaration has certainly been an important catalyst in the process of reform, but this does not detract from the fact that Flanders had already wanted to take into account the main developments and social challenges in a general way. The most important of these are summarised below.

1. More than ever before, higher education in Flanders is confronted with the challenge of operating in a society that is constantly evolving and in a **changing environment**.
2. The higher education institutions will certainly have to respond to the new information requirements arising in the **knowledge-based society**.
3. A growing proportion of the student population will require **flexible** and tailor-made **learning pathways** and all students must be able to prepare for **lifelong learning**.
4. The increasing use of **information and communication technologies** has a strong influence on existing types of education.

5. There is, and will continue to be, an enormous demand for highly qualified people.
6. The higher education institutions should be aware that they are operating in an **international context**, which is evolving in a very competitive way and in which the **transparency of qualifications and degrees** is essential. In fact, globalisation also means that new players are emerging, including foreign institutions, as well as national and foreign commercial providers.
7. **Quality assurance** must transcend the borders of individual regions and countries. Therefore there is a need for international quality standards as guidelines for all study programmes.
8. The public, and in particular the students, have a right to the greatest possible clarity with regard to what is on offer. The labour market also determines demand, and the educational supply must respond to this. On the other hand, the institutions should also take up their responsibility in breaking down the traditional barriers of knowledge.
9. **Scientific research** continues to be the fundamental basis for the development of new knowledge and its dissemination. The higher education institutions play a crucial role in this context. Therefore the government must oppose the fragmentation of financial and human resources at this level. **Co-operation between higher education institutions** is a prerequisite for achieving the desired synergy.

<i>For Whom and Why?</i>

The Flemish Community of Belgium wholly supports the above mentioned objectives and expectations, and where there is a strong emphasis on social needs the government must take into account the special needs of students. This can be achieved not only by organising the participation of all relevant stakeholders in institutional governance, but also by adapting new types of organisation to a more contemporary way of studying and learning.

Flanders is introducing the Act and strongly defending it

because it forms the basis for a higher education which focuses on the future,

because it is resolving the sterile territorial disputes of the past for good and is therefore aiming to achieve the best possible results,

because it gives priority to the quality of education,

because it responds to international trends in an innovative way,

because it not only encourages *hogescholen* to perform as well as possible, but also grants them a very high degree of autonomy in this respect.

<i>Programme of Study: the Central Factor</i>

The various aspects of the Act are all equally important, but a logical structure places the emphasis on **the programmes of study** themselves as the starting point. After all, a student chooses a particular programme of study and then examines at which institution and under what conditions he can follow this programme. Therefore, even though the Flemish institutions play a crucial role as providers of education, the emphasis is still on the programme of study. The whole system of quality assurance and, in the future, the system of accreditation, are related to the programmes of study and not to the institutions themselves. For the conversion from the existing system to a two-tier system, the emphasis will also be on Bachelor and Master programmes of study.

The Act makes a distinction between professionally-oriented and academically-oriented programmes of study.

“Professional orientation” means that the programmes of study are aimed at general education and at the acquisition of professional or artistic competences based on the application of scientific or artistic knowledge, creativity and practical expertise. The **professionally-oriented bachelor’s programmes** are aimed at teaching students a level of general and specific knowledge that is considered necessary for independently performing a profession or group of professions.

“Academic orientation” means that the programmes of study are focused on general education and on the acquisition of academic or artistic knowledge and competences appropriate for operating in a particular field of the sciences or the arts. Academically-oriented programmes of study are based on scientific research.

Academically-oriented bachelor’s programmes aim to provide students with a level of knowledge and competences which are appropriate for working in a scientific or artistic field in general, or in a specific field of the sciences or the arts in particular. In any case, they certainly allow the student to go on directly to a master’s programme or to join the labour market.

Master’s programmes are always academically oriented and are aimed at providing students with an advanced level of knowledge and competences appropriate for working in a scientific or artistic field in general, or in a specific field of the sciences or the arts in particular. This level is necessary for working autonomously in the sciences or the arts, or for the application of scientific or artistic knowledge when independently working in a profession or group of professions.

The basic academic orientation of master's programmes therefore does not exclude the possibility that they also comprise a professional preparation, though without literally focusing on a profession. The specific character of a master's programme is that it is concluded with a master's thesis, for which the proportion in the programme amounts to at least one fifth of the total number of credits of the programme of study, with a minimum of 15 and a maximum of 30 ECTS credits.

