

Organisation and Governance

The constitutional principle of freedom of education is central to Belgian educational legislation. It gives every natural person or legal person the right to establish schools (the 'organising bodies' or, in elementary education, the 'school boards') and to organise and based them on confessional or non-confessional principles or on specific pedagogical or educational ideas. Parents (of school-age pupils) also have freedom of choice with regard to their children's school. The organising bodies can select, recruit and promote teachers and support, administrative and management staff in accordance with statutory legislation. To support and represent their schools, they have established educational umbrella organisations.

To qualify for subsidisation/funding, schools must accept the educational structure imposed by decree, follow a curriculum that recognisably contains the attainment targets and development goals, submit to the supervision of the educational inspectorate, participate in an LCP (local consultation platform), adhere to the principles of participatory decision-making imposed by decree and apply a complete smoking ban.

In the new funding system for compulsory education, the basic funding of the operating resources is now the same for all networks. The system takes account of the educational level, the branch of education and the branch of study. As a result of the equal opportunities decree, schools may no longer refuse pupils on grounds of colour, national or ethnic origin, background, religion or gender. Schools with a minimum percentage of equal opportunities pupils who meet one of the equal opportunities indicators (parents that belong to the travelling population, poorly educated mother, Dutch not spoken at home, homeless pupil) receive extra financial resources and can give priority to such pupils during enrolment.

There is no enrolment fee in compulsory education. School/study allowances are allocated in nursery education, compulsory education and higher education on the basis of the same criteria and by means of a family dossier that covers all children from the same family for all educational levels. In order to increase pupils' participation, however, the allocation is contingent on regular attendance at school. Moreover, the school regulations contain an undertaking in which mutual agreements are set out about contact with parents, regular attendance and truancy policy, forms of individual pupil guidance and positive engagement with respect to the language of instruction.

At all levels and in all educational networks, participatory bodies are being developed. The consultation structure is highly developed, including with regard to the employment conditions of staff in education.

Educational institutions are increasingly being encouraged to work together administratively in larger partnerships: elementary and secondary schools in schools communities, higher educational institutions in associations, centres for adult and adult basic education in consortia, teacher training colleges in expertise networks, academies for part-time art education in art academies, and institutions for advanced secondary education and for higher vocational education with other institutions, companies, sectors or teacher training colleges.

There are also various other forms of partnership, such as **LCPs**, (local consultation platforms on equal educational opportunities, **RTCs** (Regional Technology Centres for collaboration with the business sector), **Regional Consultation Platforms** for the alternance training system, **ERSVs**, (Recognised Regional Collaborations) for adult education and training, etc.

Education providers and participants

The organising Bodies

The organising body (a government, natural or legal person) is, a government, natural person or a legal person) is considered by the law (the law of 29 May 1959, art. 2) to be the person/entity who takes the initiative to set up the school and is responsible for its organisation (see also 2.3.1.1.). It chooses the level of education, branch of education, the courses of study offered, the venues, the

maximum capacity and whether the school infrastructure will be purchased or leased. It is also in charge of preparing the pedagogical project of the school, school development plan, continuing education plan, school regulations, awarding diploma's (degrees) and getuigschriften (certificates), and choice of pedagogical counselling services. Its freedom concerning teaching methods and educational concept is guaranteed by law. On condition that a minimum timetable is respected and the curriculum is approved, the school may either be financed or subsidised. The organising bodies are responsible for the recruitment and appointment of staff and receive financial resources from the government. The administrative function of the organising body is usually shared or to a large extent exercised by the School Head. An organising body of an elementary school is called a **school board** pursuant to the decree on elementary education of 25 February 1997 (in this report we shall consistently use the term 'organising body'). For the CPG and adult education this is the **centre board**. Organising bodies are also called 'education providers'.

The educational networks

According to the used criteria, the organising bodies are classified in different ways.

According to legal statute, we distinguish:

- **official schools** set up by public administrations (Community, provinces, cities, municipalities or other statutory bodies);
- **subsidised private schools** set up by a natural person or an entity governed by private law.

According to the type of financial resources, we distinguish between financing & subsidising by the State:

- **GO! Education of the Flemish Community** which is directly and fully **funded** by the Flemish Community;
- **Subsidised education** which receives subsidies from the Flemish Community (salary allowances, operational and equipment allowances, and allowances for buildings) provided it complies with the programme and rationalisation standards and certain accreditation criteria.

From 2008-2009, the new financing system for compulsory education will ensure that the operational resources for all the schools will be distributed on the basis of the same operational criteria (see 3.1.1).

According to the type of philosophy-of-life education, we distinguish:

- **Denominational schools** which offer religion-based education (Catholic education, Protestant education, Jewish education);
- **neutral schools** which by means of a subject philosophy-of-life education offer the choice between classes in one of the official religions or non-confessional ethics;
- **Non-denominational schools** which only teach non-confessional ethics;
- **Alternative schools** which vary according to their pedagogical project. . (The Hibernia Judgement from the Council of State dd. 31 May 1985 saw to the recognition of the individuality of the smaller education providers. See Raf Verstegen, Kleine onderwijsverstreckers onder de beschermende hand van de rechter. (Small education providers under the protective arm of the judge)). TORB, 2006-2007, 2-3-4, p. 345-367).

The combination of both criteria leads us to the usual threefold division, linked to the concept of "**educational network**":

- In GO!, the 28 schools groups as well as the Board of GO! act as organising bodies
- Subsidised private education (Catholic education, protestant education, Jewish education, non-confessional education, independent method schools) consists for the largest part of subsidized private Catholic education
 - Subsidized private Catholic education has a large number of private-law organising bodies which each organise many schools

- Subsidised private non-Catholic education (some Protestant-Christian schools, free-thinking schools and Jewish schools in Antwerp) has a few private-law organizing bodies that have established only a limited number of schools
- Independent alternative schools have they too a number of private-law organising bodies which have organised only one or a few schools.
- Subsidized official education is organized by cities, municipalities and provinces, intermunicipal companies;
 - Provincial education is for obvious reasons organized per province. After all, it is the provincial council which acts as the organising body there, i.e. there are 5 organising bodies
 - City and municipal education is organised per municipality. About two-thirds of the local authorities organise education. In that case, the town council is the organising body.
 - In the Brussels Capital Region the Flemish Community Commission acts as the organising body for the Flemish schools in the Capital Region

In practice, the various regulations are subdivided in different ways. For instance, as far as the number of schools communities is concerned, the decree of 14 July 1998 operates the following classification: community education, subsidised official education, subsidised private denominational education and subsidised private non-denominational education (and 'unique institution' for the alternative schools).

The educational umbrella organisations

For support, representation in advisory and policy bodies and the protection of interests of affiliated schools, various groups of organising bodies have set up a representative umbrella organisation. The current umbrella organisations were founded at the end of the eighties following the communautarisation of education. The large educational-network organisations emerged from former Belgian organisations. The umbrellas also organise the pedagogical support and coordinate further training activities for the affiliated institutions.

The educational umbrella organisations receive a budget for further training of staff from the pupil guidance centres, the pedagogical counselling services and boarding schools, as well as for specific further-training initiatives of their own pedagogical project. (See also in-service training 8.2.10. and pedagogical counselling 9.3.3.).

For the support, representation in policy bodies and protection of interests of affiliated schools, the organising bodies have set up a representative umbrella organisation per educational network.

GO! Education of the Flemish Community

Up and until 1 January **1989**, the **Minister for Education was the organising body for State Education in each of the three Belgian Communities. Within the context of communautarisation, Flanders transferred its responsibility as organising body to an elected Autonomous Council for Community Education (ARGO) which was established by the Special Decree of 19 December 1988. From then on, State education was termed community education. The political agreement of 17 June 1998 on the allocation of responsibility, depoliticisation and decentralisation and the special decree of 14 July 1998** replaced the ARGO by a new public institution, to wit 'Community Education' (with capital letter as organising body) and new management entities were created specifically for Community Education, namely schools groups. Henceforth, the organising bodies of community education are the 28 schools groups in conjunction with the Board of GO! rather than one exclusive central body.

As of 2007 Community Education is called **GO!** Education of the Flemish Community.

Administration at central level

The central level monitors the constitutional guarantees such as e.g. free choice, monitors the tasks of the public service, monitors the quality in general, supports the schools and the schools

groups and allocates the resources for investments in large infrastructural works. These powers are exercised by the Board of GO! and the administrator, who takes care of day-to-day management, pursues the policy and who heads central administration. Unlike the other networks, the Board of GO! acts as central organising body and not as an umbrella. Since 1 January 2003, policy supervision of the school groups resides with the Board and administrator, based on reports of the Flemish Community inspectorate's and accountants' reports, while policy supervision of the Council and the administrator is carried out by the government;

The Board consists of 15 honorary mandates, for a period of 4 years:

- 5 members elected by an electoral college consisting of the directly-elected parents and co-opted members of the school councils;
- 5 members elected by an electoral college consisting of the principals and the members of the school councils who were elected by the staff;
- 3 members appointed by the 3 Flemish universities with a faculty pedagogy on the collective recommendation of the faculties of pedagogy, economics and law;
- 2 members jointly appointed by the Flemish Autonomous University Colleges.

The Administrator has an advisory voice on the Board. He assumes the day-to-day management and policy tasks on behalf of the Board. Within the framework of the Board's responsibilities, he is in charge of policy preparation and implementation. The Administrator acts in urgent matters, but his decisions have to be ratified at the next meeting of the Board. Central administration also falls under his authority. This position is a mandate.

