

**CHAPTER 57:04 - TERTIARY EDUCATION: SUBSIDIARY LEGISLATION
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**TERTIARY EDUCATION (ACCREDITATION OF PRIVATE TERTIARY INSTITUTIONS)
REGULATIONS**

(section 38)

(28th November, 2008)

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Schedules

S.I. 100, 2008.

1. Citation

These Regulations may be cited as the Tertiary Education (Accreditation of Private Tertiary Institutions) Regulations.

2. Interpretation

In these Regulations—

"academic facilities" means equipment, aids and references available to teachers, tutors and learners to enable teaching and learning to take place;

"academic regulations" means the specification of information regarding the programme of instruction, usually: admission requirements, programme structure and duration, progressions through the programme, articulations with other programmes, assessment processes, and the requirements for the award of the associated qualification;

"accreditation of an institution" means recognition by the Tertiary Education Council under Part VI of the Act;

"articulation" means a logical progression between qualifications;

"evaluation" means any process or activity by which the effectiveness of a programme or service offered by a tertiary institution is gauged by taking into account statistical data or the views of those affected by the programme or service;

"franchise partner" means a tertiary institution that grants permission to another

tertiary institution to teach and award a programme or qualification developed by it;

"institutional standards" means requirements set by the Minister under Part V of the Act, that specify the features characterising what is considered to be the effective performance, operational and general conduct of recognised tertiary institutions;

"module" means a component of a course that is independently self-contained yet integral to the whole course;

"programmes of instruction" means structured learning pathways that are directed by teachers, tutors or trainers and that lead to a qualification;

"quality assurance procedures" means a coherent system of policies, procedures, accountabilities and review mechanisms that establish the quality of products and services offered;

"verification" means any process that looks into the validity of statements made about an institution or programme of instruction or qualification awarded, or the physical existence of the institution and its quality management system.

3. Scope of regulations

(1) A private institution offering tertiary education or training services at technician level or above may apply to the Executive Secretary of the Council for accreditation of programmes under section 25 of the Act for specified services offered.

(2) Programmes of teaching, learning or assessment not specifically covered by an accreditation previously made by the Minister shall be the subject of a separate application to the Executive Secretary of the Council for an expansion of the accreditation held.

4. Eligibility for accreditation

(1) A programme specified in the application for accreditation must have been offered for at least one academic year and have been the subject of an internal review process approved by the Council through the issue of a certificate of registration.

(2) The Council may waive any requirement under subregulation (1) above where, in the Council's opinion, such a waiver is in the national interest in terms of the strategic goals established for tertiary education or training.

5. Application for accreditation

(1) An application for accreditation shall be in Form 1 as set out in Schedule I in compliance with the Guidance Notes to Applicant set out at the end of the schedule and shall be accompanied by a non-refundable fee specified in Schedule II.

(2) An application shall specify by name and level, the specific programmes for which accreditation is sought.

(3) The Inspection Committee established under section 14 of the Act may verify that the application and its accompanying details, and supporting documentation is complete and meets the set requirements and criteria.

(4) The Inspection Committee shall submit its inspection report to the Executive Secretary.

(5) The Council shall, in writing, notify the applicant whose application is to be assessed or appraised in terms of subregulations (2) and (3) of regulation 7 about the appointment of the Inspection Committee.

(6) The Council may withdraw the application of an applicant who refuses or fails to cooperate with the Inspection Committee.

(7) Verification of an applicant's details shall involve, among other things, visits to the main campus and such satellite campuses and tuition centres as considered necessary by the Executive Secretary.

(8) Where an application is incomplete or does not meet specific requirements, the applicant shall be notified of those parts considered incomplete or not of sufficient standard and shall be required to remedy any such deficiency within a period not exceeding three months.

(9) An applicant who does not comply with subregulation (8) shall be required to submit

a new application to the Council.

(10) The Inspection Committee shall forward complete applications that meet the requirements and criteria to the Academic Planning and Development Committee for formal consideration.

(11) The Academic Planning and Development Committee shall consider the reports of the Inspection Committee and all documentation relevant to the application and make a recommendation to the Council to invite the Minister to confirm or reject accreditation.

6. Fees

(1) The applicant shall pay fees as set out in Schedule II for the verification and evaluation of an application seeking accreditation or an expansion of accreditation.

(2) An application shall be accompanied by a non refundable fee as set out in Schedule II.

(3) Other costs incurred in the consideration and verification of the details of an application, including visits to the institution and any delivery site, shall be charged to the applicant.

(4) All fees and charges must be paid before a recommendation to accredit is made to the Minister by the Council.

7. Accreditation requirements

(1) An applicant shall provide in accordance with the requirements set out in Schedule III, substantial proof that the applicant has a level of academic and administrative organisation capable of offering and sustaining tertiary education or training.

(2) An applicant shall provide proof that he has organised adequate resources to provide programmes of teaching, learning or assessment as set out in Schedule III.

(3) An applicant shall provide proof that the qualifications or awards conferred on learners satisfying all relevant programme requirements are in accordance with the requirements set out in Schedule III.

(4) An applicant offering degree-level programmes shall provide proof that such programmes reflect a level of advanced study or research commensurate with that set out in Schedule III.