The division of the programmes according to the main cycles of a two-tier system corresponds entirely with the aims of the Bologna Declaration and indicates the specific character of the bachelor's programme on the one hand, and the master's programme, on the other hand.

Higher Education Providers

Without prejudice to the emphasis which the Act imposes on the importance of the programmes of study, it also introduces clarity with regard to the providers. The Act removes any doubts about what is a recognised university or other institution of higher education (*hogeschool*) in Flanders. The institutions of higher education are mentioned in an exhaustive manner in a nominative list. Consequently, an institution can only refer to itself as a university if it has been entered on the list of universities, and similarly an institution can only describe itself as a *hogeschool* if it has been entered on the list of *hogescholen*. By instructing the Flemish Government to change this list only in the case of an amalgamation, incorporation, closure or official name change, all the guarantees are present to prevent a proliferation of higher education institutions.

The Act gives providers of higher education other than the traditional *hogescholen* and universities the opportunity to provide recognised bachelor's and master's programmes and award the legally protected bachelor's and master's degrees. With the mechanism of accreditation, the Act guarantees that these programmes of study comply with the same requirements as regards quality and standards as the bachelor's and master's programmes provided by *hogescholen* and universities. The mechanism of registration of providers provides the students with a guarantee that institutions are not simply created and do not disappear just like that without giving the students the chance to complete their programmes. Flanders already has institutions which award bachelor's and master's degrees (degrees which were not protected up to now in Flanders). By means of the registration of the providers and the accreditation of the programmes, these providers have the opportunity to continue to provide their programmes of study, provided they meet the quality requirements.

Universities and *hogescholen* in the Flemish Community, as listed in the Act, are officially registered. Other organisations can have themselves registered as a higher education provider by the Flemish Government. To do so they must demonstrate their financial solvency, and conclude a co-operation agreement with a recognised *hogeschool* or a university, inter alia, in connection with the guarantees for the students that they could complete their studies if the institution concerned were to cease its activities. The importance of the registration lies in the possibility that is created to have programmes of study accredited.

The Educational Competence of the Institutions

The Act also determines the educational competence of *hogescholen* and universities. On the one hand, this is done on the basis of the division of programmes of study, and on the other hand, on the basis of determining the current provision of programmes of study. Obviously this is extremely important for the transition from the old to the new system.

Hogescholen organise

- a) professionally-oriented bachelor's programmes;
and/or
- b) academically-oriented bachelor's and master's programmes, if in association with a university; further details on this are given below.

Universities organise

- a) academically-oriented bachelor's programmes;
- b) master's programmes;
- c) the preparation for the doctoral thesis.

This makes it possible to describe the mission of *hogescholen* and universities as clearly as possible. The Act does not really aim to define territories, but emphasises the opportunities which can be created by co-operation between universities and other institutions of higher education. It is also important that the Act leaves sufficient opportunities for *hogescholen* and universities to conclude agreements with third parties, both public and private.

Diplomas, degrees, certificates, lifelong learning

The degrees mentioned in the certification are obviously bachelor's and master's degrees. Every degree is accompanied by a qualification which refers to the specific programme that

led to the degree. A degree can also be specified by adding “of arts” or “of science”. The qualification always follows the specification. This specification is only awarded to guarantee the international recognisability of the degree and the diploma. The Flemish Government draws up the list of the degrees (both bachelor’s and master’s) which can have a specification. It is an integral part of the degree and provides the same protection as the degree itself. This is done upon advice of the Flemish Interuniversity Council (VLIR), the Flemish Council for *Hogeschool* Education (VLHORA) and the recognised umbrella student associations.

Although the emphasis is on the initial programmes of *bachelor* and of a *master’s programme after a bachelor’s programme*, the plan also allows for the possibility of organising bachelor’s programmes which follow another bachelor’s programme and entail further professional training (Bachelor’s after Bachelor’s). Similarly, master’s programmes can follow another master’s programme, entailing further academic training (Master’s after Master’s). Finally, in a limited number of cases (social work, nursing, midwifery and tourism), it may be possible for a master’s programme to follow a professionally-oriented bachelor’s programme.

