

Recognition of Prior Learning: the Flemish Case



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0. Overview

1. Introduction

2. Recognition of prior learning in an academic context

3. Recognition of prior learning in a professional context

4. Conclusion



1. Introduction (1)

- since end 90's life long learning (high) on policy agenda both in education and training, and in labour and employment
- 2 main reasons:
 - (1) international policy developments and initiatives
 - (2) internal material developments in relevant policy fields



1. Introduction (2)

- international policy development and initiatives:
 - EU:
 - 1995: EC White Paper Education and Training
 - 1998: Employment Guidelines
 - 2000: Lisbon Agenda
 - 2000/2001: EC Memorandum on Life Long Learning + EC Communication “Making a European Area of Life Long Learning a reality”
 - Bologna Process:
 - 2001: inclusion of promotion of life long learning as an independent action Line



1. Introduction (3)

- internal material developments in relevant policy fields:

- education and training:

new demands from ever more diversified (potential) student body, crying out for more individualized and flexible study paths

- labour and employment:

consequences of definite transition to fast evolving services economy (“information economy”) + new, more activating approach to tackling the problem of long term structural unemployment (“activating welfare state”)



1. Introduction (4)

- 2000: Life Long Learning Action Plan of Flemish Community (“Een leven lang leren in goede banen”)

=> structuring concept: every individual has “a right to life long learning”

=> systematically concretised in:

- right of the individual to information, guidance and advice
- right of the individual to reiterating periods of learning
- right of the individual to participate in the development of a life long learning policy
- **right of the individual to have her/his experience and knowledge recognised**



1. Introduction (5)

- policy objective of “the right of the individual to have her/his experience and knowledge recognised” was legally translated in 2 decrees voted by the Flemish Parliament on the same day: 21/04/2004
 - **Decree on Flexible Learning in HE** => 1 of it's features is a fully developed system of APL/recognition of prior certified learning/recognition of prior acquired qualifications and of APEL/recognition of prior experiential learning/recognition of prior acquired competences
 - **Decree on the Title of Professional Capacity** => introduces a fully developed system of APEL/recognition of prior experiential learning/recognition of prior acquired competences for the labour market



2. Recognition of prior learning in an academic context

2.1. Decree on Flexible Learning in HE: scope and objectives

2.2. Recognition of prior acquired experiences (EVC)

2.3. Recognition of prior acquired qualifications (EVK)

2.4. Consequences: access, exemption, degree

2.5. Legal protection



2.1. Decree on Flexible Learning in HE: Scope and Objectives (1)

What does flexibility in HE mean?

- flexibility of access to HE
- flexibility of learning environment
- flexibility of curriculum
- flexibility of organisation of education



2.1. Decree on Flexible Learning in HE: Scope and Objectives (2)

What is the scope of the decree?

- surpassing the study year system (flexibility of organisation)
- developing a study progress system through accumulation of credits (flexibility of organisation)
- taking into account prior acquired experiences (EVC) and prior acquired qualifications (EVK) (flexibility of access)
- developing individualised study paths (flexibility of curriculum)
- developing a new and appropriate system of tuition fees



2.1. Decree on Flexible Learning in HE: Scope and Objectives (3)

What are the objectives of the decree?

- enhancing the student's possibilities for mobility
- enhancing the possibilities for differentiation in education
- enhancing the possibilities for life long learning



2.2. Recognition of Prior Acquired Experiences (EVC)

2.2.1. Definition

2.2.2. General Approach to Recognition

2.2.3. Competence and Responsibility

2.2.4. Standards

2.2.5. Methodology

2.2.6. Procedural Guarantees

2.2.7. Quality Assurance

2.2.8. Validity

2.2.9. Costs and Funding



2.2.1. Definition

- EVC = sum total of knowledge, insight, skills and attitudes acquired via learning processes that have not resulted in a certified proof of study
- this is any form of informal learning and most forms of non-formal learning



2.2.2. General Approach to Recognition (1)

- any person who believes to have EVC relevant for HE has the right to apply for a **competency examination**