8. Notification of accreditation

The Council shall publish by notice in the *Gazette*, a list of all institutions accredited by the Minister and such listing shall specify the programmes covered by each accreditation and the relevant qualifications recognised.

9. Refusal to recommend accreditation

(1) The Council may refuse to recommend to the Minister that accreditation be confirmed if, following its evaluation and verification of the application details and documents, the requirements and criteria for accreditation have not been met.

(2) Where the Council refuses to recommend accreditation, the Council shall not accept more than one re-application for accreditation from the same institution within a period of two years from the date of submission of the application refused.

10. Reporting to council

(1) An accredited institution shall forward the following to the Executive Secretary –

- (a) a list of the total number of students enrolled in each accredited programme during the year;
- (b) a profile of the grades or standards achieved by all learners including those who failed to complete programme requirements in formal, summative assessments related to each programme;
- (c) a summary of the results of any tracer studies undertaken of graduates in each programme;
- (d) a summary of any other formal evaluation and review processes for each programme, the persons involved, and the actions taken as a result of findings; and

- (e) a copy of the findings and recommendations of any institutional self evaluation or internal audit completed during the year and a description of the process followed and persons involved.

(2) The Council may initiate an investigation of the on-going compliance of the institution with the conditions for accreditation where an institution fails to provide updated reports and information specified in subregulation (1).

11. Notification of significant changes

(1) An institution shall not implement any of the changes set out in this regulation without the prior written approval of the Council—

- (a) a change in ownership;
- (b) a change in legal status;
- (c) a decision to cease operations;
- (d) a change in the location of any head office;
- (e) a change in the make up of the governing body;
- (f) a change in senior management or senior academic personnel;
- (g) a change in funding sources;
- (h) a change in any franchising or partnership arrangements;
- (i) an increase or decrease in student numbers of more than 10 per cent in any year for any programme;
- (j) a major change in the profile of the student body for any programme;
- (k) a change of a delivery site within the same village, town or city;
- (l) the opening of a new site outside of Botswana;
- (m) a significant change in the number or nature of outcomes of learning linked to a specific programme, course or qualification;
- (n) a significant change in assessment methodologies or arrangements for any programme, course or qualification;
- (o) a significant change in the mode of delivery of any programme or course covered by an existing accreditation; or
- (p) a change in the residential nature of any programme or course.

(2) The Council shall, after application by an institution to implement any of the changes referred to in subregulation (1) above, initiate such investigation as is necessary to determine whether the institution will remain in compliance with the requirements for accreditation after such implementation.

(3) The institution shall, when making an application to implement the changes referred to, demonstrate that it will be in compliance with accreditation requirements after the changes have been implemented.

12. Suspension or revocation of accreditation

(1) The Council may recommend to the Minister that an accreditation of an institution be suspended or revoked in whole or in part where the Council believes that an institution no longer meets the requirements for accreditation.

(2) The Council shall establish the severity of its recommendations in terms of the impact on learners or learning and write to the governing body of the institution before recommending such action.

(3) The Council shall cover the following matters in the letter to the governing body of an institution—

- (a) notification that the Council has cause to consider recommending the suspension or revocation of accreditation;
- (b) specifying the grounds constituting this concern;
- (c) the steps to be taken for accreditation to remain valid; and
- (d) an invitation for a written submission from the institution on the matter.

(4) An Inspection Committee appointed by the Council for this purpose shall undertake

such investigations as necessary and shall, together with the Executive Secretary, meet with representatives of the institution to discuss and consider any submission made in response to the notification made under subregulation (3) above prior to submitting its report and recommendations to the Council.

(5) The Council, acting upon the recommendation of the Inspection Committee, may—

- (a) reconfirm the accreditation;
- (b) inform the institution of its intention to recommend to the Minister that accreditation be suspended for a specified period, not being more than one year, during which time specified conditions must be met; or
- (c) inform the institution of its intention to recommend to the Minister that the accreditation be revoked.

(6) A decision taken by the Minister to suspend or revoke an accreditation shall be published in the *Gazette*.

13. Appeals

(1) An institution may lodge with the Minister an appeal against a recommendation by the Council within 14 days of notification of the Council's decision.

(2) An appeal lodged under subregulation (1) shall be considered by the Minister not later than six months after the date on which it was lodged.

14. Learner records

When an accredited tertiary institution—

- (a) voluntarily ceases to provide education or training services; or
- (b) has its accreditation revoked under regulation 12;

the complete records of the attainment of recent and past learners shall be forwarded to the Council.

15. Informing other authorities

(1) The Council may notify other relevant authorities of any circumstances or information contained in an application or report made to it which contains material that is falsely made and that seeks an action through the fraudulent use of such material.

(2) The Council may notify other relevant authorities of any circumstances where it considers the education or training services offered by an institution to be misrepresented as to its accredited status.

SCHEDULE I

Form 1

APPLICATION FORM FOR THE ACCREDITATION OF PRIVATE TERTIARY INSTITUTIONS IN BOTSWANA

(reg 5 (1))

Please ensure that the Guidance Notes to Applicants set out at the end of this Schedule are read before completing this application form.

This application form is to be completed for new applications and applications seeking an expansion of accreditation. The form **MUST** be completed in black ink.