Administration at meso level, the 28 school groups

A schools group is governed by a general assembly, a governing board, a board of principals and an general director.

The decision-making authority pertains largely to the meso level, i.e. the **school group**. Every school group has administrative powers over all the Community Education institutions within a well-defined area and comprises at least a number of elementary and secondary schools, a centre for adult education and in most cases also a pupil guidance centre. It is at this level that education policy is shaped. The school group assumes the task of organising body and is managed by a general assembly, a governing board and a general director.

Two representatives of each school council are seated in **the General Assembly** 1 representative elected by and from amongst the parents and the co-opted members of the school council and 1 representative elected by and from amongst the staff members. The general assembly is chaired by the chairman of the governing board. The general assembly ratifies the budget, the annual accounts, and the appointment of the general director by the governing board.

The **governing board** consists of 10 members:

- 6 members entitled to vote are elected directly by the members of the schools councils, for a period of 4 years;
- These members co-opt 3 members entitled to vote, nominated by the board of principals.
- The general director has an advisory voice.

The governing board is responsible for the general policy, the pedagogical policy, the staff policy, and the material and financial policies of the school groups. In addition, the governing board has all the powers not assigned to other administrative bodies.

The board of principals consists of all the principals of the schools and the pupil-guidance centre that belong to the school group. In terms of general management, the board of principals can make arrangements between the schools of the school group, formulate proposals and issue advice to the governing board of the school group and to the general director, and can also add its own points to the governing board of the school group's agenda. It prepares the meetings of the governing board and is responsible for the implementation of decisions of the latter. It also has authority in the areas of pedagogical policy and staff policy.

The general director chairs the board. He is also in charge of the day-to-day management of the school group. He is elected by the governing board from among the principals of the schools within the school group. This position is a mandate which can be terminated by the general assembly, subject to a two-third majority. At Flemish-Community level, the Board of GO! can also terminate the mandate of the general director, upon proposal of the administrator and in accordance with the policy of supervision. The general director has decision-making and managerial powers at school-group level (general policy, staff policy, material and financial policy) and decides on urgent matters. However, these decisions must subsequently be ratified by the governing board.

Subsidised private Catholic education

Traditionally, Catholic education boasts a large number of private-law organising bodies (928 * number provided by Staff services Education and Training. This figure only includes mainstream and special elementary and secondary education, part-time vocational secondary education, secondary and higher social-advancement education, part-time artistic education & the French-language schools under the authority of the Flemish Community.

These Catholic-education organising bodies are grouped into the **VIMKO**, Association of Organising Bodies of Catholic Education, which takes care of cooperation and structural consultation and is the participation channel of the organising bodies in the general policy of Catholic education.

The **Central Bureau** of Catholic education is the highest decision-making body within Catholic education. The members are appointed by the bishops.

In the Educational Committee, Catholic education is represented by the **VSKO, Flemish Secretariat of Catholic Education**, <http://ond.vsko.be>

The associations are responsible for the coordination and representation of the institutions of the different educational levels and sectors: VVKBaO of Elementary education, VVKBuO of special education, VVKSO of secondary education, VVKHO of university colleges, VDKVO of adult education.

Consultation within Catholic education regarding its assignment and the general options in terms of education and upbringing, is done by ARKO, General Council of Catholic Education. Its members are parents, staff, organising bodies and bishops.

Subsidised private non-Catholic education

Besides Catholic education, there are a limited number of schools which offer education based on other religions: Protestant-Christian schools and Jewish schools who have their own organising bodies.

The private **Protestant-Christian schools** are represented in the Educational Committee by the **IPCO, Organising bodies of subsidised private Protestant-Christian Schools**, <http://www.ipco.be>

There are also a few non-denominational **freethinking schools**. These are represented by the **VOOP, Flemish Schools' Forum**, <http://www.voop.be>

Alternative schools

In addition to a number of alternative schools within the 'large' educational networks, there are also a number of independent alternative schools (experience-based education, Freinet education, Steiner schools, see 2.3.4.).

- The Freinet schools and experience-based schools are represented by FOPEM, the Federation of Independent Pluralist Emancipatory Alternative Schools.
- The Steiner schools are represented by the Federation of Rudolf Steiner schools.

Number of locations where alternative education is offered.

One and the same school can offer alternative education in different locations, even according to different teaching methods (e.g. Freinet/experience-based education).

Federation of Steiner schools

Experience-based education	
Freinet	
Jenaplan	
Life school	
Montessori	
Steiner	19
Dalton	
Learning through play	
Total	19

Special education has one Steiner school (primary and secondary education) and one type-3 Freinet school.

At secondary level, there are 7 Steiner schools, 2 municipal Freinet schools and 5 GO! schools

Within GO! A network of alternative (method) schools of GO8 has been established (NET.MET.GO!)

Provincial education

Within a province the **provincial council** exercises the function of organising body for the provincial schools.

The interests of provincial education are promoted by the representative association of the organising bodies of provincial education, **Provincial Education Flanders (POV)**, <http://www.pov.be>.

Some provincial authorities have organised their own pedagogical counselling service and inspectorate.

Antwerp	Provincial directorate > Welfare, education and safety department > Department of Education	http://www.provant.be
Limburg	1st education directorate > Inspectorate	http://www.limburg.be
East-Flanders	7th Directorate/Education > Pedagogical Counselling and Education Inspectorate PIBO	http://www.oost-vlaanderen.be
Flemish-Brabant	Culture and Education directorate	http://www.vl-brabant.be
West-Flanders	Provincial administration Boeverbos	http://www.west-vlaanderen.be

City and municipal education

City and municipal organizing bodies

Traditionally, municipalities have mainly organised Elementary education. Larger cities such as Antwerp, Ghent and Mechelen have also invested in secondary education, especially in technical and vocational education. In fact, part-time artistic education is even for the greater part organised by cities and municipalities.

There are 265 organising bodies (* data supplied by the Education and Training Staff Services, 1 school for special secondary education is organised by a municipal intermunicipal company. This figure only includes mainstream and special elementary and secondary education, part-time vocational secondary education, secondary and higher social-advancement education, part-time

artistic education & the French-language schools under the authority of the Flemish Community.

Especially the cities of Antwerp and Ghent organise a wide range of educational programmes, under the authority of a special alderman for education and training, supported by a specific department of education and training within their administration (in Antwerp the business unit 'learning city') and their own pedagogical counselling service.

Antwerp, administration + pedagogical counselling service + <http://www.antwerpen.be>
inspectorate

Ghent, administration + inspectorate <http://onderwijs.gent.be/>

Ghent, pedagogical counselling service <http://www.pbdgent.be/>

Within the cities and municipalities the **town council** exercises the function of organising body for municipal education. They have so-called 'full authority' and take all the decisions, except for those responsibilities which have been explicitly transferred to the Burgomaster and Aldermen. The city/town council has sole authority to appoint or discharge teaching staff. This authority cannot be delegated. In relation to financial management.

Intermunicipal initiatives

Two or more municipalities which wish to cooperate in the area of education can set up an **intermunicipal education association (IGOV)** for this purpose. To that end, they may also call on other organising bodies of educational institutions which are not affiliated to their own network. The aim should be to plan, carry out and check a well-defined educational project or to provide a clearly defined counselling service regarding education to the participants. However, these educational objectives and counselling services cannot fall within the remit of the complementary education policy on local level laid down by decree. An IGOV has its own decision-making body, a governing body, in which municipal mandataries sit on behalf of the participating municipalities. An IGOV is a simple and flexible 'education intermunicipal company' with corporate personality. The association is first and foremost catering for schools communities in elementary and secondary education. Other joint ventures, too, however, for example in Part-time Arts Education or Adult Education, can refer to it. The decree of 28 November 2008 on IGOV applies to both Flanders and Brussels and applies to all levels of education.

Cross-network initiatives

Since 2005 the larger core cities have also become active on cross-network basis as directors of services at the **municipal level** (see 2.7.1.11 Complementary education policy at local level).

Defence of interests

The interests of city and municipal education are looked after by the representative umbrella organisation the **OVSG, 'Onderwijssecretariaat van de steden en gemeenten van de Vlaamse Gemeenschap' (Education Secretariat of the Cities and Municipalities of the Flemish Community)**, <http://www.ovsg.be>. See also <http://www.vvsg.be/ONDERWIJS/>

Dutch-language education in the Brussels-Capital Region

The Brussels-Capital Region numbers 19 municipalities and is governed by its own parliament (Council of the Brussels-Capital Region) and government (the Brussels' Government). The Council consists of 89 directly-elected members who are divided into a Dutch-language group (17 members) and a French-language group (72 members). The members of the Dutch-language group form the Council of the Flemish Community Commission. The Flemish ministers and secretaries of state of the Brussels' Government together form the College of the Flemish Community Commission. One member of that College is in charge of Education. College and Council together form the Flemish Community Commission. The Flemish and French community commissions together form the Common Community Commission.

The **Vlaamse Gemeenschapscommissie (VGC) (Flemish Community Commission)** is, in

Brussels, responsible for cultural, educational and person-related matters and has the authority of an organising body for these community matters. The Flemish Community Commission is only responsible for institutions which come exclusively under the Flemish Community, it has no competency for persons. The VGC is supervised by the Flemish Community.

The VGC has a two-fold brief regarding Dutch-speaking education in Brussels.