The list of new degrees does not exclude the possibility for universities and *hogescholen* to organise in-service training and further training programmes in the context of lifelong learning. Because the bachelor’s, master’s and doctorate degrees are protected, universities and *hogescholen* cannot (or can no longer) award one of these degrees for having successfully finished in-service or further training programmes. The Act instructs them to conclude an agreement in this respect, and thus draws up a framework of qualifications and certification. The certification framework means that the institutions must indicate for what reason they will issue a certificate: a certificate for attendance and participation in training activities, a certificate which shows that the training activity was concluded with an evaluation, etc.

In the last decade it has become increasingly common for the bodies responsible for the practice of a particular profession to make access to the professional practice dependent on the successful completion of some sort of training pathway after having gained a traditional degree. The Act now serves as a basis for organising this matter officially. It gives universities and *hogescholen* the competence to award postgraduate certificates following a training pathway of at least 20 credits devoted to educational and study activities. In the context of further professional training, these training pathways are aimed at broadening and/or deepening the competences acquired after a bachelor’s or master’s programme. Therefore the certificates concerned here have an official significance, although these

learning pathways do not have to comply with the regulations which apply for the bachelor's or master's programme. This will remain extremely important for a range of professions.

A doctoral programme can be part of the preparation for a doctoral thesis. The university administration takes the decisions required for this. It can award the official part of the doctoral programme with a postgraduate certificate. Obviously this does not change the protection of a doctorate degree in any way.

<i>Entry and Transfer Requirements</i>
--

The Act lays down the **general entry requirements** for entering bachelor's and master's programmes.

Anyone who wants to start a bachelor's programme in Flanders must have a (Flemish) diploma of secondary education (SO), which traditionally entails access to higher education. However, the former diplomas of short higher education with a complete curriculum (HOKTVL) and of higher education for social advancement (HOSP) also give direct access to a bachelor's programme, as well as (foreign) qualifications that have been granted automatic equivalence by Flemish legislation, a European directive or other international agreement.

However, in certain cases the Act also allows institutions to exempt people from previous education requirements that are imposed. The special cases are only possible for humanitarian reasons, for medical, psychological or social reasons, or if it is clear that on the basis of qualifications and competences acquired earlier or elsewhere suitability requirements have been complied with that are comparable to the previous education requirements.

Furthermore, there are only two measures which continue to restrict the entrance, the first for art programmes of study, the second for medical and dentistry programmes. Apart from these, all the other entrance restrictions have been lifted, entirely in accordance with the general objective of the coalition agreement on open and free access to higher education.

As a general entry requirement to master's programmes, having a bachelor's degree serves as proof that the student has successfully completed an academically-oriented bachelor's programme. The Act clarifies in advance that holders of a degree in the former system can also be taken into account.

In all cases, at least one academically-oriented bachelor's programme will always give direct access to the master's programme in the "master's after bachelor's" pathway. In the other cases the transition will be dependent on completing a preparatory or bridging programme. The possibility has also been created to go on to a master's programme with a professionally-oriented

bachelor's degree, always under strict conditions which are only aimed at safeguarding the quality of the programmes of study, and thus also the reputation of the degrees.

The Transition to the New System

The **transition from the existing to the new system of programmes of study** is subject to strict conditions and procedures. The institutions are invited to submit the list of their reform proposals by 30 September 2003 at the latest. Afterwards, an accreditation commission will make recommendations to the Flemish Government on 15 January 2004 at the latest. Then the Flemish Government will draw up the first list of reformed and new programmes of study by 15 February 2004 at the latest. This list will be the first Flemish register of higher education that will be adapted every year.

The accreditation commission will consist of national and foreign experts who must be able to reach a completely independent judgement.

Quality Assurance and Accreditation

In future the bachelor's and master's degrees will only be lawful if the programmes of study concerned have been accredited. An **accreditation** body gives a mark of quality to a programme of study; this is a formal recognition of the basic quality of the programme concerned by an independent and expert authority. This mark of quality guarantees that the students can rely on an accredited programme providing them with the knowledge, insights, skills and qualifications which are related to an internationally recognised bachelor's or master's degree. For employers, this mark of quality is also a guarantee that the programme concerned meets the international standards and that the graduates of this programme have acquired the knowledge, insights and skills which were laid down by the university and *hogeschool* as the objectives and attainment targets of the programme.