SECTION A – INSTITUTIONAL INFORMATION		
Legal name of institution:		
Operating name of institution:		
Street address of main campus:		
Mailing address:		
Telephone number:	Fax number:	E-mail address:
Registration number of institution issued by the Tertiary Education Council:	Date Certificate of Registration issued:	
Contact Information for this application		
Name of contact person:		
Position in institution:		
Telephone number:	Fax number:	E-mail address:

Section B – Programme details for which Accreditation applied for
(Attach additional pages if necessary)

Name of Programme	Qualification awarded	Delivery sites	Date first offered

Section C – Checklist of Documents Comprising Application Pack

(Indicate by tick in the box that each of the following has been included with this application form AND/OR is available on site for inspection)

	Included	Available
(a) Evidence of each programme passing through institution's design and approval processes (including stakeholder consultation)		
(b) Programme Statements or Descriptions or institution syllabi		
(c) SAMPLES of teaching and learner resources for each programme		
(d) Copies of Memoranda or Agreements for off-site activities and/or articulation agreements and/or franchise or examination authority relationships		
(e) Most recent statement of audited Annual Accounts		
(f) Current financial journals, ledgers or similar records		
(g) Accountant's declaration		
(h) List of all staff employed and their academic qualifications		
(i) SAMPLES of performance appraisals and individual staff development plans		
(j) Description of library and on-site texts or other resources for each programme		
(k) Description of venues able to be timetabled for use by staff and/or learners, and copies of timetables		
(l) Copies of codes of practice for specialist facilities		
(m) Asset register of equipment and aids available for each programme		

Included **Available**

- (n) Copies of licence arrangements for IT infrastructure
- (o) SAMPLES of programme, teaching resource, and contractual evaluations and outcomes
- (p) SAMPLES of programme coordination reports
- (q) Assessment Plans for each programme
- (r) SAMPLES of assessment instruments and marking schemes for each programme
- (s) SAMPLES of internal moderation/verification activities and outcomes
- (t) Copies of external moderation/verification reports (where relevant)
- (u) SAMPLES of student report forms
- (v) SAMPLES of certificates issued
- (w) Copies of qualification descriptions and attainment regulations
- (x) SAMPLES of learner records kept
- (y) List of past and current enrolled students and standards/grades attained in each programme
- (z) Copies of recent analyses of student performance
- (aa) Copies of recent tracer studies and/or Programme (effectiveness) Reports
- (bb) List of recent research activities by staff and post-graduate students (where relevant)
- (cc) Copies of recent reports by External Examiners (where relevant)

Other Documents

List below any other document included in the Application Pack.

Section D – Declaration

- (a) I/we declare that to the best of our knowledge the information given in this application form and accompanying documents is a true and correct representation of the programmes offered by this institution and their delivery and administration;
- (b) I/we agree to provide access to any staff of the Tertiary Education Council and subject matter experts appointed by them to any premises, staff, students, stakeholders, and additional documents for the purposes of verifying the contents of this application;
- (c) I/we agree to notify the Tertiary Education Council of any significant changes to our position as an institution and/or the services offered;
- (d) I/we agree to abide by any legislation and other contractual obligations of relevance to the education, training and assessment services offered by this institution.

Signed Name in Print

Date

Signed

Date Name in Print

REMINDER: This application form must be accompanied by supporting evidence showing that the criteria set for accreditation have been met. Evidence must also be readily available that the requirements for Registration as a Private Tertiary Institution continue to be met.

This application form and accompanying details should be mailed or delivered to the Executive Secretary of the Tertiary Education Council at the office address shown at the head of the application form.

TEC use only	
Date application received:	
Application can proceed for further verification	Yes No
Further information required Details:	Yes No
TEC Officer Name:	
TEC Officer Signature:	

GUIDANCE NOTES TO APPLICANTS

The application form provided is to be completed by a senior representative of the institution duly authorised by the institutions governing board or council to lodge an application for accreditation with the Tertiary Education Council.

The application form is to be used for making the first application for accreditation and for any subsequent

applications seeking an expansion of the programmes covered by the institutions current accreditation. Before completing this form, the applicant is advised to familiarise himself or herself with the following documents:

The Tertiary Education Act (Cap. 57:04), in particular Part VI.

The Tertiary Education (Regulations for the Accreditation of Private Tertiary Institutions in Botswana), particularly Schedule II, *Requirements and Criteria for the Accreditation of Private Tertiary Institutions in Botswana and the Recognition of Associated Qualifications*

The checklist of required documentation and evidence that must accompany the application form and which, together, represent the Application Pack required by the Council to be submitted.

Other documents not included in these Regulations are available from the Tertiary Education Council Office for such a charge as the Executive Secretary of the Council may determine.

Applicants having difficulty interpreting the application form and/or the documents listed in paragraph 3 above are advised to contact the Tertiary Education Council Office at the address shown on the application form.

Applicants should note that the application form must be accompanied by additional documents and evidence specified in the form and in the Requirements and Criteria for Accreditation (Schedule II). The Tertiary Education Council shall only process complete applications. An application shall not be deemed complete if the specified additional materials making up the Application Pack are not supplied. The Tertiary Education Council will charge an extra fee to cover any activities undertaken to secure a complete Application Pack.

