

Self-governance

MANAGEMENT OF INSTITUTIONAL STRUCTURES

The political objectives for the institutional structures of the *self-governing institution areas* are to ensure broad educational environments with a range of options for young people and adults in all regions, and that the institutions should be able to bear the independent, decentralised responsibility for educational opportunities and development, as well as the pedagogical development. The primary aim is therefore to ensure a high level of educational quality and broad geographic coverage throughout the country.

In the case of *post-compulsory education programmes*, management of the educational options is to ensure that these programmes are available locally for all young people such that they have the possibility for commencing and, to the greatest possible extent, completing an education without having to move away from home.

Regarding the *higher education programmes* it is expected that the target group is, to a larger degree, mobile. The capacity of the programmes is generally more limited than with the post-compulsory

programmes. At the same time, however, emphasis is placed on achieving regional coverage in terms of the educational options, partly with regard to the possibilities for maintaining attractive educational alternatives for young people in all regions, and partly in order to support regional business development.

Having educational institutions in the outlying areas is of great importance for business development. It is also to assist in attaining the political objective of having as many young people as possible complete an education. However, experience with small institutions in local areas offering a small variety of educational programmes has shown that the local educational institutions have found it difficult to attract young people, who would rather seek out the larger and multi-academic educational environments available in the larger cities and often do not return to their local areas once they have completed their education. At the small institutions with a limited educational field and a small faculty, where individual subjects are typically only covered by a single teacher, it is, furthermore, often difficult to develop versatile academic environments.

To an increasing degree, the institutions have taken on new tasks and roles and are no longer defined by a school building but by a teaching environment that is internally organised into a number of local departments of the primary institution and which, together with other educational institutions, is part of a single comprehensive and flexible regional infrastructure.

The development in the individual sectors' institutional structures

The institutional structure for the self-governing institutions for *vocationally oriented education and training* has in recent years been marked by the establishment of the unified institutional structure for vocationally oriented basic, continuing and further education and training as a result of the consolidation of AMU (Adult Vocational Training) centres and technical colleges. Moreover, a great deal of consolidation of business colleges, technical colleges, and agricultural colleges has been carried out with the intention of realising the institutional policy objectives. The primary rule has been to maintain the local options, irrespective of the fact that the institutions have been merged into larger organisational units.

With the development in the structure of the institutions, their role as regionally responsible actors in relation to ensuring those seeking education and the business community's needs for education and competence development has been emphasised. In this capacity demands, such as entering into local cooperative efforts with other educational institutions, have been placed on institutions.

Despite the harmonisation of the institutional structure, there continues to be a fairly large range in the institutions' size, educational profile and academic breadth. The functions of the institutions are divided into four primary fields, where the same institution can perform a number of different functions:

- Local institutions offer primarily vocational education and training and vocational upper secondary programmes.
- Regional institutions meet the same needs as local schools but also offer a wider range of vocational education and training and opportunities for continuing and further education in relation to the needs of the regional labour market.
- Sector institutions are leading academic institutions in a particular field and are limited in their educational programmes, which aim at meeting a particular sector's needs, either nationally or regionally.
- Trade institutions only offer specific post-compulsory education programmes or specialised areas within a given educational area.

In accordance with the Act on Vocational Education and Training and the Act on Labour Market Education, etc. (AMU), the state has the right to give approval to private providers to offer educational programmes. This form of approval does not include institutional approval, only approval to provide offers for specific elements of vocational or labour market educational programmes.

A process is currently underway for the establishment of up to 10 academies of professional higher education. An academy of professional higher education is a shared institutional framework for providing short-cycle higher education programmes (KVU) and further adult education (VVU). The vision of the academies of professional higher education is to strengthen the development of KVU and VVU as well as to establish a foundation that can promote the development of technical and commercial bachelor programmes.

The *general upper secondary schools'* institutional structure has not changed significantly in many years. There has been development in terms of establishing new upper secondary schools in the larger cities in keeping with the increasing number of applicants in these areas. At the same time, especially in keeping with regional policy, a number of small upper secondary schools have been established outside of the larger cities. In connection with the relocation to state administration in 2007, select institutions have begun a process of merging with other post-compulsory education institutions.