With the introduction of the **quality assurance** system in university education, the Flemish government took an important step in 1991 towards greater autonomy for the institutions. In exchange for a greater degree of independence, the universities – and subsequently also the *hogescholen* – introduced a system of internal and external quality assurance. On the one hand, this quality assurance system focuses strongly on the perspective of improvement (giving priority to improving the quality of the courses), while on the other hand, it also fulfils an important function of accountability. The Flemish government places the responsibility for and the ownership of the quality assurance system entirely with the institutions, whilst the external reviews are co-ordinated by the Flemish Interuniversity Council (VLIR) and/or the Flemish Council for Higher Non-University Education (VLHORA). For the external assessment in the context of the accreditation procedure

the institutions, including *hogescholen* and universities, can appeal to another evaluation body, though this must be recognised by the Accreditation body.

Similar quality assurance systems exist in other European countries and regions. In order to promote the accreditation and recognisability of the programmes of study in the different countries and regions in the context of the Bologna Declaration, it is necessary to supplement the review mechanisms with the development of a suitable accreditation mechanism. This has a threefold aim:

- controlling the way in which the reviews took place;
- assessing whether the education is of sufficient quality;
- creating a lever effect by imposing conditions to improve the quality of programmes of study where necessary.

With the introduction of accreditation, the Flemish government aims to extend the existing system of quality assurance and strengthen it. In this way it hopes to contribute to the continued development of quality assurance aimed at independence and transparency.

Accreditation provides an assessment by an **independent body**, as is customary in more and more countries. This body must make a final judgement about the basic quality of a programme. The quality assurance system remains in the hands of the institutions, which implies that the Flemish Interuniversitij Council and the Flemish *Hogeschool* Council co-ordinate the external reviews. This co-ordination certainly concerns the development and establishment of a protocol of quality assurance, which will have to be used by the review committees. For the external evaluation in the context of the accreditation procedure the institutions can also appeal to a different evaluation body, though this must be recognised by the Accreditation body. However, the final decision is made by the accreditation body, independently of both the institutions and the government. This means that this independent body has a high level of responsibility for the quality of individual programmes of study. Nevertheless, the Flemish government continues to have a great deal of responsibility for the quality of higher education as a whole.

The accreditation body will not resume the reviews, but will not leave the final judgement of quality to the peers who carried out the reviews either. The review committee must demonstrate in its report, with reference to the self-assessment report of the institution providing the programme, that the programme complies with the requirements imposed for standards for a professionally- or academically-oriented bachelor's or master's programme. It also gives an assessment for every aspect of quality. In a sense, accreditation can be regarded as a form of meta-evaluation. The accreditation body verifies the review results, and the decision of the accreditation is based on the assessment for each aspect of quality given in the review report.

With regard to the present situation, accreditation provides added value because of the greater uniformity of the quality assessment and its more independent position. The function of the quality assurance system to make improvements is not jeopardised. On the contrary, the introduction of accreditation should stimulate this function, while the function of accountability, which is inherent in the accreditation process, will also be strengthened.

The accreditation of a programme of study depends on the presence of sufficient generic quality guarantees to achieve the fundamental objectives of that programme. The Act describes those objectives in detail.

A strongly independent and expert accreditation body is a prerequisite for a properly functioning accreditation system. The Flemish Community must ensure that there is a sufficient critical mass for the development of this body. Therefore, for many obvious reasons, it is appropriate for Flanders to co-operate with the Netherlands. The Dutch-Flemish co-operation will be the core which could lead to a larger European consortium.

The aim is to enshrine the Dutch-Flemish partnership in a convention (initial approval by the Flemish Government 18.07.2003). The convention will contain regulations on matters for which the Dutch and Flemish governments have joint responsibility: the appointment of the members of the accreditation body, the approval of the protocols and of the evaluation framework, the joint supervision of the accreditation body's operation and its funding. The convention must also contain provisions on the involvement of Flemish universities and *hogescholen* and of Flemish students and employers, in the same way that Dutch universities and *hogescholen*, students and employers are involved by law in the Dutch accreditation body. Both governments can give the accreditation body extra tasks on the basis of a national perspective.

The accreditation body is not only responsible for the accreditation of existing bachelor's and master's programmes. It is also responsible for the evaluation of new programmes. A new programme of study can only start in 2006-2007, and is therefore not yet included in the register of higher education, or may be included, but not yet in relation to the institution making the application. The draft describes the conditions for application for a new programme, and obliges the Flemish Government to decide on the macro-efficiency of the new programme of study. Every attempt has been made to oppose the proliferation of the available range of programmes. This also means that the association must give a positive opinion on the application for a new programme.