The application form must be completed in black ink.

Additional pages may be attached to the application form if the space provided in the application form is insufficient. Any additional pages must carry the name of the institution for which the application is being made.

The application form must be accompanied by the payment of the fees and/or deposits specified in Schedule III.

SCHEDULE II FEES

Accreditation application as a provider	P5,000
Each additional site of delivery (Accreditation application)	P2,500
Accreditation of each programme	P4,000
Site visiting	P3,000
Expansion of accreditation	P2,000
Application of re-accreditation (renewal) as a provider	P3,000
Additional site (re-accreditation)	P2,000
Re-accreditation of each programme	P3,000
Appeals	P2,500

SCHEDULE III REQUIREMENTS AND CRITERIA FOR THE ACCREDITATION OF PRIVATE TERTIARY INSTITUTIONS IN BOTSWANA AND RECOGNITION OF ASSOCIATED QUALIFICATIONS PART 1 – INTRODUCTION

The requirements and criteria detailed in Part 2 of this Schedule represent the Accreditation Standard set by the Tertiary Education Council for the accreditation of private tertiary institutions offering tertiary education and/or training services, inclusive of assessment, in Botswana. The Accreditation Standard also contains criteria to be met for the recognition of qualifications awarded to successful learners completing any programme covered by the accreditation of a specific institution. [1]

The requirements and criteria detailed in Part 2 assume that a private tertiary institution has a comprehensive system of policies and procedures in place to ensure the ongoing quality and improvement of the programmes of teaching, learning and assessment offered. The existence of such a quality management system will have been verified by the Tertiary Education Council through the issue of a Certificate of Registration.

Achieving the requirements and criteria of the Accreditation Standard is conditional on the institution continuing to meet the requirements and criteria for Registration as a Private Tertiary Institution in Botswana and its full compliance with the reporting requirements set by the Tertiary Education Council.

Accreditation is confirmation that the systems for organising appropriate resources and the management of quality have been implemented as designed for one or more named programmes of teaching, learning and assessment over a period of not less than three years and that these programmes are having the planned impact for learners and the economy and broad society of Botswana.

Accreditation is, therefore, confirmation of the ability of the institution to design and implement quality education and/or training services at a tertiary level. Further, the institution is able to provide evidence of such ability through the provision of results of comprehensive self-evaluations or internal audits for each named programme using robust processes previously verified by the Tertiary Education Council.

Accreditation involves the Tertiary Education Council applying comprehensive verification processes, utilising the expertise of relevant industry, professional and institutional authorities that confirm the results of self-evaluations or internal audits and the rigour of the processes used to generate the information provided to the Council in the application for accreditation.

Accreditation further confirms that the programmes of teaching, learning and assessment offered by an institution are resulting in meaningful and accepted certification of broad abilities acquired through the programmes and that the qualifications issued are of a comparable standard and merit as those offered by public institutions in Botswana.

The requirements and criteria detailed in Part 2 must be substantially met, where applicable to the nature of the institution and programmes for which accreditation is sought, through the provision of an application form and supporting documentation and evidence inclusive of the institution's own assessment of compliance with Part 2.

PART 2 – REQUIREMENTS AND CRITERIA FOR ACCREDITATION

Section A – The Accreditation Standard

Accreditation shall be granted to institutions for named programmes where, in addition to ongoing compliance with the requirements for the Registration of Private Tertiary Institutions:

Design and development processes are applied that have actively utilised stakeholder input to create relevant programmes comparable to those offered by similar institutions authorised to operate in Botswana.

Funding of programmes is of sufficient assured and sustained levels to ensure the ongoing and enhanced quality of the programmes as designed.

Staffing of programmes is provided for, managed and developed to ensure the ongoing and enhanced quality of the programmes as planned.

Physical premises, facilities and equipment are provided for, managed and developed to ensure the ongoing and enhanced quality of the programmes as planned –

Programmes are delivered in accordance with internally and externally approved proposals and processes and are subject to ongoing evaluation and review utilising and incorporating the views of learners and relevant stakeholders and interested parties.

Internal and external assessment arrangements are structured and integrated with learning, utilise judgments of performance against transparent criteria, and are verified as being fair, valid, reliable and consistent through internal and, where available, external moderation of assessment processes.

Certification of attainment through the award of a qualification describes the outcomes of learning and standards of attainment reached in a meaningful manner and are of a comparable and equivalent merit to similar qualifications offered in and by public tertiary institutions.

Programmes result in their planned impact for learner achievement and relevance to stated educational, technological, economic and/or socio-cultural needs of Botswana and Botswana –

Degree-level and post-graduate programmes, where applicable to the application for accreditation, reflect, develop, utilise and encourage the skills of advanced study and ethical research that advance learning and/or the global well-being of the Botswana economy, and

All deposits, fees, costs and additional charges relevant to the consideration and processing of the application for accreditation have been paid.

The specific requirements and criteria for the above components of the Accreditation Standard are elaborated in Section B.

Section B – Specific Requirements and Criteria for Accreditation

Design and Development of Programmes

This section seeks to verify that the institution utilises its own policies and procedures to design and develop programmes that are relevant to identified outcomes of learning required in and for Botswana's economy and society. Where curriculum and/or learner resources are accessed through franchise or

licensing arrangements, the Council wishes to be assured that these have been appropriately and legally localised to reflect needs in Botswana.