Within the area of self-governing *medium-cycle further education institutions*, the institutional structure

has also undergone extensive changes in recent years. The majority of the medium-cycle further education institutions have now joined together in a Centre For Further Education (CVU) with the aim of creating a broader academic, independent and higher profile educational environment. The sector consists of 22 CVUs, which are all multi-academic institutions of further education. The CVU sector is made up of approximately 100 individual MVU (medium-cycle further education) institutions, placed under the Ministry of Education, each of which previously offered one out of the approximately 20 bachelor degrees available in specific subjects.

As of 2008 there will be another merger of the CVUs and almost all of the remaining individual MVU institutions. 8 University Colleges will be established that will have the task of developing and offering practically oriented further, continuing and higher education programmes in their respective regions. These programmes are to meet the need for a qualified labour force in the private and public sectors at an internationally academic level. A university college is to function as a regional institution of knowledge and have a close and strong working relationship with the regional interests, including enterprises, clients, regional growth fora, etc. as well as a strategic and concrete working cooperation with universities and other relevant research environments.

The institutional structure for the adult education centres (VUC) has undergone certain changes in recent years. In many places the individual centres have merged into larger units, often with subdivisions. This has occurred especially

with the aim of creating larger and academically and pedagogically stronger education environments for adults, but also, to a certain degree, in the interests of greater efficiency.

THE SELF-GOVERNANCE MODEL **The authority of the Minister for Education**

The authority of the Minister for Education in relation to the self-governing institutions is regulated in the legislation regarding the institutions, and as a main rule the Minister is not permitted to insist that these institutions make specific decisions in specific situations. According to the relevant legislation, the Minister for Education has the following authority and duties:

- Approval of new institutions and the possibility of revoking approvals.
- Approval of the institutions' statutes.
- Approval of the institutions' selection of educational programmes on offer.
- Establishing, among other things, the rules regarding admission to educational programmes, the content of the programmes, quality requirements, grants, budget reporting, accounting, the educational programmes, etc.
- The authority to take legal action if the board or other actors inflict a loss on an institution.
- Necessary supervision of the institutions, including the right to demand all information necessary for the purpose

and the authority to institute sanctions.

- Access to complaints regarding decisions made by an institution.

The board's tasks and responsibilities

A central element in the self-governance model is the boards for the self-governing institutions, which have the primary leadership for running and managing the activities of the institutions. This leadership competency includes the administration and financial management of the institutions as well as the educational and teaching activities that the institutions undertake according to their objectives. The responsibilities and tasks of the boards include in this respect:

- Taking decisions regarding the institutions' educational programmes on offer, activities and admissions/capacity according to recommendations from the heads of the institutions.
- Determining the guidelines for the activities of the institutions.
- Ensuring responsible administration of the institutions' funds, such that they are used to the greatest possible benefit according to the aims of the institutions.
- Approval of budgets and financial accounts for the institution.

The composition of the boards

In the case of *vocational education institutions*, the majority of the board members must come from the outside. The board members are to contribute collectively to promoting

the strategic activities of the institution through their experience and their academic insight into education and the labour market's needs for the educational programmes.

The boards are to consist of people with experience in leadership, organisation and finance. Moreover, there is to be one member who is selected jointly by one or more municipal boards, possibly regional representatives, as well as most frequently employer and employee representatives, who should always be equally represented and have a connection to the geographical area and to the labour market that the institution serves. The teachers and technical-administrative personnel are to each have one representative on the board, though without voting rights. And the students are to have two representatives on the board, similarly without voting rights. The leader of the institution is to act as secretary for the board and is to participate in the board meetings without voting rights.

For *general upper secondary schools* the majority of the members must come from outside the institution, primarily from the individual institution's local area. The members of the boards should, as a group, have competencies that will contribute to promoting the institutions' current and future activities. Members from outside the institution should as a group have experience with educational development, quality control, leadership, organisation, finance, and experience from the business world, the primary and lower secondary schools and the higher education sector.

1 member is to be appointed jointly by the municipal boards in the region, 2 members are elected

by and from among the staff members (1 of which has voting rights), while two members are to be elected by and from among the students (1 of whom has voting rights if he or she is over 18). The leader of the institution is to act as the secretary for the board and participate in the board meetings, though without voting rights.