= the examination of the competences of a person

- if a competency examination has a positive outcome a **proof of competency** will be issued

= the proof that a student on the basis of EVC has acquired the competencies that characterize:

- the level of bachelor in higher professional or academic education
- the level of master
- a specific programme, course unit or cluster of course units



2.2.2. General Approach to Recognition (2)

a proof of competency is a document minimally containing:

- the instance issuing it
- the standards used
- the methodology used
- the competencies brought to light by the competency examination



2.2.3. Competence and Responsibility (1)

- responsibility for competency examination and proof of competency lies with the associations of universities and non university HEI's
- associations are confederations of 1 university and at least 1 non university HEI, created by the bachelor-master-decree of 2003
- there are currently 5 associations
- responsibility was awarded to associations because of a mixture of practical argument and political reasoning



2.2.3. Competence and Responsibility (2)

- associations have to install a “validating instance”, either their governing board or an autonomous organ under authority or supervision of the governing board
- associations are autonomous in their choice of set-up: most have chosen for differing combinations of central and decentral organisation



2.2.3. Competence and Responsibility (3)

- each association can organise and structure competency examinations as it sees fit
- the decree however imposes 2 restrictions:
 - associations have to develop a regulation incorporating methodological and procedural guarantees for the competency examinations
 - the decree imposes a limited amount of minimum rules concerning standards, methodology, procedure and quality assurance, because:
 - the Belgian Constitution requires it
 - individuals are entitled to a minimum level of public protection
 - research shows that for recognition of EVC to be successful some minimum rules have to be guaranteed across the board



2.2.3. Competence and Responsibility (4)

- although the decree does not explicitly impose the traditional 4 tier structure of (1) information and guidance, (2) identification, (3) assessment and (4) recognition, this structure clearly lingers in the background and can be constructed from the minimum rules the decree does impose; moreover all associations use the 4 tier structure to organise their recognition procedure



2.2.4. Standards (1)

- 2 standards are imposed depending on the nature of the application:
 - the general competences linked to the level of professional bachelor, academic bachelor and master in the bachelor-master-decree of 2003
 - = Dublin Descriptors translated to the Flemish context
 - the end competences of a programma, course unit, part of course unit or cluster of course units in a HEI and/or an association



2.2.4. Standards (2)

- Does this impose programmes and course units to be defined in terms of competences?
 - legally unclear: discrepancies between the definition of programme and course unit in the decree
 - in practice HEI's cannot avoid defining their programmes in terms of competences, since the general level descriptors are used as standards for quality assurance and accreditation, and they need competence based descriptions to be able to answer requests for recognition of EVC
 - however a lot of practical problems remain when it comes to defining competences that can be observed and assessed, especially for more traditional university programmes



2.2.4. Standards (3)

- Does this impose the didactic concept of competence-based education on HEI's and programmes?
 - no, competences have to be used to define the intended outcomes of programmes and course units, but they need not dominate the entire didactic environment (didactic freedom of choice)
 - there is no consensus in the Flemish Community on competence-based education: there are clear pedagogical advantages, but there are also undeniable practical and theoretical disadvantages



2.2.5. Methodology (1)

- the decree imposes a closed system of methods to be used for the competency examinations: 1 of 5 methods or a combination of these:
 - structured interview in which prior knowledge of applicant is investigated
 - direct observation of behaviour and accomplishments
 - evaluation based on collected information and accomplishments
 - evaluation based on interpretation of facts and statements with reference to theoretical schemes
 - portfolio construction, ie composition of a personal file wherein all kinds of items/products are included to prove competences



2.2.5. Methodology (2)

- the decree imposes that in it's EVC regulation each association clarifies:
 - which method(s) will be used for which group(s) of applicants
 - the burden of proof, and it's levels, for each method, vis-à-vis different groups of applicants



2.2.5. Methodology (3)

- in practice it can be noticed that:

- all associations have promoted portfolio construction as the basic method, because it plays a useful part in both identification and assessment of competences
- some associations have simplified the closed system of 5 methods by reducing it to 3 methods: portfolio construction, competence oriented interview and practical test, whereby the 2 latter methods are subordinate to the former
- most associations use as basic criteria for the assessment of a competence: (1) authenticity, (2) actuality, (3) relevance, (4) quantity and (5) variety of contexts



2.2.6. Procedural guarantees (1)

- the decree imposes 5 procedural guarantees for the competency examination:
 - the applicant receives guidance and counseling concerning:
 - the acquisition of insight in the possibilities of curriculum construction in HE
 - the collection of evidence for his competences and the fulfillment of the burden of proof
 - the assessor(s) is/are capable of judging the burden of proof, can as a consequence read and interpret both the burden of proof and the standards and can compromise both
 - the counselor(s) and the assessor(s) cannot be identical
 - the privacy and the personal integrity of the applicant are protected
 - the internal appeals procedure is aimed at mediation



2.2.6. Procedural guarantees (2)

- it is remarkable to notice that the decree does not impose the assessor not to be a possible teacher of the applicant later on: this was done for practical reasons



2.2.7. Quality assurance

- each association and HEI has primary responsibility to organise internal quality assurance for its EVC procedure
- every 5 years the Flemish government will organise an external quality assurance exercise concerning the way associations and HEI's deal with their quality assurance responsibility, resulting in a public report
- both the internal and the external quality assurance exercises will focus on transparency, accessibility, reliability and validity of the procedures and methods used



2.2.8. Validity

- a proof of competency is valid in all HEI's member of the association and in every other association and/or HEI that has made an agreement on this issue with the former association

=> for the moment no inter-associational agreements concerning the validity of proofs of competency exist although the University Association Brussels has explicitly included in its EVC regulation that it can accept the validity of proofs of competency of other associations on condition that it has declared the procedures and methods used by these associations equivalent to its own
- a proof of competency in theory has eternal validity, but from 5 years after issuing onwards the association can impose a so-called updating programme



2.2.9. Costs and funding (1)

- applicants have to pay a financial contribution for the competency examination, the amount of which is fixed by the decree depending on the nature of the application:
 - a competency examination concerning the level of bachelor in higher professional or academic education: EUR 590
 - a competency examination concerning the level of master and the applicant does not have a bachelor's degree: EUR 770
 - a competency examination concerning the level of master and the applicant already has a bachelor's degree: EUR 230
 - a competency examination concerning individual course units or a cluster of course units: a fixed amount of EUR 55 for administrative costs + differentiation of the aforementioned amounts on the basis of the size of the examination
- these amounts are maximum amounts: associations can lower or waive them



2.2.9. Costs and funding (2)

- the applicants' contributions do not cover the full cost of the EVC procedure for associations: however they do not receive any extra funding from the government, extra costs therefore have to be taken on by the regular budget of the association's member HEI's



2.3. Recognition of Prior Acquired Qualifications (EVK) (1)

- EVK = any national or foreign proof of study indicating that a formal learning path, within or outside education, has been successfully completed, with the exclusion of a proof of credit obtained in the HEI and programme wherein one wishes to valorize the qualification
- this is any form of formal learning and a big amount of non-formal learning: there are 3 essential, cumulative conditions: (1) a formal learning path, (2) a successfully completed assessment and (3) a certificate attesting learning path and assessment
- country and institution/organisation/company where obtained are completely irrelevant



2.3. Recognition of Prior Acquired Qualifications (EVK) (2)

- the responsibility for the recognition of prior acquired qualifications (EVK) lies with the HEI organising the programme where a student wishes to valorize the qualification
- a student normally applies for recognition when registering at the HEI for the programme
- assessment and recognition are usually done by the academics responsible for the programme and on the basis of the paper documents procured by the student
- in exceptional cases a programme can ask the validating instance of the association to do a competency examination