Institutions are required to:

- (a) Provide proof that each programme resulted from a robust conceptualisation and design process and is an integral part of the institution's mission and planning.
 - (i) Programme design and/or adaptation/adoption procedures demonstrate a clear and effective synergy between the provider and potential future "employers" of any graduates, and were inclusive of stakeholder input and consultation.
 - (ii) There is evidence that stakeholder views and other external benchmark documents (where relevant) were incorporated into the programmes designed.
 - (iii) Designed programmes meet substantiated national, regional or local economic, social, cultural, and/or technological needs and align with international standards or benchmarks. Where international curricula linked to external examinations formed the basis of the programme, localisation was legally carried out and retains the integrity of the host curriculum.
 - (iv) Each programme fits within an overall curriculum that represents increasing breadth and depth of learning demand for the learner, and articulates with other programmes available at the institution or partner institutions.
 - (v) Each programme was approved using established processes by the relevant institutional structures (e.g. academic board, senate, etc.) as fitting the mission and strategic position of the institution and as meeting the institution's own academic standards.
- (b) Provide programme statements/syllabi/curriculum statements that detail and substantiate how teaching and learning is being promoted by the institution. In particular, the following are to be available for each programme:
 - (i) A justification of the knowledge and skills needs and standards to be achieved through the programme.
 - (ii) The expression of outcomes of learning that represent a balance of theoretical, practical and experiential learning aligned with the defined purpose and that builds personal development, learning preparedness and technical capacity of and for the learners and proof that these are consistent with the intellectual challenge and value of similar programmes at the same and other institutions.
 - (iii) The expression of pedagogical approaches and weightings for the delivery of the programme that are appropriate to the knowledge and skills to be developed and the characteristics of the learner cohort.
 - (iv) The human, physical, teaching and learner resources required for each programme.
 - (v) Programme sequence, individual unit/module prescriptions, and lesson plans that guide the development and facilitation of learning.
 - (vi) Broad descriptions of assessment methodologies, weightings, and timetables, and
 - (vii) Descriptions of the review and evaluation procedures and schedules used to measure the effectiveness of the programme and guide the quest for improvement.
- (c) Provide teaching and learner resources for each programme.
 - (i) Teaching and learner resources have been subject to a rigorous evaluation and have been confirmed as aligning with programme goals, learner characteristics, and the Botswana context.
 - (ii) Reproduction and/or adaptation of materials does not breach laws pertaining to copyright and protection of intellectual property.
- (d) Demonstrate that all planned teaching, learning and assessment is coordinated and monitored.
 - (i) Off-site and/or workplace components have a sound educational rationale linked to the learning outcomes of the relevant programmes.
 - (ii) Written agreements between the parties to such components detail:
 - the objectives of the activity
 - responsibilities of either party (inclusive of health and safety, and the monitoring and support of learners)
 - accountabilities and standards for the provision of any instruction or the conduct of any assessment
 - names and contacts of all parties, and

- the duration of any agreement.
- (iii) Articulation and cross-crediting arrangements between courses within the institution and with those of any other institution enhance the progression of learners.
- (iv) Articulation and cross-crediting arrangements are consistent with the content, delivery and attainment requirements of the relevant course.

Funding of Programmes

This section seeks to verify that the institution has sufficient financial resources available for its exclusive use in the development, provision, management and enhancement of its stated education and/or training services. The Council wishes to be assured that there are sufficient finances available and sound financial management to enhance the ongoing availability of any programme offered for any currently enrolled learners.

Institutions are required to provide evidence that:

- (a) The institution has sufficient funds for its exclusive use.
 - (i) The most recent statement of annual accounts is provided showing, as a minimum:
 - financial position at balance date
 - operating statement reflecting the revenue and expenses for the year
 - statement of cash flows during the year
 - statements of financial performance to be achieved
 - statement of commitments
 - statement of contingent liabilities, and
 - statement of accounting policies.
 - (ii) The Accounts fully and fairly show transactions, assets, liabilities and funds.
 - (iii) The Accounts show that the institution is a "going concern" being likely to be able to successfully continue its operations into the future. It is able to pay its debts as they become due in the normal course of business and the value of easily liquefied assets is greater than the value of current liabilities, including contingent liabilities.
 - (iv) Control of the institution is in the hands of the "proprietors" and not in the hands of creditors. The Accounts show a positive owner's equity and relative stability in equity positions over the past 12 months.
 - (v) The Accounts clearly distinguish the institution's funds and financial activities from those of any other entities also under the control of the proprietors.
- (b) The institution directs sufficient funds to support the development and implementation of its education and training services.
 - (i) Cost centres are established for each programme and/or each faculty or department and records show the financial allocations and commitments for each programme or faculty.
 - (ii) Cash flows show that funds are directed to activities clearly related to teaching, learning, research (where relevant) and assessment, in particular:
 - staff development
 - library and equipment purchases, maintenance and replacement
 - teaching, assessment, and learner resource development, purchases, maintenance and replacement
 - facilities maintenance and upgrading
 - compliance with any obligations in regards to franchising or collaborative partnerships, external examination arrangements, assessment moderation/verification processes, and conduct of internal evaluation and review processes, including those required by the Tertiary Education Council.
 - (iii) Comparative figures are shown for the preceding year, estimates for the current year, and forecast targets for the next two years.
 - (iv) Past, current and predicted commitment of funds are consistent with the nature of programmes being offered, the numbers of learners enrolled, the facilities needed, and documented statements of relevant policies.
- (c) The financial position and financial activities are subject to ongoing monitoring.
 - (i) The Accounts are kept and presented in a form not inconsistent with that required by the Botswana Institute of Accountants.
 - (ii) An accountant registered by a competent authority has vetted current and forecast accounts and budgets. There is attestation from that accountant that they have viewed the