- On the one hand, it pursues a cross-network education policy which supports the local schools' policy and is complementary to the policy of the Flemish Community. The Flemish Community Commission
 - Is a consultation platform for all schools and all networks, it promotes their interests and acts as their spokesperson;
 - Analyses data for policy preparation and policy evaluation;
 - Organises its own quality-enhancement initiatives;
 - Supports third parties who set up quality-enhancement initiatives;
 - Pursues a promotion policy for Dutch-speaking education in Brussels.
- On the other hand, the Flemish Community Commission has also assumed the task of organising body for its own schools since 1995 and pursues its own education policy for its 'own educational institutions': 1 Special elementary education, 1VSE, 2 Special SE, 1 CAE Centre for Adult Education, 2 boarding schools and 1 CPG.

Competent administration: Flemish Community commission > Education Directorate

This is also where the 2009-2014 coalition agreement of the Flemish Community Commission and the annual policy statement can be found.

<http://www.onderwijsinbrussel.be/> is the website for and about Dutch-language education in Brussels.

Support is provided by the **Brussels' Education Centre**:

<http://bop.vgc.be/onderwijs/taalvaart/index.html>

BROSO, the Brussels support centre for secondary education, is a cross-network support initiative for Dutch-language secondary schools in the Brussels-Capital Region, operational since 2006. It is intended for teachers and management, and seeks to support them in increasing the language skills of pupils and administering language tests. 80% of BROSO's funding comes from the Flemish Community and 20% from the Flemish Community Commission (VGC).

The Broad School Brussels platform provides support and quality monitoring for local broad schools in Brussels.

'**Kleur Bekennen**' ('Nailing your Colours to the Mast') is a communal programme set up by the federal Minister for Development Cooperation, BTC, the Flemish provincial boards and the Flemish Community Commission. Kleur Bekennen wishes to promote global awareness training and Global Citizenship in education. Global awareness training is a common denominator for activities and themes devoted to educating people in international relations and development, as well as matters of peace, human rights education, sustainable development and cross-cultural relations. <http://www.kleurbekennen.be/>

Parents who live in the Brussels-Capital Region can – according to the principle of freedom of the head of household – choose whether to send their children to Dutch or French-language education.

For information on policy measures regarding Dutch-speaking schools in Brussels, schools in the Flemish peripheral and language boundary municipalities, as well as support structures (see 12.3.2.3).

Education policy at the local level

Complementary education policy at the local level

During the past decade the **larger cities with regional services** have been faced with decreasing pupil numbers due to the flight from the city to the suburbs, especially in secondary education. Moreover, the percentage of slow-learning pupils and the percentage of truants seem to be highest in the cities. The policy-makers are increasingly focusing on metropolitan educational issues and the link between education, deprivation and the urban issue. (See also the city monitor: <http://www.thuisindestad.be>). In smaller towns and municipalities, too, more and more problems are arising that need to be addressed locally. Especially the cities of Antwerp, Ghent, Malines and Genk have taken cross-network initiatives in education.

In 2002, the equal educational opportunities policy set up LCPs, local educational platforms, their mission being a.o. to conduct a background analysis to gain a better insight into the problem of social deprivation from an environmental point of view (see 12.3.2.1).

With a view to exchanging examples of good practices and work out policy proposals, the Flemish Government set up an **Overlegplatform lokaal flankerend onderwijsbeleid (Consultation platform)** for complementary education policy on a local level) with the 13 cities with regional services in 2005. This platform meets at least twice a year and aims to better align and reinforce the Flemish and local complementary education policy. Since 2005, subsidies have been granted to the most desperate cities with regional services. Since 2006, all cities with regional services have been receiving project subsidies. From 2007-2008, smaller cities that do not offer regional services have also been entitled to project subsidies, partly subsidised by the ministry of education and partly by the cities. From 2008-2009 onwards, these projects are governed by the decree of 30 November 2007 concerning "complementary education policy at local level".

This decree regulates the actions of a local government to develop an education policy in tandem with the local players based on the local situation and complementing Flemish education policy. The decree also includes the rules on social benefits. Municipalities granting **social benefits** to schools of their own school board are held to grant the same benefits to the schools of the other school boards, located in their territory, upon the latter's request. They may not make a distinction between pupils, whichever school they attend. These are social benefits that apply to elementary and secondary schools and pertain to morning, lunchtime and evening supervision, the transport of pupils (only in Elementary education), making available municipal infrastructure accessible to the public, the cost of entrance fees to the swimming pool for primary education. Even municipalities that do not organise education can grant social benefits to all schools within their territory.

The same applies to **benefits other than social** which local authorities (wish to) grant to schools of elementary, secondary, higher, adult and part-time artistic education, Syntra and to Centres for Part-Time Training. As for other benefits, the local authority may decide to grant these only to the schools of its own school board. If, however, the local authorities decide, in the context of complementary education policy, to grant another benefit to a school of another school board, then this is possible. Provided this is done in accordance with the equality principle for all schools (of the same educational level or the same type of education) within their territory on a comparable basis. Local authorities may, however, lay down criteria which schools must meet in order to qualify for these benefits.

The decree also stipulates that the local governments must help promote regular school attendance and tackle truancy of children of school age in the schools located within their territory. They are also required to throw their weight behind measures that should lead to the majority of toddlers attending nursery education. They can take action themselves in this respect or coordinate or support the campaigns of the local actors. In these cases, the local government will join forces with the local consultation platform. In the absence of the latter, the local government will consult local education actors, i.e. at least the schools and the pupil-guidance centres.

Finally, the decree also lays down project subsidies. Cities with regional services that have drawn up a local **education plan** regarding complementary education policy are entitled to subsidies for projects that are in line with that plan, which they co-finance and that address objectives with regard to equal education opportunities, infant participation, truancy, problem behaviour at school, people leaving education without qualification, language stimulation, parent and neighbourhood involvement, cooperation between education, welfare, culture, youth and sports, education-labour market transition, enhanced progression and orientation, literacy or lifelong learning. The project subsidies apply for no more than 3 school years but can be renewed following positive evaluation.

Advice from the local education platform is required for each project.

Other municipalities, too, can apply for subsidies for similar projects, provided they are embedded in the local education policy.

Subsidies may also be granted to similar projects of the Flemish Community Commission in the bilingual area **Brussels Capital**, provided that the Flemish Government concludes a protocol with the former.

The [complementary education policy on local level/ legislation concerning complementary education policy on local level](#) and the selected projects can be found on the webpages local education policy of the department of education, including via [WeTwijfs](#).

The Association of Flemish Cities and Municipalities VVSG developed a local complementary education policy script: <http://www.vvsg.be/onderwijs/Documents/Forms/AllItems.aspx>

See also VVSG onderwijs

For other measures of the Flemish Government in support of Dutch-language education in Brussels, see 12.3.2.3.

Broad school

A broad school aims at the broad development of all children and young people by supporting and/or creating a broad learning and living environment at a local level where children and youths can acquire a spectrum of learning and living experiences. To this end the school can enter into a collaboration and develop a network with associations or institutions from the world of culture, sport, youth work, childcare, welfare, community work..., sectors which together help to shape and support the learning/living of children and youths.

In order to ensure that lasting partnerships are created at local level, a cross-cutting project working group (covering the policy areas of both education and culture) has been set up. In late 2006, 14 Flemish and 3 Brussels-based **trial projects** were started for three years. In 2010 new projects were launched for three school years: 2010-2011, 2011-2012 and 2012-2013. The emphasis is on projects that encourage pupils aged 12+ to 16 to engage in meaningful leisure activities, in which voluntary work also forms a significant element.

Broad School projects are also financed by the Youth Department of the Agency for Socio-Cultural Work for Youths and Adults and several related Broad School projects within the Dynamo³ projects. A broad school project is also being supported by complementary educational policy. An overview of the [regulations](#) can be found on the website of the Agency for Socio-Cultural Work.

The Diversity and Learning Centre has been commissioned by the minister for education to support the development of broad schools in Flanders.

The Broad School Brussels platform provides support and quality monitoring for local broad schools in Brussels.

Parent umbrella organisations

Many schools have their own school-specific parents' association. These associations do not usually interfere in class and school matters but their only objective is to promote the contact and cooperation between parents and the school, and between parents themselves. Parent participation is achieved through the parents' council (see 2.7.2.5). At a cross-school level, parents' interests are promoted by the umbrella parents' associations which come under the educational umbrella organisations (see 2.6.3.1.) which represent parents within VLOR (Flemish Education Council).

- Community education: **GO! Ouders (Parents)** (<http://www.g-o.be>)

- Catholic education: **VCOV**, Vlaamse confederatie van ouders en ouderverenigingen(**Flemish association of parents and parents' associations**), (<http://www.vcov.be>)
- Subsidized Official Education: **KOOGO**, koepelvereniging van ouderwerken in het gesubsidieerd officieel onderwijs(**umbrella association for parental involvement in subsidised official education**) (<http://www.koogo.be/>)

In order to receive subsidies, they need to mutually cooperate. For that purposes, they have set up a **Flemish Parent Platform (VLOP)**. The subsidies are divided based on the number of pupils each umbrella counts.

In 2009, the Flemish Minister for Education and training concluded a management agreement with the umbrellas of parent associations for 3 years (2009-2011). Alongside their basic operations, setting up campaigns on **parent involvement** will be their main purpose. Indeed, from 1 September 2010, the school regulations in each school will need to contain a declaration of commitment with clear agreements between the parents and the school about parents' evenings, school attendance, individual support and a positive commitment towards the Dutch language. From 2011 onwards they additionally need to focus on the maximum bill for elementary education, the issue of cost control in secondary education and the transfer of data in the case of a change of school.

