Automatic recognition of foreign degrees in Flanders

Peer-Learning Seminar
Role of NQFs & QA in Recognition

11 December 2013, Trakošćan (Croatia)
Introduction

- Legal frameworks
- Automatic recognition in Flanders
- Added value EQAR
- Q & A
Introduction – “recognition”

- **recognition definition**

  - “A formal acknowledgement by a competent authority of the value of a foreign educational qualification with a view to access to educational and/or employment activities.” (LRC)

- **academic** recognition

  - qualifications giving access to higher education
  - periods of study
  - higher education qualifications

- **professional** recognition

  - access to regulated professions
  - European Directive 2005/36
  - European Economic Area (EEA)
Legal frameworks

- Lisbon Recognition Convention 1997
- Bologna Process 1999 → EHEA 2010
- EU Directive 2005/36
- EQF for LLL 2008
- National laws and regulations
Lisbon Recognition Convention
Convention on the Recognition of Qualifications concerning Higher Education in the European Region

Opening for signature
Place: Lisbon
Date: 11/4/1997

Entry into force
Conditions: 5 Ratifications including 3 member States of the Council of Europe and/or the UNESCO Europe Region.
Date: 1/2/1999

What do you want to know about this treaty?
- Chart of signatures and ratifications
- List of declarations, reservations and other communications
- Full text in HTML Format
- Full text in Word Format
- Summary
- Explanatory Report

Source: Treaty Office on http://conventions.coe.int

Opening for signature 11 April 1997
Entered into force 1 February 1999
Concept of Substantial Difference

foreign qualifications shall be recognized unless there is a substantial difference between the foreign qualification for which recognition is sought and the corresponding qualification of the host country.
The main international legal text that aims to further the fair recognition of qualifications is the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention).
### 8. National implementation of the principles of the Lisbon Recognition Convention

The Lisbon Recognition Convention has been ratified and appropriate legislation complies with the legal framework of the Convention. The later Supplementary Documents have been adopted in appropriate legislation and applied in practice, so that the five main principles are fulfilled and:

- applicants have a right to fair assessment,
- there is recognition if no substantial differences can be proven.

<table>
<thead>
<tr>
<th>Color</th>
<th>Status</th>
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<tbody>
<tr>
<td><strong>Light green (4)</strong></td>
<td>complies with the Convention but further amendments of legislation are needed to apply the principles of the Supplementary Documents in practice.</td>
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<td><strong>Yellow (3)</strong></td>
<td>The Convention has been ratified and appropriate legislation complies with three or four of the five abovementioned principles of the Lisbon Recognition Convention.</td>
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<td><strong>Orange (2)</strong></td>
<td>The Convention has been ratified and appropriate legislation complies with one or two of the five abovementioned principles of the Lisbon Recognition Convention.</td>
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<td><strong>Red (1)</strong></td>
<td>The Convention has been ratified but appropriate legislation has NOT been reviewed against the legal framework of the Lisbon Convention or the Supplementary Documents. OR The Convention has not been ratified.</td>
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LRC & Belgium

- 1 February 1999: LRC entered into force
- 22 July 2009: Belgium ratified RC
- 1 Sept 2009: LRC entered into force in Belgium

How?

- 7 March 2005: signature Belgium
- 15 Dec 2006: ratification Flemish Community
- 19 July 2007: ratification French Community
- 10 July 2008: ratification Federal Government
- 25 May 2009: ratification German Community
- 22 July 2009: ratification Belgium

- 1 July 2011: adaptation Flemish Law 4 April 2003
- 14 June 2013: 2 Flemish Governmental Decisions
  - all levels of education
  - all countries
Bologna Process

Convergences at macro level & structures
- ratification LRC
- degree structure,
- ECTS,
- Diploma Supplement,
- Quality Assurance, ...

Mutual trust at micro level: insufficient
- differences & substantial differences
- individual specific qualifications
New initiatives

- Bucharest Communiqué
  - ... we must make further efforts to consolidate and build on progress

- QA is essential for building trust and to reinforce the attractiveness EHEA
  - Recommendation use of qualifications frameworks in the recognition of foreign qualifications (CoE & UNESCO)
Legal Framework & Background

The Lisbon Recognition Convention (The Convention on the Recognition of Qualifications concerning Higher Education in the European Region), 1997 (ETS No. 165)
- Explanatory Report to the Lisbon Convention
- List of Ratifying States

Documents adopted by the Lisbon Recognition Convention Committee
- Revised Code of Good Practice in the Provision of Transnational Education [PDF], June 2007
  - (version française) [PDF]
- The Diploma Supplement [PDF], June 2007
  - (version française) [PDF]
- Joint ENIC/NARIC Charter of Activities and Services [PDF], June 2004

Recommendation on the Use of Qualifications Frameworks in the Recognition of Foreign Qualifications [PDF], June 2013
- (version française) [PDF]
- Explanatory Memorandum
  - (version française) [PDF]
New initiatives & Flandes

- Pathfinder Group on Automatic Recognition
- Benelux initiative
- Automatic recognition
  The Netherlands and Flandes
  - update NVAO Treaty
  - new legal framework automatic recognition in Flanders
Automatic recognition HE qualifications
The Netherlands & Flanders

- NVAO treaty Flanders & The Netherlands
  - direct access to Master and Doctorate

- Flemish Governmental Decision
  17 September 2010
  - Bachelor, Master & Doctor of
    The Netherlands are automatically declared equal
    with the Flemish ones

- NVAO Treaty update 2013
  - $\text{Ba} = \text{Ba} \; \& \; \text{Ma} = \text{Ma}$
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<td>academisch gerichte bacheloropleiding</td>
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Legal framework Flanders