- accounts and budgets and they are satisfied that they:
 comply with accepted accounting policies and calculations
 have been compiled on the footing of the assumptions stated
 are presented on a basis consistent with accepted accounting procedures, and reflect
 sound financial management practices.
- (iii) Confirmation is given by the same accountant that:
 forecast figures are consistent with information provided in business plans or similar
 documents and the last, audited, financial statements
 outcomes are realistic and achievable, and
 the evidence supporting the assumptions suggest the assumptions are a reasonable basis
 for any projected financial positions.
 - (iv) An independent auditor has audited the Accounts for the previous year.
 - (v) The governing body/board of the institution has formally confirmed that the forecast figures
 directed to the development and implementation of current and projected programmes are
 accurate and are consistent with information provided in any existing policies and/or
 business plans (or similar documents).

Staffing of Programmes

This section seeks to verify that programmes are being taught by technically competent staff that also has appropriate pedagogical and/or assessment expertise that enables them to impart knowledge and manage the learning and progression of their learners in a manner appropriate to the characteristics of the learner cohort.

Institutions must:

- (a) Provide a list of all members of staff employed (or due for appointment) by the institution since a certificate of registration was issued by the Council (or since the last formal inspection by the Council) and demonstrate that all staff continue to be capable of contributing to the attainment of institutional goals, objectives and learner outcomes.
 - (i) Recruitment and selection of new staff complies with legislative and institutional policies.
 - (ii) The total staff compliment is of sufficient size, technical skill and seniority for the nature and field of programmes, mode of delivery, and the size of the student body to ensure that all activities related to each programme are being carried out effectively and with minimum disruption.
 - (iii) The academic qualifications of teaching or programme support staff (e.g. laboratory or workshop technicians, resource developers, etc.) are consistent with the nature of their duties and responsibilities.
 - (iv) There are sufficient staff allocated to specific programmes with appropriate qualifications and/or verifiable experience in teaching, learner guidance and support, assessment, moderation/verification, and, where relevant, research supervision.
 - (v) There is sufficient diversity within the academic staff body to ensure that learners enrolled in a specific programme are exposed to a diversity of ideas, teaching styles and approaches.
 - (vi) The ratio of full-time : part-time staff for any specific programme is such that learners have reasonable access to learning or other support and sense that staff care for them as learners and the institution as a centre of learning.
 - (vii) Where distance learning takes place, there are sufficient staff to handle specialist tasks such as registry, dispatch, management of student work record-keeping, and other matters relating to learner and learning needs to ensure a reasonable continuity of learning.
- (b) Provide evidence that staff are encouraged and empowered to continue to upgrade their competence in regards to technical and specialist duties.
 - (i) Active and robust performance appraisal/management processes identify areas for individual staff improvement and/or development and puts in place plans to empower staff to undertake such opportunities.
 - (ii) Budget allocations to each programme or faculty/department for staff development are reasonable and sufficient in terms of the content of past, current and projected individual and institutional development plans.

Resourcing of Programmes

This section seeks to verify that the size and quality of any library and teaching and/or learning equipment

are appropriate to the learning and pedagogical approach for programmes being offered. The Council further wishes to verify that the premises and facilities, including land, available for the exclusive use of the institution enhances the continuity and effectiveness of the programmes being taught or otherwise delivered.

Institutions must provide:

- (a) A description of the nature and size of library facilities available and an inventory of texts and other knowledge resources readily available to learners and staff for each programme.
 - (i) The list of titles and resources available on-site is of a currency, relevancy, level, and volume as to complement the planned curriculum, pedagogical approach, and learner numbers and type for each programme.
 - (ii) The availability of texts and other resources on-site and/or through documented complementary access arrangements provides sufficient incentives for learners and staff to engage in learning at their own pace, capacity and need and supports appropriate levels of scholarly and/or professional activities of the learners and staff.
 - (iii) Evidence exists of a policy of continuous renewal and expansion of library facilities for each programme and evidence exists that policy is supported by appropriate allocations in the institution's financial plans and records.
- (b) A descriptive inventory of the physical facilities (including land) available for the exclusive use of the institution in the delivery of its programmes.
 - (i) Sufficient, suitable venues for teaching and learning exist on-site for each programme and the nature and scale of planned activities.
 - (ii) Venues are well maintained and continue to meet all health and safety requirements. Codes for laboratory and/or workshop practice and safety exist and are observed.
 - (iii) The utilisation of venues is managed through effective allocation and time-tabling systems that optimise the continuity of teaching and learning.
 - (iv) Sufficient venues or land is available for the projected expansion of existing programmes and/or the development of planned, new programmes.
- (c) An asset register (inventory) of all equipment and other teaching/learning aids available to support teaching and learning of each programme.
 - (i) The inventory of equipment and aids on-site is of a currency, relevancy and volume as to complement the planned curriculum, pedagogical approach, and learner numbers and type for each programme.
 - (ii) The availability of equipment and other aids through documented collaborative arrangements complements the planned curriculum, pedagogical approach, and learner numbers and type for each programme.
 - (iii) The information technology (IT) hardware infrastructure and software available for learning and administration is functional, covered by sufficient and appropriate licence arrangements, well maintained and continuously upgraded with adequate funds allocated for this purpose.