The accreditation body does not work only for the officially registered institutions. Registered institutions can also submit programmes for accreditation.

The Act opts for a **gradual introduction of the new structure**, year after year, with the simultaneous gradual dismantling of the existing structure. Therefore it is necessary to provide adequate clarity in relation to the accreditation. For this reason the Act introduces a fairly detailed mechanism for its introduction.

The existing programmes (academic programmes, basic programmes and advanced programmes) must be converted into a bachelor-master structure. The change should not be accompanied by an expansion in the existing higher education provision. The programmes of study provided in the 2001-2002 academic year apply for the conversion. In the 2002-2003 and 2003-2004 academic years the institutions can no longer organise any new programmes. As there is only a duty of notification for the organisation of new advanced programmes before the end of March or before the end of May, the advanced programmes which will be provided for the first time in 2002-2003 can also still be converted.

The complexity of the transitional stage is partly determined by the proposed conversion of basic programmes lasting two cycles into academic bachelor's and master's programmes. This requires a stronger research-related character of those programmes and a stronger 'interwovenness' of education in those programmes with scientific research. For those programmes, the conversion dossier must contain guarantees that the education in those programmes will be based on scientific research. This will be achieved mainly by the participation of the members of staff of *hogescholen* who are responsible for the education in these programmes, in scientific research at the universities. In order to facilitate this, and to avoid the fragmentation of government resources for scientific research, the *hogescholen* must become **associated** with a university. A good conversion also requires the re-design of existing curricula. A bachelor's programme is very different from an extended "kandidaat" programme, which existed in the past.

The Act provides for an arrangement for the transitional accreditation. Its duration depends on the publication of the review report. In the next few years this will in particular contain the results of an external evaluation of the quality of the existing programmes, later on that of the bachelor's and master's programmes that are being introduced and of the programmes that are coming to an end, and by the end of the transitional period, of the bachelor's and master's programmes that are provided. Flanders opted for this procedure and therefore does not want to wait until the bachelor's and master's programmes have been completely developed to prevent a bottleneck from arising in the quality assurance and in the accreditation at that point, because of the large number of programmes which have to be reviewed and accredited at the same time. When evaluating the existing programmes, the review committees will also look at the conversion taking place, and will present their findings about this in their report.

The new bachelor's programmes will be gradually introduced as of 2004-2005, the new master's programmes from 2007-2008 onwards. The institutions have two academic years to introduce the new programmes. The existing programmes will come to an end at the same time when the new programmes are developed.

The new bachelor's and master's degrees can be awarded from the 2004-2005 academic year onwards to replace the existing degrees or together with them, in so far as the Flemish Government has accepted the conversion dossier with regard to the basic programmes. This condition does not apply to advanced academic programmes, because a master's degree is already awarded together with the academic degree stipulated in the Act upon the completion of many advanced programmes.

The bachelor's and master's degrees with or without further qualification or specification, and the doctorate degree, awarded by a university in the Flemish Community before 31 December 2005 are deemed to have been lawfully awarded, and the people who have been awarded these degrees are deemed to have lawfully received the corresponding title.

The Act also describes in detail the right of graduates of the former system to use the title of bachelor or master.

The existing regulations laid down by Act continue to apply for the organisation of initial academic teacher training, initial teacher training at an academic level, teacher training for dance, and advanced teacher training. Therefore this Act does not change anything in these teacher training programmes.

The existing regulations on enrolment fees also continue to apply.

The existing regulations laid down by Act also continue to apply to the organisation of academic programmes, advanced academic programmes and the basic programmes of one cycle and two cycles, until they have completely come to an end.

<i>Associations</i>

From the start of the discussions on the implementation of the Bologna Declaration, it was clear that the target was to create a coherent body of programmes of study within a relatively stable context, in which the synergy between higher education institutions would be extremely fruitful.

The **association of 'university and other institution(s) of higher education'** is an instrument to promote co-operation between *hogescholen* and universities in a general sense. It is possible to strengthen the research base in the association without fragmenting the resources for research. This can be achieved, for example, by turning the programmes of two cycles at *hogescholen* into academic programmes, and by involving the lecturers and assistants teaching programmes of two

cycles at *hogescholen* in the research work. The universities are also given more opportunities to valorise their know-how.