Student and pupil umbrella organisations

De [VSK](#), the Flemish Pupils' Umbrella Organisation, represents all pupils in secondary education. For information and complaints about children's and young people's rights, a [Commissariat for Children's Rights](#) has been set up.

Administration and management in elementary and secondary education

Administration and management in elementary and secondary schools

Elementary education

The principal is called ' directeur'. The government finances or subsidies the office of principal in all schools.

The areas of competence of the principal and the management staff are determined by the organising bodies. For GO!, they are statutorily defined by the decree of 14 July 1998.

In smaller elementary schools the principal also has a teaching assignment. The number of periods he teaches depends on the number of pupils in the school.

Number of periods taught by the principal

14	Mainstream elementary education
10	Fewer than 20 pupils
8	20 - 129 pupils
4	130 - 179 pupils

Operational resources may be used for additional policy support, depending on the number of pupils in the school. When elementary schools merge, a **vice-principal** is appointed (Decree of 25 February 1997). It is now also possible to fill the office of principal on a job-sharing basis (Decree

concerning Education XIV).

A principal or vice-principal with teaching duties in mainstream or special elementary education can be partially or fully relieved of his teaching duties through hours generated from their own point lump sums or through point lump-sum hours from the schools community.

Staffing in mainstream elementary education is allocated on the basis of:

- **teaching periods** for the management and teaching staff;
- **hours** for paramedical staff: the child care assistant in nursery education;
- **points** for the policy and support staff.

In elementary education, the number of funded or subsidised **teaching staff** offices depends on the number of the school's teaching periods. This was introduced in 1984 and gave schools more autonomy over the organisation of their educational provision. There are 3 different types of teaching periods:

- scaled teaching periods (on the basis of the number of regular pupils). In nursery education, these teaching periods can be reassessed in function of the number of infants who enter;
- additional teaching periods for:
 - philosophy-of-life courses or a course on cultural concepts in primary education;
 - reception education for (former) foreign mother tongue newcomers (OKAN, see 12.3.2.2);
 - physical education (since 2001 in nursery education and since 2005 in primary education);
 - equal opportunities policy & adopting equal opportunities policy in the context of infant participation (GOK+teaching periods) (see 12.3.2.1);
 - integration of foreign mother tongue pupils into Dutch-speaking schools in the Flemish-periphery municipalities and language-boundary municipalities and adjacent municipalities or the municipalities bordering on the Brussels-Capital Region (see 12.3.2.3).
- additional teaching periods for voluntary mergers and temporary home schooling (see 5.4.3).

For the offices of policy and support staff the elementary schools receive lump sums base don points (se further down under school communities)

Secondary education

In full-time mainstream secondary education, a full-time principal's position is assigned to any institution with at least 83 regular pupils; otherwise the holder of this position also has teaching duties. Teaching staff are allocated on the basis of the number of teacher hours.

Administration and management of school communities in elementary and secondary education

A schools community is a gathering of different schools of the same educational level (elementary or secondary education), within a geographical area. The intention on the one hand is economy of scale and in secondary education to make the course provision more transparent so that the choice of course and pupil orientation can be optimized while, on the other hand, one wants to ensure that the available resources are used as efficiently as possible. They may be schools with the same or different organising body or they may belong to the same or a different educational network. Special education schools may also join a schools community. They were introduced in **secondary education** in September 1999 (under the Decree concerning secondary education of 14 July 1998) and in **elementary education** in September 2003 (under the decree concerning the elementary-education landscape of 10 July 2003). Since the start of the schools community in 2003, special elementary schools can form part of a schools community in elementary education.

Composition

In Elementary education a schools community must consist of at least two schools, must have a minimum weighted number of 900 pupils and comprise both nursery education and primary education. Special-elementary education pupils and pupils from sparsely-populated areas are weighted.

Schools communities within secondary education must be able to offer a multi-sectoral course provision. This means that they must offer at least 6 grade levels (except for the 3rd grades of the 2nd and 3rd stage), the branches of education general secondary education GSE, technical secondary education TSE and vocational secondary education VSE, a full first stage and a course provision of at least three options in GSE and two areas of study in TSE and in VSE in the 2nd and 3rd stages. However, under certain conditions derogations may be granted for a period of two years.

Duration

Affiliation of schools is **voluntary** and runs for renewable periods of 6 school years at a time.

The decree of 17/06/2011 confirms the existing structure of the schools communities in elementary and secondary education with a view to fundamental reinforcement by 01/09/2014. With a view to this reinforcement and the planned reform of secondary education, the schools communities have been reconstituted with effect from 1 September 2011 for a period of - exceptionally - three school years. From 1/9/2014, the schools communities will return to operating for their usual period of six school years. This arrangement also applies to the duration of the ICT cooperation platforms.

Establishment of schools communities

To ensure a rational order in the provision, **44 geographical education areas** were demarcated. As a general rule (with two exceptions) every schools community must be located within a maximum of 5 contiguous zones. Moreover, **a quota on the number of schools communities applies**.

From 1 September 2006 the following quotas apply:

	Elementary education	Secondary education
Community education	Maximum 44	Maximum 40
Subsidised official education	Maximum 95	Maximum 15
Subsidised private denominational education	Maximum 248	Maximum 80
Subsidised private non-denominational education	Maximum 5	Maximum 5

No more than one schools community of each one of these groups (networks) in secondary education can be located in the Brussels-Capital Region.

Cross-network schools communities are included in these quotas on the basis of the number of schools in each educational network. In the case of an equal number of schools of different networks, a mutual agreement is to be reached as to the quatum to which this pertains.

Schools communities are increasingly involved in policy-making and receive extra resources from the government.

Number of schools communities during 2012-2013

Community education
Subsidised official education
Subsidised private education
Cross-network
Total

E

Source: Staff Services Education and Training - January 2013

Responsibilities of schools communities in elementary education

Schools communities are vested with the following powers at the level of the school community if the school board chooses to do so:

- appropriation of the incentives point lump sum;
- arrangements on the allocation of points for support and management staff which can be pooled at schools-community level;
- allocation of management and support-staff points;
- appropriation of the ICT point lump sum;
- the manner in which the special-elementary school makes its expertise available;
- concluding cooperation agreements with other elementary schools outside of the schools community, other elementary or secondary-education schools communities, institutions for secondary education, Part-time Arts Education and/or Adult Education;
- accepting other schools into the schools community;
- the manner in which **the point lump sum to implement a special-needs policy** is spent;
- the **inter-schools-community special-needs policy**. The individual schools community also appoints a **special-needs coordinator** as a government **contact person** on infant participation within their schools community;
- general arrangements on job descriptions and evaluations;
- general arrangements about the internal fine-tuning of staff policy (recruitment, job design and deployability of staff members) within the schools community. The term "schools community" is included in the regulations defining the legal position of staff members in elementary education. Staff members acquire rights and duties that apply with respect to all school boards belonging to the same schools community.

Areas of competence which may not be transferred, but where the schools community may take the initiative of making arrangements and present these to the school board or school boards are:

- transferring teaching periods;
- transferring special-needs points to other schools communities within the same or adjacent areas depending for special projects or in the event of a take-over of a school by the school board of another group (network);
- staff management;
- use of infrastructure;
- declaration of commitment.

[\(Omzendbrief BaO/2005/11\)](#)

Responsibilities of school communities in secondary education

Following responsibilities are vested at the level of the school community:

- the rationalization of the educational provision (the establishment, the phasing-out, the transferring of structural components, the mergers and self-governance of schools);
- objective pupil orientation and guidance in collaboration with one pupil guidance centre; (until 2013-2014 a schools community can also join forces with a pupil guidance centre for a Special SE school affiliated to the schools community; this arrangement does not compromise the chances of special secondary schools joining and the necessary room is created for the switch-over);
- staff management (criteria regarding the recruitment, functioning and evaluation of staff);

- distribution of the extra teaching periods across the institutions; the distribution criteria are negotiated in the local committee;
- the distribution of the overall point lump sum; the distribution criteria are negotiated in the local committee;
- the appropriation of ICT coordination resources;
- possible agreements about the declaration of commitment in the school regulations;
- advice on investments in school facilities and infrastructure;
- cooperation with special secondary-education schools;
- cooperation with Elementary education, Part-time Arts Education and Adult Education schools and with mainstream secondary-education schools which are not affiliated to any schools community.

Advantages

- more favourable rationalisation standards;
- a more simplified assignment and transfer of teaching periods. Every secondary school receives a number of weekly teaching periods to teach subjects (here the subject, grade, branch of education and number of pupils are factored in). Those teaching periods can be transferred (until 1 November of the school year in question) to other schools for full-time mainstream and special secondary education. Such transfers are easier for schools affiliated to one and the same schools community;
- extra teaching periods for Brussels schools; (a greater number of teachers is allocated to those schools located in Brussels and affiliated to a schools community);
- extra teaching periods for schools communities;
- more favourable calculation standards for the overall point lump sum;
- allocation of non-organic staff formation;
- wider deployment of staff to carry out tasks for the overall schools community;
- maximum use of patrimony;
- to support its own activities, each schools community is entitled to allocate a certain amount of points from its point lump sum to create positions for support staff and/or to relieve the general director or the coordinating director from their school duties or teaching assignments.

(Circular letter: Secondary-education schools community. SO 62)

Staff formation

The **functions** of schools community coordination director and of schools community staff worker have been created to support the schools community. Staff may only be recruited to these functions on a temporary basis; however, they may be regarded as a promotion. They are created on the basis of point lump sums.