Delivery and Management of Programmes

This section seeks to verify that programmes are being taught in accordance with the pedagogical approach put in place for each programme and in accordance with the planned sequence of developing stated knowledge, understanding, skills and personal attributes. The Council also wishes to verify that each programme is being comprehensively reviewed and enhanced through the adoption of identified strategies for improvement. Further, the Council wishes to verify that the organisation and implementation of teaching, learning and guidance/support opportunities models socially appropriate and ethical behaviours that complement and amplify the outcomes of learning for the taught curriculum.

Institutions must provide evidence that:

- (a) Effective teaching and facilitation of learning is being offered for each programme.
 - (i) Teaching staff are aware of and responsive to the different learning styles of their learners, with a variety of learning and teaching techniques being used to meet the different needs of learners.
 - (ii) Lessons or learning activities are well organised and prepared by individual teachers.
 - (iii) Teaching staff are flexible in their approach to teaching and learning and are able to respond to different situations and contingencies as they arise.
 - (iv) Teaching aids used are functional, interesting, and relevant to the application of the

- learning in the outside world.
- (b) Programmes are being coordinated and managed.
 - (i) Administrative services provide reliable information on the allocation and availability of venues and staff for each programme.
 - (ii) Coordination ensures the academic coherence and integrity of each programme.
 - (iii) Management and oversight ensures the conditions for delivery of each programme are met by all staff.
 - (iv) Coordination ensures that off-site learning and/or assessment is integrated into the on-site activities.
 - (v) Coordination ensures that obligations and responsibilities to franchise partners, external examination authorities, and other collaborative partnerships are complied with.
 - (vi) Coordination ensures that the institution's administrative and teaching performance and the provision of learning and learner resources, guidance and support represents a holistic learning experience consistent with the institution's mission and values and the nation's tertiary education strategies.
 - (c) Programmes are being continuously enhanced.
 - (i) There is evidence that feedback from learners, staff, external bodies and relevant stakeholders gathered through planned evaluation processes for each programme has been incorporated into revisions, updates and enhancements to each programme and its relevant lesson plans, resources and teaching practice.
 - (ii) Contracts for off-site, franchise, external examination authorities, and/or collaborative partners are updated in accordance with agreed schedules and processes.

Assessment of Learner Attainment

This section seeks to verify that internal and external, formative and summative assessment practices are well structured and planned in a manner that reflects good practice principles in assessment and, where applicable, comply fully with procedures and requirements specified by external examination bodies. The Council wishes to be assured that all assessment is, as a minimum, subject to regular and robust internal moderation (verification) practices.

Institutions must provide proof that:

- (a) Assessment is well planned and supported with clear documentation of relevant instruments.
 - (i) Assessment plans and associated instruments (e.g. tests, marking schemes, etc.) are developed for all programmes.
 - (ii) Assessment plans and associated instruments are, where issued by an examination authority beyond Botswana, localised where necessary without compromising the integrity of the assessment outcomes.
 - (iii) Assessment plans clearly detail:
 - the assessment process and methodologies to be used
 - dates and times of assessment and other related regulations regarding the conduct of the assessment
 - the criteria to be used to determine "success", and
 - appeals procedures.
 - (iv) Assessment plans and associated instruments are subject to internal and, where necessary, external review and moderation before use.
- (b) Assessment practice adheres to principles governing good assessment.
 - (i) Assessment uses methodologies that are:
 - appropriate to the abilities being assessed
 - fair to all candidates and do not disadvantage, hinder, or otherwise limit opportunities for candidates to demonstrate or provide evidence of their ability integrated into learning, training, or workplace activities, and
 - manageable, straightforward, readily arranged, cost effective and unobtrusive (where possible) to other activities.
 - (ii) Evidence used to make decisions is:
 - valid and relates to the relevant outcomes of learning and performance expectations
 - direct and sourced from activities that are commensurate with activities associated with the outcomes being assessed
 - authentic and attributed to each individual candidate without undue external influences, and