- Article 87 Law 4 April 2003
  - completely replaced by Law 10 July 2013
  - creation legal framework auto recognition

- Goal: creation win-win situation
  - individuals & recognition body
    - no academic recognition application & procedure anymore
  - individuals
    - before starting to study: it will be recognized
    - no time wasted: direct access to labour market
Legal framework Flanders

Goal: creation win-win situation

- recognition body
  - no burden of proof of possible substantial difference
  - no time wasted: (easy cases) auto recognized
  - focus on tough cases
  - tackling fraud

- HEIs are still autonomous regarding admission (not access)
Two ways of automatic recognition

1. **Level recognition** ("niveaugelijkwaardigheid")
   - General
     - Foreign qualification declared equal to
     - Associate degree, Bachelor, Master or Doctor

2. **Full recognition** ("volledige gelijkwaardigheid")
   - Specific
     - Foreign qualification is declared equal to
     - E.g. Master in Mathematics
Check list **level** recognition

- Foreign QA system ✅ Standards and Guidelines for Quality Assurance EHEA
  - + proof it guarantees the achievement of the LO

- HE **programme** structure ✅ EHEA structure
  - compatible & integrated in NQF

- NQF ✅ overarching framework for Q in EHEA
  - well-matched
  - internationally verified
  - Bergen conference 2005 of European Ministers responsible for HE
European Network for Quality Assurance in Higher Education (ENQA) was established in 2000 to promote European cooperation in the field of quality assurance (QA) in higher education. In 2004, it was transformed into the European Association for Quality Assurance in Higher Education, but its acronym remained the same (ENQA). Since then, the mission of ENQA is to contribute significantly to the maintenance and enhancement of the quality of European higher education at

http://www.enqa.eu/
Main Documents

The main ENQA documents are listed and accessible here.

- ENQA Annual report 2012 (pdf)
- ENQA Work plan 2013 (pdf)
- ENQA Statutes (pdf)
- ENQA Strategic Plan 2011-2015 (pdf)
- Standards and Guidelines for Quality Assurance in the European Higher Education Area (pdf)
- Guidance for Agencies
- Guidelines for external agencies
- ENQA Information note
- Procedure for the administration of the national accreditation agencies (pdf)
- Regulations governing...
Framework of Qualifications in the Europe and North America Region

- **Overarching Framework for Qualifications in the EHEA** [PDF], adopted at the Bergen Conference of European Ministers Responsible for Higher Education, 19-20 May 2005

National Frameworks in Europe

Within the Bologna Process — whose aim it is to establish a European Higher Education Area by 2010 —, participating countries have committed to elaborating national qualifications frameworks by 2010 and to launch this work by 2007. Countries have been invited to carry out self-certification exercises to verify the compatibility with the overarching framework of qualifications of the European Higher Education Area. As these self-certification exercises are completed, the self-certification reports will be published here.

Self-certification reports

- Belgium: [Flemish Community](#), February 2009, [PDF]
<table>
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<th>Third cycle qualification</th>
<th>Qualifications that signify completion of the <strong>third cycle</strong> are awarded to students who:</th>
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<td>- have demonstrated a systematic understanding of a field of study and mastery of the skills and methods of research associated with that field;</td>
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<td>- have demonstrated the ability to conceive, design, implement and adapt a substantial process of research with scholarly integrity;</td>
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<td>- have made a contribution through original research that extends the frontier of knowledge by developing a substantial body of work, some of which merits national or international refereed publication;</td>
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<td>- are capable of critical analysis, evaluation and synthesis of new and complex ideas;</td>
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<td>- can communicate with their peers, the larger scholarly community and with society in general about their areas of expertise;</td>
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<td>- can be expected to be able to promote, within academic and professional contexts, technological, social or cultural advancement in a knowledge based society.</td>
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**ECTS Credits**
in Europe

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Self-certification reports

- Belgium: Flemish Community, February 2009, [PDF]
- Denmark, 2009, [PDF]
- Germany, September 2008, [PDF], [English] [German]
- Ireland, November 2006, [PDF]
- Lithuania, 2012 [PDF]
- Netherlands, February 2009, [PDF]
- Portugal, May 2011, [PDF]
- Romania, November 2011, [PDF]
- United Kingdom
  - England, Wales and Northern Ireland, November 2008 [PDF]
  - Scotland, December 2006 [PDF]
Check list specific recognition

✓ e.g. Master of Science in Mathematics

✓ All above mentioned conditions

✓ + comparison LO of the programmes
... the so-called Dublin descriptors. These are essential to identify the level of a programme, e.g. Bachelor or Master's level. Next to these, subject-specific learning outcomes are defined.
Added value

-European Quality Assurance Register for HE

-Listing QAA that substantially comply with a common set of principles for quality assurance in Europe
In most European countries, higher education institutions or study programmes are subject to regular external review by a quality assurance agency. The European Quality Assurance Register for Higher Education (EQAR) is a register of such agencies, listing those that substantially comply with a common set of principles for quality assurance in Europe. These principles are laid down in the European Standards and Guidelines for Quality Assurance. The register is web-based and freely accessible for everyone. Read more...

### News

7 May 2013: Two Agencies admitted to Register

At its meeting in Berlin on 2/3 May 2013, the Register Committee renewed the registration of the National Agency for Quality Assessment and Accreditation of Spain (ANECA) and admitted the European Council on Chiropractic Education (ECCE) to the Register.
Added value EQAR

✓ Programme leading to
  ✅ Associate degree
  ✅ Bachelor
  ✅ Master

✓ accredited by accreditation organisation
✓ accreditation organisation listed in EQAR
Flanders declares these degrees automatically in general or specific equal to
- Associated Degree
- Bachelor
- Master
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