Point lump sums in elementary education

Elementary schools receive two point lump sums for offices of policy and support staff:

- for administrative support (all schools, mainstream and special education) - for the office of administrative assistant;
- for ICT coordination (only schools affiliated to an ICT cooperation platform or a schools community) - for the office of ICT coordinator.

Up to a maximum of 10% of these points can be pooled at schools-community level. This percentage can be deviated from subject to approval within the competent local committee.

They can also obtain care points (lump sum) for a special-needs coordinator via the schools community (from the schools-community care lump sum). They can also obtain points for ICT, administration and care from the incentives lump sum (see hereafter).

At school level, the different points cannot be transferred from one lump sum to another.

Schools communities receive:

- an incentives lump sum (on the basis of the schools community's number of pupils) to support the activities of the schools community. The points from the incentives lump sum and the points which have been put together by the schools at schools-community level may be used to appoint an ICT coordinator, a special-needs coordinator, an administrative assistant in one or several schools affiliated to the schools community, a schools-community coordinating director (in community education, in addition also to appoint a school-group general director) or a schools-community member of staff who are then explicitly relieved from their teaching or school duties.
- a care point lump-sum. At least 90% of this lump sum must be divided over the various schools affiliated to the schools community. However this percentage can be deviated from provided an agreement within the competent local committee is reached. The points can only be used for the office of special-needs coordinator.

Points are used to create jobs in a certain institution, in a certain office, at a certain level of education and for a specific number of hours. Though, within the framework of the hours allocated on the basis of schools-community points no permanent appointments can be made.

Circular letter BaO/2005/12 Point lump sums for elementary-education schools and schools communities: staff formation and staffing aspects.

[Circular letter BaO/2005/11](#) Schools communities elementary education

Point lump sums in secondary education

From 1 September 2009, every schools community and every school that does not belong to a schools community will receive one (henceforth integrated) point lump sum for maintaining and/or setting up positions in the offices:

- management staff (except for the office of School Head), at school level (vice-principal, coordinator, technical advisor-coordinator, technical advisor);
- support staff, at school level;
- teaching staff, support staff, paramedic staff, medical staff, orthopedagogical, psychological and social staff in the context of task and function differentiation.

The schools community will decide how the funds are divided, obviously in consultation with the competent staff representatives. Schools communities may also reserve part of the point lump sum for their own operations (amount withheld).

The scheme applies to the whole of secondary education (full-time mainstream, special, part-time) until school year 2013-2014. As part of the reform of secondary education, a new staff allocation system will then be introduced.

The purpose of the overall point lump sum is to flesh out the framework of management staff (except for the principal, who is inherent to each school) and the framework of support staff at school level and to provide for policy regarding task and job differentiation at school and schools-community level.

(Decision of the Flemish Government of 4 September 2009 concerning the overall point lump sums in secondary education, Circulars SO/2009/03, SO/2009/04(BuSO) and PERS/2009/06).

ICT coordination

Extra staffing (expressed in a point lump sum) is allocated to (collaborating) schools and centres specifically for ICT coordination, and extra operating resources are allocated for logistical and material support for ICT coordination. This applies to all schools for mainstream and special elementary and secondary education, the centres for part-time vocational secondary education, the Centres for Adult Education and the institutions for part-time art education. The extra support depends on the number of pupils, the educational level and the structural component. The schools

may only use extra staff and resources if they work together, and pool their point lump sum in a collaboration platform, a schools community or a schools group. Schools that join a collaboration platform form an agreement for the purpose, the term of which coincides with that of the schools communities. As is the case with the schools communities, the collaboration platforms formed for the new period from 1 September 2011 will only run for three school years. From 1/9/2014, collaboration platforms can again be formed for six school years.

Circular GD/2003/04

Collaborations

A **collaboration platform** consisting of one or more schools communities is responsible for managing the replacement units that can be used by schools to replace management and teaching staff during brief absences [see 9.2.5].

In secondary education, **reception education** should be requested by the schools community. One school in the schools community will serve as the contact school for non-Dutch-speaking newcomers. With a view to ensuring harmonisation in pedagogical/teaching matters and on the organisational front, structured and systematic consultation must be organised by the schools community [see 12.3.2.2].

In secondary education, a schools community should, for the purposes of objective pupil orientation and guidance, make arrangements and collaborate with **a single centre for pupil guidance**. In addition, until 31/08/2014 the schools community may also collaborate with the centre for pupil guidance of a school for special education belonging to the schools community. After the present period of current CPG contracts (until 2011-2012), the next contracts will be concluded on a one-off basis for a period of two school years (2012-2013 to 2013-2014), and then arranged on a basis of six school years again.

Each schools community in which a centre for part-time vocational secondary education is included has a duty to engage in consultation with respect to each **regional consultation platform** [see 6.4 Alternance Training System] that is established within a RESOC area for consultation about regional education and training provision whose operating area partly or completely coincides with that of the schools community.

At the level of the schools community, involvement in decision-making for staff, parents and pupils is organised in a **representative advisory board** [see 2.7.2.6]. For participation with regard to employment conditions, an OCSG (**Negotiation Committee**) is established at schools community level [see 2.7.5].

Class councils in secondary schools

In secondary education, the **class council** acts as the central evaluation body. Three functions can be assigned to the class council and, consequently, depending on the case, they are referred to as "admissions class council", "guidance class council" and "deliberation class council". The guidance and deliberation class-councils consist of the School Head or his representative and all the members of the teaching staff who teach a particular pupil a particular branch of education and sub-division (these people are entitled to vote). They may be assisted by the vice-principal, the technical advisor (coordinator), support staff and/or the members of staff providing the pupils of the school in question with psycho-social or pedagogical counselling (these people have an advisory voice). In contrast to the guidance and deliberation class councils, the admissions class council does not have to be composed of all the teachers teaching the structural component pupils choose.

The **admissions class council** decides whether the admission or transition requirements for pupils have been met. In contrast to the guidance and deliberation class councils, the admissions class council does not have to be composed of all the teachers teaching the structural component pupils choose. With effect from school year 2011-2012, the admissions class council also decides about pupils who enter regular Flemish secondary education from a foreign education system, from a French- or German-language school in Belgium or from a reception class for non-Dutch-speaking newcomers. Such pupils thus do not have to undergo an equivalence procedure. However, the

class council must be attended by all members, and must decide within 25 teaching days of regular class attendance. (www.naric.be).

The **guidance class council** usually meets after an examination period or if a certain problem arises in a class or with a particular pupil. This class council mainly discusses class atmosphere (relations within the class, interest and cooperation of the pupils) and deals with the follow-up, evaluation and guidance of the study progress and the behaviour of pupils (e.g. by means of remedial tasks in case of behavioural or study problems).

The **deliberation class council** meets after the June examinations and is the only body empowered to decide whether or not a pupil passes. Both parents and the school board may appeal against a final decision. The class council in question is then required to reconvene by 15 September at the latest. This class council issues attestaten (certificates), diploma's (diplomas) and getuigschriften (certificates) and advises pupils on their further school career. (Decision of the Flemish Government of 19 July 2002) & (Circular letter SO 64).

School council in elementary and secondary schools

The participation of parents, teachers and the local community was very limited until the nineties. When community education became autonomous and the Autonomous Council for Community Education (ARGO) was created, co-management in local school councils was also regulated in 1988 and later amended by the special decree of 14 July 1998. In subsidised education, following the Decree of 23 October **1991** on participation, participation councils were created with more limited powers of participation, while in **1999** the organisation of pupil councils was regulated.

An overall regulation on local participation in elementary and secondary education was established by the Decree of 2 April **2004** concerning school participation and the Flemish Education Council. The new regulation applies to all elementary and secondary schools (mainstream and special, full-time and part-time) with the exception of special-education type-5 schools. The section on schools communities only applies to subsidised education; GO! has been regulated by the Special Decree of 14 July 1998 concerning community education.

In 2008, an OBPWO survey conducted an [evaluation of the participation decree](#).

We will confine our discussion here to the various councils and the representative advisory board stipulated in the regulations.

GO!, Community education

As the school board is embedded in the administrative tiers of community education, we discuss this latter at (2.7.1.4).

Subsidised education

In subsidised education the existing participation councils have been replaced by school councils since 1 April 2005. However, there are some exceptions.

- **Centres for part-time education** do not need to set up a separate school council. The participation rights will be exercised in the school council of the school to which the centre is affiliated.
- **Special-education type-5 schools** do not need to have a school council either.
- **Schools with a participative school board** organising body do not need to have a school council either. In this case however, the board shall consist of at least 2/3 directly-elected representatives of staff members and parents, with a fair balance between the two groups. In secondary education, the pupil representatives with advisory voice must also be involved in the consultation and mandatory-advice procedures.

Composition

- In EIE, elementary education, the school council consists of an equal number of representatives (at least 2) from parents, staff and the local community.
- In secondary education it shall also consist of an equal number of pupil representatives.
- In special needs education the organising body decides, in consultation with the pedagogical council, on the inclusion of one or more pupils in the school council. However, when education form 4 is provided, pupil inclusion is required.
- The School Head is not a member of the school council, but he attends the meetings and has an advisory voice.
- The representatives of the local community are co-opted, through consensus, by the other members.
- The other representatives are either appointed by the respective parent, pedagogical or pupil councils, or through elections by and from among parents, staff members or pupils.