An association is a co-operative venture between a university and one or more *hogescholen* established voluntarily, on the one hand, by a single Flemish university which will be able to organise both bachelor's and master's programmes in the future, and on the other hand by one or more other institutions of higher education. The participation of students and staff is ensured by their representation in consultation bodies to be established, and in the general assembly of the association.

An association is not a new type of institution (in addition to the universities and *hogescholen*), but a co-operative venture between the two, with a specific task. Therefore it is not the intention to gradually transfer to the association the core tasks which fall under the mission imposed by Act on the universities and *hogescholen* respectively. The university and the *hogescholen* continue to be wholly responsible and liable for carrying out their task under the Act. This means that the students continue to enrol in the institutions, and that the institution awards the degrees and certificates.

Institutions which jointly form an association can wholly or partly second members of staff to carry out specific tasks and allocate resources to the association. The institutions report on this in the annual report. The institutions also make financial resources and staff available to the association. The association does not recruit any staff of its own. An association can generate income from its own activities.

The mission of the association is to improve the quality and efficiency of the educational provision and increase the 'interwovenness' of education in academically-oriented bachelor's programmes and in the master's programmes at *hogescholen* through co-operation between the university and college(s) of higher education.

The task of the association, based on co-operation between the members, is to:

- provide the best possible education and plan it jointly;
- attune the educational profiles of the programmes to one another, structure the training pathways of students and improve the possibilities for transferring from one programme to another, in particular from a bachelor's to a master's programme;
- guarantee that academic programmes are based on scientific research;
- draw up and carry out multi-annual plans for educational innovation and improvement and for research;
- conclude agreements on personnel policy, in particular by co-ordinating internal regulations.

The association aims to achieve these objectives through its own activities and through agreements between the partners. To this end it can make concrete arrangements about financial policy and about logistics and infrastructure, about student administration, and in particular, about the social provisions for students.

The articles of association of the co-operative venture determine the conditions under which the partners can join or leave. If a *hogeschool* ceases to be a partner in the association, or if the association is dissolved, the *hogeschool* concerned loses the right to provide academic programmes, starting from the second academic year following the dissolution, unless the *hogeschool* has meanwhile joined a different association which complies with the conditions that are imposed. Obviously an institution cannot be obliged to join an association, but the extra resources to turn the programmes lasting two cycles at *hogescholen* into academic programmes can only be allocated to *hogescholen* which are part of an association. Of course, the creation of associations should not prevent associations or institutions from different associations from co-operating and making agreements, for example, on the joint use of infrastructure, social provisions for students and staff.

The institutions determine the legal form of the association; they decide whether to work as a legal person or as a co-operative venture.

<i>Turning programmes of two cycles at hogescholen into academic programmes</i>

The 1991 Flemish Parliament Act on Universities and the 1994 Flemish Parliament Act on *Hogescholen* retained the traditional ternary structure of Flemish higher education with three sorts of programmes: programmes lasting one cycle at *hogescholen*, programmes lasting two cycles at an academic (i.e. university) level at *hogescholen*, and the academic programmes at the universities. The two last types of programmes had the same level and civil effect, which meant that the historical distinction became difficult to defend, particularly in an international context. However, the structural Act opts for a purely binary system and removes the distinction between the programmes of an academic level and the academic programmes. This means that the programmes lasting two cycles at *hogescholen* are also called “academic programmes” formally. It entails that the Accreditation body must evaluate these programmes in accordance with exactly the same standards as for the universities, and this has consequences at all sorts of levels. A programme profile should be available for every programme lasting two cycles at *hogescholen*. In this way the existing programme provision becomes more transparent. The idea is not for *hogescholen* to develop and expand the same research infrastructure as the universities. This would lead to an inefficient fragmentation of the research budget, which is already too tight. The members of staff take part in the research at the universities by becoming

involved in existing research programmes, or by developing new integrated research programmes (integration of the more application-oriented research at *hogescholen* with more fundamental research at the universities). This integration makes it possible to respond to the new forms of knowledge production. The research policy in an association is directed and co-ordinated by the research council of the university. It is clear that *hogescholen* will be involved in the work of the research council.