For the *future university colleges*, the majority of the board members must be people with experience and insight into bachelor programmes aimed at private and public businesses and professions and with experience and insight into the needs of the private and public labour market for vocationally oriented higher education programmes, specifically in regional areas.

There are to be people with extensive experience from public as well as private work in strategic leadership, organisation and finance. The regional council and the municipal boards in the regions where the colleges are located jointly appoint 2 members to the board. 2 members are elected by and from among the staff members, while 2 members are to be elected by and from among the students. The rectors of the university colleges participate in the board meetings, though without voting rights.

Impartiality requirements

The purpose of the rules governing impartiality are partly to ensure that the institution is not controlled by unauthorised interests and partly to establish a guarantee that the institutions' funds, including state grants, are used exclusively for the approved educational aims of the institutions.

For the board this means that per-

sons cannot be members of the board if they have either a close relationship with the owner of a substantial portion of the institutions' property or his or her representative, or if they sit on the board of a similar educational institution. Moreover, the rules regarding impartiality contained in the Administration Act apply to board members and the institution's staff as well.

The institution's *accountant* may not at the same time act as the accountant for the owner of a substantial portion of the institution's property(ies), etc. Additionally, the accountant must meet the requirements pertaining to independence contained in the relevant legislation concerning accountants.

The leader of the institution has responsibility for the daily educational, administrative and financial management of the institution, including responsibility for ensuring that the teaching is organised in accordance with decisions and guidelines of the board.

The statutes of the institutions

In accordance with the legislation concerning the institutions, the Minister for Education must approve the statutes of the institutions if an educational institution is to be approved under the law.

The objectives of the statutes are methodological in nature in that they independently regulate the daily functions of the institution by establishing procedural rules for the leadership's conduct and decision-making and in connection with termination. Moreover, the statutes contain, in particular, rules regarding the identity of the institution, the composition of the board, regarding the district (venue), and

regarding who has the authority, for example, to sign documents on behalf of the institution.

The statutes are binding for the leadership and staff members of the institution.

The statutes' additional contents are prescribed in the legislation regarding the institutions. This applies in particular to the objectives of the institution, the composition and size of the board, the impartiality of the board, the primary tasks of the board, the board's responsibilities, the investment of funds, the relationship to the Administration Act, rules concerning budgets and accounting and asset statements in the case of closure.

The institution can expect approval of its statutes if they are in accordance with Ministry of Education's standard statutes. An area that is typically problematic is the composition and size of the board, when the institution desires a different composition for the board than is prescribed by law or more members than the law permits.

Sanctions

The boards are responsible to the Minister for Education for ensuring that the activities of the institution are in accordance with the fundamental rules, including that public funds are administered responsibly. The legislation regarding self-governance contains, therefore, a range of sanction and response possibilities with the intention of ensuring that the institutions act in accordance with the legislation:

- Revoking of institutional approval.
- Grantrelated responses, where

the Minister for Education can withhold grants, allow for grants to be completely or partially annulled, or demand that grants be partially or fully repaid. The responses can only be applied if the law has been broken and if the Minister for Education's ruling to bring the particular situation into compliance with the law is not followed.

- Responses directed towards the board, when the Minister for Education can either decide to place the institution under administration to a greater or lesser degree and thereby strip the board of its responsibilities or a portion of them, or instruct the authorities and organisations responsible for ap-

pointing the board to appoint a new board. Additionally, the Minister for Education can place an institution under administration if its further activities are deemed to be danger. These responses can be applied if an institution does not comply with a ruling from the Minister for Education to rectify the conditions defined by the Minister.

- Responses regarding the educational programmes on offer, including revoking the approval of specific programmes.
- Rulings and orders regarding compliance with the law in

situations when the activities of the institution are found not to be in accordance with relevant legislation, including rulings and orders concerning changes regarding pedagogical and educational content on the basis of quality evaluations.

In practice, orders are the most commonly used responses to illegalities. If these orders are not followed, then responses in terms of funding and responses directed at the board can be undertaken. Reactions against the board are, however, will only be applied in exceptional cases, just as revoking an institution's approval would also only rarely be relevant.

Web reference: eng.uvm.dk