Responsibilities

- The school council has the right to receive **information**, to inspect documents and the right (at its own request or upon request) to be heard. The school council itself also has a **communication and information duty** concerning its own operations.
- The school council can also issue **advice**, on its own initiative and at any time. The advice shall be **well-reasoned** and shall be issued within 21 days. Advice is **mandatory** on:
 - defining the principal's profile;
 - study programmes (including each introduction of a new site);
 - cooperation agreements with other organising bodies or external bodies;
 - pick-up points and bus supervision for school transport;
 - the in-service training policy;
 - experiment and project policies;
 - in Elementary education: failing to include in the maximum invoice the parents' contribution towards an obligatory uniform which is offered in the context of social purposes.
- Prior **consultation** with the school council is required for decisions concerning:
 - the school regulations;
 - the list of contributions which can be asked from parents and possible deviations;
 - the school development plan;
 - the policy plan or contract with the CPG;
 - the year plan on extramural and para-scholar activities;
 - large and non-urgent infrastructural works;
 - the criteria for the allocation of teaching periods, hours, teaching periods and points;
 - policy on well-being and safety at school (complementary to the responsibility of the Committee for Prevention and Protection at Work – (see 2.7.2.6.));
 - duration and time of work-experience activities.

The organising body shall state its reasons when it deviates from the advice. If problems concerning participation arise, a **mediating commission** may be brought in at the request of the school council or the school board/organising body. It consists of one person appointed by the school council, one person appointed by the school board and one person appointed by these two people, in mutual consultation.

For serious complaints about the decision-making process, responsibilities or non-compliance with a procedure, a complaint can be filed with the **Careful Management Commission**.

Pedagogical council, parent council and pupil council at school level

A pedagogical council, a parent council and a pupil council must be established in every elementary and secondary school as from 1 September 2004 if requested by at least 10% (with a minimum of 3 people) of the staff, parents and pupils (in elementary education EIE from the age group of 11-13 year olds). The organising body may of course also set up these councils on its own initiative. The members of the various councils are officially elected for a period of 4 years, (for pupil councils in primary education less formal procedures, specified in the school regulations, may apply). The powers of these councils (the right to information, the right to view documents and the right to

advise) are exercised through their representatives in the school council. And that is where the core of participation lies.

The representative advisory board at schools-community level

All elementary and secondary schools of subsidised and community education, barring special-education type-5 schools, have to organise participation of parents, staff members and pupils at schools community level. To this end all school councils of the schools belonging to the one schools community must be represented in a representative advisory board.

This representative advisory board shall be consulted by the schools community every time this schools community is preparing decisions at schools-community level regarding matters which concern the represented parties. For decisions on the rationalisation of educational programmes and decisions concerning pupil orientation and guidance, participation is to take place through **consultation**.

Administration and management in higher education

University Colleges

The Decree of 13 July 1994 concerning university colleges redefined the administrative organisation of university colleges and gave them greater autonomy. The Decree distinguishes between the **Flemish Autonomous university colleges** (public institutions) and **subsidised university colleges** (subsidised private and provincial institutions).

The Flemish Government appoints a commissioner of the Flemish Government for every university college. One commissioner can be appointed to various university colleges. The Commissioners ensure that the university college boards do not take any decisions that contravene the provisions laid down by or pursuant to law or Decree, or that disrupt the institution's financial balance.

Governance structure for Flemish Autonomous University Colleges (until 1 october 2013)

The administrative bodies of the Flemish Autonomous University Colleges are the executive board, the directorate, the general manager, the departmental councils, the heads of department and the other bodies as specified by the executive board.

The **Executive Board** consists of:

- 8 representatives of the different staff categories, elected by the staff for a term of 4 years,
- 3 representatives of the pupils, elected by the pupils for a term of 2 years,
- A maximum of 12 representatives of the socio-economic and cultural sectors (also elected for a term of 4 years).

The general director attends the management meetings in an advisory capacity.

The Executive Board specifies the administrative rules, examinations and disciplinary rules, prepares the budget, appoints staff and sets the framework for the organisation and coordination of the tasks of the educational institution,...

The **Directorate** consists of the chairman of the Executive Board, the general manager and 3 staff representatives, all of them appointed by the Executive Board for a term of 4 years. The Directorate is responsible for the day-to-day management and the preparation, the announcement and implementation of the decisions by the Executive Board, for the financial management within the directives of the Executive Board, the appointment of non-executive administrative and technical staff and many other matters which have not been explicitly assigned by law to other administrative bodies or offices.

The **General Manager** is appointed (and may be discharged) by the Executive Board. He is in charge of the management of the institution and is the head of the administrative and other staff (e.g. the international-relations officer). He is responsible for the registration of students, their administrative records, as well as the records of all his staff members. By delegation, he shares responsibility for decisions on the allocation of funds. Regularly, at least once a year, he informs the organising body on the university college's financial situation and proposes a budget for the following year. He is also responsible for the university college's material situation, for maintenance and repairs, and for the purchase of equipment. He plays a central role in selecting new teachers and other staff members to be appointed by the organising body. He is responsible for all external contacts (with the inspectorate, the local community, the labour market...) and for the public relations of the school in general. The educational institutions have to organise their own recruitment procedures for the office of rector. The position may be filled by a member of the permanent teaching staff or through external recruitment. Appointment conditions are similar to those of the teaching staff.

New governance structure for Flemish autonomous university colleges (from 1 October 2013 on)

The governance structure of the Flemish autonomous university colleges (Erasmushogeschool Brussel, Hogeschool Gent and Hogeschool West Vlaanderen) will be redesigned with effect from 1 October 2013 by the Special Decree of 13 July 2012. A second Special Decree of 13 July 2012 similarly regulates the governance structure of two Flemish university college mergers (the merger between Artesis Hogeschool Antwerpen and Plantijn-Hogeschool van de provincie Antwerpen; and between XIOS Hogeschool Limburg and Provinciale Hogeschool Limburg). These university colleges have legal personality under public law, and provide education based on a pluralist outlook.

The **organising body** is entrusted with approving the strategic goals, the coordinated regulations, the pedagogical project, the settlement of the student's legal status, the general regulations on professional ethics and staff evaluation, transfers and takeovers of the competencies to organize education, the budget, the annual financial statements, the annual report and the strategic multiple-year plan; the appointment and dismissal of the non-official directors within the directorate; the granting of acquittal to the directors; the appointment and dismissal of the general director; and the appointment of an auditor. The organising body consists of a governance section, a staff section and a student section (the last two of which should together have fewer members than the governance section). Terms of office last at least four academic years (renewable). No more than 2/3 of the members may be of the same sex.

The **governance section** consists of representatives of the provincial and local authorities which are relevant to the functioning of the university college, and any organising bodies stipulated by the coordinated regulations. People of influence from the social, economic and cultural worlds are also co-opted.

The **staff section** contains elected representatives of the university college's staff. The **student section** contains elected representatives of the university college's students. The organising body chooses a chairman and deputy chairman from among or outside its members, proposed by the governance section.

The **directorate** consists of official directors (the chairman of the organising body and the general director) and at least three non-official directors (appointed for four academic years by the organising body on the proposal of the official directors).

The **general director** is appointed by the organising body. Each university college has a system of **internal control** and **internal audit** and is overseen by a **statutory auditor of the Flemish Government** (who checks the legality and financial equilibrium of the university college's policy). An **appeal committee** should be established to handle staff disputes.

Governance structure for subsidised University Colleges

In **subsidised university colleges** the **University College Board** consists of members co-opted by the board itself. A head of department is appointed for each department, who is charged with the day-to-day management. It also sets up an Academic Council, which is to be informed by the board on all matters concerning the educational institution.

The **Academic Council** consists of elected representatives of the University College Board (3/8) and staff (3/8) (for 4 years) and student representatives (2/8) (for 2 years). This council is entitled

to receive information and to advise (upon request from the University College Board or on its own initiative) on at least the educational aspects of certain matters (including research policy, for instance). In addition, the council has consultative authority (it can take decisions on its own initiative or upon request from the University College Board, which will be implemented by the University College Board if consensus is reached) at least in respect of the educational aspects of certain matters such as: financial policy, education and examinations policy, the organisation of tutoring...

The Decree of 13 July 1994 also created a student council. However, from now on student participation in higher education (including universities and associations) is regulated by the so-called participation decree of 19 March 2004, which also regulates the legal status of students (see 2.7.3.4).

For the consultation structures with regard to conditions of service (see 2.7.5).

Lower-level administrative structures and offices

Each university college, both funded and subsidised, is subdivided into departments.

- For each department in a funded university college, there is a **department council** which seats the same parties as the Executive Board (with the same terms of office, but with another proportional composition). This council elects the head of department, who acts as chairman of the council for a 4-year term. The department council organises the course provision, scientific-research projects and services to society. The council is a.o. responsible for setting the educational programmes and examinations, the organisation of research programmes, the allocation of funds and staff, the recruitment of temporary staff and the nomination of candidates for permanent appointment, the internal organisation of the department, the annual preparation of budget proposals, etc. (Decree of 13 July 1994).
- In subsidised university colleges, a **departmental council** has to be set up for each department, consisting of the head of department as chairman of the council, the elected representatives of the teaching staff, the student representatives, and representatives of socio-economic and cultural organisations. This council has the right to information on all matters concerning the department and may issue advice at the request of the University College Board or on its own initiative regarding a whole range of matters concerning the department (Decree of 13 July 1994).

In funded university colleges, the departmental negotiation committee (DOC) consists of representatives of the department council and staff; in subsidised university colleges it consists of representatives of the department board and staff (Decree of 13 July 1994).