Obviously, turning the programmes lasting two cycles at *hogescholen* into academic programmes means that these programmes are incorporated in the research of related research fields. Therefore there should be some correspondence in terms of content between the research fields of the university, on the one hand, and the areas of study of the programmes lasting two cycles at *hogescholen* in the association, on the other hand. In the absence of a better framework to chart scientific research, the related content between areas of study at the university and *hogescholen* is the best indicator for this correspondence. Some flexibility is needed because the areas of study of academic programmes and programmes lasting two cycles at *hogescholen* are not defined in the same way, and because the research, which may be interesting from the point of view of turning these into academic programmes, is not necessarily carried out in the same areas of study. Furthermore, there are programmes lasting two cycles at *hogescholen* for which there are no equivalents in the areas of study of academic programmes, such as art programmes. The way in which this 'academic' capacity is achieved does not necessarily have to restrict the freedom to form an association.

Even if the university has no educational competence in the related area of study, the 'interwovenness' of education with research can also be partly or wholly achieved with the contribution of scientific expertise and research capacity in related areas of study. It is only when there is no research capacity at the university for a specific area of study or specialisation that *hogeschool* will have to conclude a specific co-operation agreement with another national or foreign university which does have the research capacity and expertise that is lacking, with the agreement of the association. In that case, this co-operation agreement relates only to the academic conversion of that specific programme lasting two cycles at the *hogeschool*.

<i>Language Use</i>

The Act lays down the general principles of language use in the institutions, and at the same time gives the institutions a margin for their own policy. The general principles are:

1. Dutch is the administrative language in *hogescholen* and universities;
2. Dutch is the teaching language in *hogescholen* and universities.

However, a different language is permitted in the following cases:

- a) a foreign language is the subject of the programme component and it is taught in that language;
- b) programme components are taught by non-Dutch speaking guest lecturers or guest professors;
- c) programmes in other languages which are followed at a different institution for higher education with the consent of the administration of the institution.

Apart from the three cases referred to above, a maximum of 10% of the course programme may be taught in a different language in bachelor's programmes. In higher professional education the examination on subject matter taught in a different language may only be conducted if that subject matter is also taught in the Dutch language (except in cases a and c).

In general, a student can always claim the right to sit an examination in Dutch (except in cases a and c).

For foreign students, Flemish higher education institutions may teach in a language other than Dutch, in so far as they also provide an equivalent programme in Dutch. In practice, this regulation guarantees the possibility to teach joint programmes in commonly known languages.

Master's programmes in the context of the International Course Programme for development co-operation are not subject to the language restriction. Bachelor's programmes following another bachelor's programme and master's programmes following another master's programme are not subject to the language restriction either.

Therefore the Act allows for a number of general exceptions, and in particular cases gives the institutions a margin for their own policy. The institutions are accountable to the Flemish government in this respect. They shall draw up a code of conduct for the points for which they have a margin for their own policy, and account for their policy every year, regarding the use of a teaching language other than Dutch.

<i>Co-operation and Joint Certification</i>

The Act continues and expands the existing possibilities for **co-operation between institutions or with third parties**. This expansion of the co-operation possibilities is translated into far-reaching possibilities with regard to joint certification. After all, in addition to the exchange of students and lecturers, the joint organisation of programmes requires awarding certificates jointly.

The Act provides for the possibility of awarding a certificate to students who have not followed part of their programme in their 'own' institution, and have taken examinations on programme

components in a different institution. The Act describes a number of conditions for **joint certification**.

<i>Conclusion</i>

With the 4 April 2003 Act, Flanders laid the foundation for achieving virtually all the objectives of the Bologna Declaration. In 2011, the new bachelor-master structure will have completely replaced the old structure.

The reform of the curriculum which will accompany the implementation of the new structure is the perfect occasion to strengthen the European dimension.

Flanders has always been a pioneer in the ECTS programme and will continue to be one. In fact, Flanders was the first to introduce an efficient model of Diploma Supplement which is now widely copied. These efforts will continue in the new structure.

The Act now removes many official obstacles which prevented larger mobility.

Although the Act will have an enormous impact straightaway, Flanders is aware that it certainly does not solve everything immediately. For example, the teacher training will have to be updated fairly soon and higher education will have to be made more flexible to continue the fundamental process of democratisation, which will also have to be accompanied by appropriate changes in student funding and a reorientation of student provisions.