2.3. Recognition of Prior Acquired Qualifications (EVK) (3)

- EVK procedures are subjected to the same quality assurance requirements as EVC procedures
- the decree says nothing about the validity of EVK, except as far as proofs of credit acquired in the same HEI are concerned: these in theory are eternally valid, but from 5 years after issuing onward the HEI can impose a so-called updating programme
- the decree stipulates that the recognition of EVK is free of charge, except when a competency examination by the validating instance of the association is required



2.4. Consequences: Access, Exemption, Degree

2.4.1. Access to study programmes

2.4.2. Exemption of study units

2.4.3. Acquisition of a degree



2.4.1. Access to Study Programmes (1)

- access to bachelor programmes:
 - for accessing bachelor programmes in the Flemish Community you only need a secondary school degree
 - if you do not have a secondary school degree, a HEI can exceptionally admit you if you have the necessary competences
 - the HEI can ask the validating instance to do the competency examination



2.4.1. Access to Study Programmes (2)

- access to master programmes:
 - on the bachelor level the Flemish Community has a dual system with professional and academic programmes, on the master level only academic programmes exist
 - professional bachelors can be admitted to certain master programmes content-wise related to their 1st degree programme after successfully completing a so-called link-programme of at least 45 and at most 90 ECTS
 - if a professional bachelor has relevant EVC the size of the link-programme can be lowered beneath 45 ECTS or direct access to the master programme can be granted
 - the HEI organising the master programme can ask the validating instance to do the competency examination



2.4.2. Exemption of Study Units (1)

- in most cases recognised EVK and EVC result in exemption of one or more study units or in part(s) of (a) study unit(s), leading to a downsized study programme
- for EVK there's a straight line between recognition and exemption: both are done at the level of the HEI or programme
- for EVC there's a clear division of responsibilities: the association recognises the EVC and issues the proof of competency, the HEI or programme then uses the proof of competency to determine if any exemptions can be granted



2.4.2. Exemption of Study Units (2)

- the decree imposes associations to develop and publish a framework regulation on exemptions which is then further developed by each HEI member of the association
- the framework regulation has to elaborate 4 general principles partly based on the Lisbon Recognition Convention:
 - exemptions have to be granted on the basis on a content-wise link between the study unit and the recognised EVC/EVK
 - students have to be heard
 - the HEI or the programme granting/refusing the exemption has to motivate it's decision
 - there needs to be an internal appeals procedure aiming at mediation



2.4.2. Exemption of Study Units (3)

- exemptions procedures are subjected to the same quality assurance requirements as EVC and EVK procedures



2.4.3. Acquisition of a Degree

- if a HEI comes to the conclusion on the basis of proofs of competence or prior acquired qualifications that a person possesses all the competences required for a specific study programme, then the HEI can issue the corresponding degree without even having to register the person

=> for the Flemish Community this revolutionary

- the HEI can only charge EUR 50 for administrative costs



2.5. Legal Protection (1)

- the legal protection of students vis-à-vis misconduct by the HEI is regulated by the so-called student participation decree of 19/03/2004
- the EVC, EVK and exemption procedures are all covered by this decree
- the 2004 decree creates a 3 tier legal protection system:
 - general principles that the HEI's have to abide by
 - a clear and transparent internal appeals system
 - a swift and specialised external administrative appeals system with a clear-cut administrative tribunal linked to the Ministry of Education composed of 3 judges: a president-lawyer and 2 assessors coming from HEI's



2.5. Legal Protection (2)

- the general principles have to be respected in the EVC, EVK and exemptions procedures and will have to be explicitly guaranteed in the respective association and/or HEI regulations, and are as follows:
 - principle of equal treatment and non-discrimination, allowing however for affirmative action
 - principle of publicity and free access to HEI decisions
 - principle of rights of defense and equality of arms
 - principle of motivation of all unilateral decisions
- for EVC, EVK and exemption procedures the internal appeals procedures have to be specifically aimed at mediation
- ultimately any EVC, EVK and exemption decision can be contested in front of the administrative tribunal