Universities

For the structure at the public-law universities RE the (special) decrees mentioned in chapter 10.5.

The Flemish Government appoints a commissioner of the Flemish Government for every university. One commissioner can be appointed to various universities. The Commissioners ensure that the university boards do not take any decisions that contravene the provisions laid down by or pursuant to law or Decree, or that disrupt the institution's financial balance.

Every university is, in principle, responsible for the set-up of its own internal organisation.

Associations

Associations consist of at least one university and at least one university college. (Only the University of Hasselt and the transnational University of Limburg can be affiliated to the same association.)

The partners are required to transfer powers to the association in at least the following matters:

- the classification of a rational range of courses within the institutions' educational remit. In this respect, long-range plans are drawn up in mutual consultation;
- attunement of the course profiles, structuring the training pathways and improving the transition opportunities, with particular attention to those between bachelor and master courses;
- the organisation of pathway-to-work guidance for students;
- the attunement of the internal regulations concerning staff policy;
- drawing up and implementing a long-range plan for educational innovation and improvement to complement a shared system of internal quality assurance for education;
- drawing up a long-range plan for research and the provision of social and scientific services, to complement a shared quality assurance system in terms of research;
- the commitment to research of the academically-oriented bachelor courses and of the master courses offered by the association's university colleges in the framework of the long-range plan for research;
- drawing up a long-range plan for the mutual attunement of investments, infrastructure, library and documentation facilities;
- developing a procedure for designating an adequate number of representatives of the university college(s) that offer academically-oriented bachelor courses and master courses, in the university's research board;
- issuing advice on offering new bachelor or master courses within a particular institution;
- issuing advice about the conversion of a two-cycle initial programme to a bachelor and master course in academic education.
- issuing advice about the educational development plan.

An association lays down general research and cooperation regulations.

The Flemish government tasks a government commissar for the universities or university colleges with exercising supervision over an association with regard to the compliance of its decisions with the regulations and the safeguarding of financial equilibrium.

Student participation

The 'participation decree' of 19 March 2004 regulates **student participation**. One **student council** must be founded at association level, institution level respectively. Higher-education institutions must choose between two models of student participation:

- the **co-management model**: under this model, the bodies which take final decisions on specific matters listed in the decree have to consist of at least ten percent of students; the universities of Antwerp, Brussels, Ghent, Leuven and Limburg have opted for this model;
- the **participation model**: in this model the institution organises consultation procedures pursuant to special agreements, students can give policy advice requiring a well-reasoned reply from the institution.

The 'participation decree' of 19 March 2004 also regulates the **legal status of students** and provides legal protection in relation to study-progress decisions by means of an internal appeal procedure and through the organisation of an administrative court of law at the ministry of the Flemish Community: **the Council for disputes about decisions on study progress** (also called the 'Council for examination disputes').

The [VVS](#) is the Flemish Union of Students, representing all students in higher education. To this end, the VVS forms association agreements with the various student organisations that represent students' interests at the different individual higher education institutions. The VVS is recognised and subsidised by the Flemish Community and represented in the VLOR.

Central education consultation bodies

Flemish Education Council (VLOR)

Prior to the federalisation of education, both consultation at all levels of education and consultation with the socio-economic world was organised in a number of High Councils. The Decree of 31 July 1990 has now amalgamated all these councils within VLOR (Flemish Education Council). At Flemish-Government level, VLOR enjoys the status of **strategic advice council** (SAR). Representatives from the entire educational landscape discuss education policy within VLOR. On the basis thereof, VLOR issues advice to the Flemish Minister for Education and Training and the Flemish Parliament (<http://www.vlor.be>).

The Flemish Education Council consists of a General Council and separate councils for the various levels of education with sub-committees: an Elementary-Education Council; a Secondary-Education Council; a Higher-Education Council and a Lifelong-and-Lifewide-Learning Council. In addition, there are special consultation platforms, thematic committees and sectoral committees who consult with the representatives of the different socio-economic sectors.

The General Council consist of representatives from:

- the organising bodies (2 GO!, 2 OVSG, 1 POV, 4 VSKO, 1 VOOP)
- heads of institutions of higher education (1 university colleges, 1 universities)
- staff (teacher unions 2 ACOD, 3 COV and COC, 1 VSOA);
- parents (umbrella organisations of parent associations 2 VCOV, 1 KOOGO, 1 GO! Ouders);
- students higher education (2) and students secondary education (2);
- the socio-economic organisations (4) & socio-cultural organisations (2);
- experience experts (1 official schools, 1 private schools);
- principals - directly elected – 1 from official elementary schools, 1 private secondary schools, 1 official PAE, 1 private adult education, 1 private CPG's.

In the Lifelong-and-Lifewide-Learning Council there are also representatives of the Flemish Public Employment and Vocational Training Service, the Flemish Agency for Entrepreneurial Training - SYNTRA Flanders and the Support Centre for Socio-Cultural Adult Work.

The composition of the councils and departments for each level of education is laid down in a decree of the Flemish Government.

By decree, the Flemish Education Council has been given general **responsibility** for study, concerted action and consultation, on its own initiative or at the request of the Minister for Education and Training, in all matters of education the Flemish Community is in charge of. More specifically, prior to going before Parliament the Minister for Education has to seek the advice from the Flemish Education Council on all preliminary draft decrees relating to educational matters (except for the education budget) and on policy reports and papers to be presented to the Flemish Parliament.

VLOR also stimulated the foundation of the **EUNEC** (European Network of Education Councils) and also acts as its secretariat, <http://www.eunec.org>

The decree of 2 April 2004 organizes the participation in elementary and secondary education and the VLOR.

Flemish Interuniversity Council (VLIR), Flemish University College Council (VLHORA), Flemish Universities and University Colleges Council (VLUHR)

In higher education, various consultative and advisory bodies have been created by decree. Among other things, these are responsible for cooperation between member institutions, representation, policy advice and international profiling.

For the university colleges, this body is [VHLORA](#), Flemish University College Council (created in 1996), and for the universities it is [VLIR](#), the Flemish Interuniversity Council (created in 1976). In 2010, [VLUHR](#), the Flemish Universities and University Colleges Council, was created to represent all branches of higher education: programmes undergoing academic standardisation and professional

programmes at the university colleges, academic programmes at the universities and coordinating associations. The new VLUHR umbrella organisation does not replace the existing umbrella organisations, but takes their work further by exercising those roles in the Flemish higher education area that are assumed jointly across universities and university colleges, supported by their associations. The Executive Board of VLUHR acts as a central contact point for higher education and for questions or formal opinions to the ministers in charge and the designation of the working groups and administrative bodies where these questions/formal opinions must be prepared and converted into an agenda. In addition, the VLUHR board assumes specific decree-defined roles in Flemish higher education:

- the organisation of external quality assurance [see 11.2.1.6];
- international cooperation [see 13.5.2] ;
- consultation with regard to development cooperation.

For the operational implementation of internationalisation and development cooperation, university colleges and universities draw on the expertise of the Flanders Agency for Mobility and Cooperation in Higher Education ([Flamenco](#)) and the University Cooperation for Development unit (UOS).

[VLIR-UOS](#) also gives scholarships to students from developing countries to enable them to attend a Master's or educational programme in Flanders.

Consultation regarding conditions of service

Trade-union consultation deals with the administrative and financial legal status of staff members and regulates the collective employer-employee relations, as well as measures regarding the organisation of education which directly affect working hours and/or the organisation of work and staff formation. For negotiations concerning labour conditions, specific joint consultation bodies were created at different levels, which differ according to the educational network and educational sector. We will address them separately for official education, Subsidized Private Education, higher education and adult education.

The representative teachers unions, which defend staff interests in official consultations and also participate within the Flemish Education Council (VLOR), are structured along the lines of the main political groupings in Flemish society.

- **ACOD-onderwijs**, de Algemene Centrale der Openbare Diensten – Sector Onderwijs (**ACOD-education, the General Federation of Public Services – Educational Sector**), forms part of the ABVV, General Belgian Trade Union and is linked to the socialist movement. (<http://www.acodonderwijs.be/>)
- **VSOA-onderwijs**, het Vrij Syndicaat voor het Openbaar Ambt – Sector Onderwijs (**VSOA-education, the Liberal Syndicate for Public Services – Educational Sector**), forms part of the ACLVB, General Federation of Liberal Trade Unions of Belgium. (<http://www.vsoa-onderwijs.be/>)
- **COV**, het Christelijk Onderwijzersverbond (**The Christian Teachers' Federation**), is affiliated to the ACV, General Christian Trade Union; it protects the interests of the staff in subsidised private and official Elementary education schools and of the staff in pedagogical counselling services and the community inspectorate. (<http://www.cov.be/>)
- **COC**, de Christelijke Onderwijscentrale (**the Christian Teachers' Federation**), represents all members of staff in secondary and higher education (except for universities), Adult Education, Part-time Arts Education, pupil guidance centres as well as elementary education of community education. For the collective professional interests of employees in the public sector, the federations coordinate their operations through the FCSOD, Federation of Christian Public-Service Trade Unions. (<http://www.coc.be/>)

In the allocation of roles, the organising body should take account of the time that the personnel delegates devote to their representation on local co-determination bodies.

A decree on a new integrated Flemish trade union status is under preparation.

Jointly representative consultation bodies for official education

In official education (community education, provincial and municipal education) the collective labour relations are regulated by means of the unions' status of civil servants laid down in the law of 19 December 1974 and its implementing orders (KB of 28/2/1984 & KB of 29/8/1985) Cf also circular letter 13/AC/ES/SH/jh. This law provides for compulsory prior negotiations and consultation between the authorities and the representative trade unions. Should the authorities promulgate a measure without having engaged in prior consultation, the measure in question can be declared null and void by the Council of State.

- **On a central level:** Sector committee X - Education (for community education) and the Committee for Provincial and Local Authority Services – Department 2 – Sub division Flemish Community (for Subsidized Official Education). Since 1 April 2008, these sectoral negotiation committees have been given the power to negotiate on (impending) collective conflicts or disputes. When collective conflicts within a cross-network schools community or within a consortium arise, and, depending on the structure of the schools community or the consortium, various committees can be given a negotiating brief.
- **The Joint Committee for all government services(Committee A)** has competence for the whole of the public sector: the federal, community and regional administrations as well as the public bodies, the public companies, official education and the local and regional sectors. Consequently, Committee A consists of representatives from all these echelons. So, in fact, Committee A is the private sector's National Labour Council for the public sector. In principle, Comité A negotiates every two years on inter-sectoral social programming. Moreover, Comité A has sole competence regarding common minimum social-security rights for all of the civil servants. These 'minimum rights' relate to child allowance, pensions, work accidents and occupational illnesses, the index-linking of salaries, holiday arrangements, career breaks, etc. So these minimum rights can only be amended after negotiations within Committee A.
- **Committee B is responsible for the federal, community and regional government services, including community education.** There are 20 *sectoral committees*, where negotiations are conducted on matters pertaining to one department or institution. The **basic consultation committees** discuss issues which are specific to a particular service or number of services.
- **The Provincial and Local Government Services Committee (Committee C)** is responsible for the local and regional authorities and **subsidised official education**.
 - The local and regional authorities have been grouped per Region and they each have **their own negotiation committee**.
 - Subsidised official education has been grouped per Community and each organising body has its own '**separate special committee**' .
 - At a local level the special committees and separate special committees negotiate within the municipalities and provinces and in the schools they organise on items which are specific to that particular province, municipality or school.
 - For consultations a HOC, High Consultation Committee is set up, which concludes its discussions with a reasoned advice. (OVSG, Organising municipal education, 2006).
 - In subsidised public education and the cross-network schools communities, **negotiation committees at schools community level (OCSG)** can be set up. Schools communities in subsidised public education are not obliged to create an OCSG when all schools belong to the same school board. The OCSG's powers are then taken on by the individual special committee.
- For **community education** the participation structure is adjusted to the levels of administration : the local level (principals of schools and centres for pupil guidance), the meso level (school groups) and central level.
 - a **basic committee**
 - per **school**, for matters pertaining to the authority of the principal; it is chaired by the School Head; the same applies to the pupil guidance centres;
 - schools group, for matters concerning members of staff which fall directly under the school group; chaired by the general director;
 - for the **pedagogical counselling service**, for matters concerning members of staff of the pedagogical counselling service; it is chaired by the administrator;
 - for the POC, Permanent Support Cell in charge of network-related support to the CPGs, Pupil Guidance Centres within community education;
 - an **intermediate consultation committee**
 - per **schools group**, for matters exceeding the authority of one basic committee of a certain school group and which pertain to the authority of the governing board, the General Assembly, the general director, or the board of principals of the school

group in question, chaired by the general director; it is also authorised to negotiate about personnel matters in which the schools communities have authority;

- **at central level**, for matters exceeding the authority of one school group and pertaining to the central authority; it is chaired by the administrator.
- The Ghent University has both a Basic and an Intermediate Consultation Committee.

Participation concerning welfare policy (**Prevention and Protection at Work**) takes place via the BOCs in community education and Subsidized Official Education.

On 12 January 2010, representatives of the Flemish Ministry of Education, the Federal Public Service for Employment, Work and Social Dialogue and the Flemish educational umbrella organisations signed an accord on [Prevention and Protection](#) in Flemish education. This should lead to the integration of health and safety policy at school and to cooperation and structured dialogue between the different partners.

Jointly representative consultation bodies for subsidised private education

Subsidized Private Education and the subsidised private CPGs do not fall within the scope of the Act of 19 December 1974. The Decree of 5 April 1995 has, however, set up a similar structure.

- An **Umbrella Negotiation Committee** (OOC) consisting of representatives of the Minister for Education, the representative teachers unions and the organising bodies; with responsibility for matters which also require mandatory and prior negotiations in the union's status for official education ([BVR of 04/10/1995](#)).
- **LOCs (local negotiation committees)** jointly composed of representatives of staff and the organising body. They have:
 - right to information about employment, the organising body, financial management and school infrastructure;
 - negotiating authority about additional arrangements regarding staff matters;
 - supervisory authority on the compliance with social legislation and social and administrative regulations based on the education legislation;
 - the authority to mediate in collective disputes or disagreements.

Within subsidised private education **the participation of employees in welfare policy** takes place via the Committees for Prevention and Protection at Work (**PBW committee**). These are only compulsory for schools with at least 50 employees. In community education and Subsidized Official Education these responsibilities are assumed by the BOCs.

Jointly representative consultation bodies for higher education

For consultation concerning conditions of service, each **university college** boasts an **HOC, university-college negotiation committee** with each **department** boasting a **DOC, departmental negotiation committee** (Decree of 13 July 1994).

For the whole of **higher education** (university colleges, universities and associations) a **VOC, Flemish Negotiation Committee** was set up in 2004. (Decree of 19 March 2004 and Decision of the Flemish Government of 21 January 2005).

Consultation in the subsidised private universities K.U.Leuven and V.U.Brussel is done in the works council.

The Universities of Ghent, Antwerp and Hasselt organise negotiations with staff representatives in a **central negotiation committee** specially set up for this purpose. The negotiation committee includes a number of mandated representatives from the board of governors and at least the same number of staff representatives. There are as many deputies as there are actual representatives. The staff representatives are appointed by the representative trade unions. The number of actual representatives is no more than three per representative trade union. Staff members with a mandate in a decision-making body of the university cannot act as staff representatives. Each delegation may call upon the help of technicians.

Central negotiation committees negotiate on the following matters, insofar as they pertain to the university:

- the administrative legal status;
- the financial legal status;
- the regulations of the collective employer-employee relations;
- the organisational measures with a direct effect on the labour organisation or the organisation of the work;
- all powers which, in private companies, are entrusted to the committees for the prevention and protection at work.

At association level, there is a **participation committee** that is jointly composed of a delegation of the association board (representatives of the competent decision-making bodies) and a delegation of the staff of the institutions affiliated to the association (representatives of the representative trade unions).

This is based on the 'structure decree' of 4/04/2004.

Jointly representative consultation bodies for adult education

In each **Centre for Adult Basic Education** and **adult-education consortium** a jointly composed **LOC, local negotiation committee** has been set up.

In addition, a **VOC BE, Flemish Negotiation Committee for Adult Basic Education** has been set up. (Decree of 23 January 2009).

CAO's, collective labour agreements

In education there has also been a tradition of concluding central **CAOs (collective labour agreements)**. CAOs are sometimes valid for a period of two years, while other times, they apply for the full government term.

Link to the labour market and other training providers

There are various bodies that ensure dialogue and cooperation at different levels between education and the business sector. (See also 12.4.3)

Sector committees

Specifically for technical and vocational education, so-called **sectoral committees** have been set up within VLOR for all large segments of the labour market (metallurgy, textile, food ...). Within the framework of the VLOR, Flemish Education Council they explore new trends in the labour market and issue advice on any new initiatives planned in that respect.

ERSVs The Recognised Regional Collaborations

For Adult Education in particular, permanent working groups have been established within the ERSVs, Recognised Regional Collaborations. These working groups have a consultative function in view of intensifying the cooperation between industry, education and the employment agencies. They also have formal advisory powers with respect to the planning of new training programmes in adult education.

ERSVs are non-profit organisations which have the task to support socio-economic consultation between the social partners and the local authorities within one or several Socio-Economic Councils of the Region (SERR), in function of the socio-economic regional development policy.

An ERSV also organises and supports tri-party consultation between the representatives of

employers and employees and the local authorities (cities, municipalities and provinces) in one or several Socio-Economic and Social Consultation Committees of the Region (RESOC).

Regional Consultation Platforms for alternance training

A regional consultation platform has been set up within every RESOC, which seats one representative from each Centre for Part-time Vocational Education, each Centre for Part-time Training, the training centre for the self-employed and small and medium-sized enterprises, the local Flemish Public Employment and Vocational Training Service client centre (represented by an alternance training VDAB account) from within the RESOC's working area, as well as one Flemish Agency for Entrepreneurial Training - SYNTRA Flanders pathway counsellor and one representative from the official CPG's, the private CPGs, RESOC, the Department of Education and Training and the Department of Work and Social Economy, respectively. Within this platform issues such as the regional educational and training provision will be discussed (for information on its wider powers).

RTCs, Regional Technological Centres

The RTCs, Regional Technological Centres, are cross-network collaborations between education and the world of enterprise entrusted with actions at provincial level in the areas of infrastructure, work experience for pupils and in-company training and further training for teachers.

DBO, Vocational Training Service

Within the Department of Education and Training, the DBO, Vocational Training Division, deals with vocational training in the widest possible context.

http://www.ond.vlaanderen.be/dbo/nl/dbo_algemeen_wat.htm

SLN, Local Network Support Centre

The SLN is an umbrella organisation for the so-called 'third parties' in Flanders, i.e. the non-commercial pathway-to-work providers (<http://www.sln.be/>).