- sufficient, clearly demonstrating that all criteria and performance contexts have been met and that performance was not the result of a chance event.
- (iii) Assessment decisions are:
 - based on available and suitable evidence
 - based on clear, unambiguous and transparent criteria that reflect stakeholder-endorsed standards of expected performance
 - are consistent with the meanings of and requirements for the awarding of grades and any required aggregation of marks, and
 - consistent over time and across assessors faced with the same evidence.
 - (iv) Assessment processes are:
 - systematic, with planning and recording being of sufficient rigour to enhance and promote fairness to all candidates
 - open and transparent, and are inclusive of the involvement of candidates in planning the assessment and evidence gathering processes where this is reasonable and feasible
 - consistently applied by all assessors and over time, and
 - are secure and free from undesired outside influences.
 - (v) Assessment results are used to report on learner progress and to improve curriculum, teaching, and resource allocation.
 - (vi) Assessment is carried out by those with proven knowledge, skill and expertise to conduct assessments and make sound assessment decisions.
- (c) Assessment is subject to robust internal moderation/verification.
- (i) There is a planned and systematic process to identify what must be internally moderated, when, and the size of any samples used in the moderation process.
 - (ii) Moderation systems look to enhance the quality of assessment processes and instruments, and the quality of assessment outcomes.
 - (iii) Assessment materials are updated as a result of internal moderation findings.
 - (iv) Assessor skills and expertise are managed as a result of any internal moderation findings.
- (d) Where an external assessment/examination body manages assessment, assessment requirements are complied with.
- (i) External moderation activities and responsibilities are complied with fully.
 - (ii) Sufficient resources and financial allocations are made available to ensure obligations to external moderation requirements are met.
 - (iii) Systems are in place to ensure that any candidate work or other assessment materials required for external moderation purposes is secured until required, thereafter it is returned to the candidate or otherwise disposed of.
 - (iv) Findings from external moderation activities are used to enhance assessment process and practice.
- (e) Recognition of Prior Learning (RPL) or Current Competence (RCC) policies, procedures and practices are documented and require robust assessment against specific outcomes of learning and awarding criteria that are consistent with any articulation or credit requirements for current programmes and/or qualifications.
- (f) Learners are advised of their attainments.
- (i) Procedures are in place, and are followed, to process and report on assessments within a timeframe that allows learners to benefit from feedback prior to the next assessment task and/or proceed with their learning and/or career pathway.
 - (ii) Monitoring of learner performance leads to the early identification of at-risk and/or non-active students and the implementation of strategies to advise learners of opportunities to improve their chances of success.
 - (iii) Reported results clearly and fully reflect each candidate's achievements in relation to the outcomes of learning and associated awarding criteria for each programme enrolled in.
 - (iv) Reporting of attainment results respects the privacy rights of the learner.

Certification and Reporting

This section seeks to verify that qualifications awarded to successful graduates of a programme accurately describe outcomes of learning and standards of performance attained in a meaningful and informative manner. The Council wishes to be assured that the qualifications awarded are comparable and of equivalent merit to similar qualifications awarded in respect of programmes offered in and by

public institutions in Botswana.

Certification

The institution must provide proof that:

- (a) There is a demonstrable need for each specific qualification awarded in terms of identified recognition needs in Botswana by industry, the professions, or other education and training institutions.
- (b) The decision to offer or develop a new qualification was inclusive of the meaningful involvement of relevant stakeholders and social partners, and those stakeholders and social partners support, and preferably endorse, the qualifications coverage and structure.
- (c) There is publicly accessible information regarding the nature and scope of each qualification including, as a minimum:
 - (i) The full title of the qualification, such title not being misleading as to its status, merit, or coverage and which is consistent with qualifications bearing the same name offered by public institutions.
 - (ii) The level(s) and volumes of teaching and learning effort required by the qualification and any component unit or module.
 - (iii) The broad area(s) of learning covered by the qualification.
 - (iv) The outcomes of learning (competencies) that make up the qualification, where such outcomes of learning are expressed as specifically as possible so as to:
 - improve the understanding of learners and employers about the qualification
 - accurately describe achievement and the basis of "successful completion"
 - allow meaningful comparisons to be made with other qualifications, and the identification of any significant difference between similar qualifications, and
 - enable the transparent operation of a fair system of credit transfer between qualifications and institutions.
 - (v) A statement of the rules or regulations pertaining to the attainment of the qualification, particularly where optional or elective components are made available.
 - (vi) The awarding criteria that are the basis for awarding the qualification and relevant to any grades awarded for components of the qualification.
 - (vii) Statements of any credit transfer, articulation and/or recognition of prior learning arrangements.
- (d) Qualification certificates are informative and secure.
 - (i) Certificates clearly and accurately state:
 - the full name of the qualification
 - the name of the person, inclusive of their date of birth and/or Identity Number, to whom the qualification has been awarded, and the date of the award.
 - (ii) Certificates refer by name, seal (where applicable), and/or coding identifier to the awarding body and any relevant quality assurance body; and display the signatures of relevant persons from such bodies.
 - (iii) Qualification certificates contain sufficient security features to minimise unauthorised duplication and/or aid the identification of false copies of the certificate. (Security features would include such things as the use of watermarks, invisible UV features, embossment, numbering, anti-copying format and colouring, etc.)

Reporting Learner Attainment and Progression

Institutions must provide proof that:

- (a) Substantial data is kept, in a secure and easily retrievable form, of each learner's enrolment and activities within the institution.
 - (i) Enrolment data, including details of courses enrolled in and any file notes regarding the attendance and behaviour of the learner, is accurate and current. The data is sufficient to serve the interests of the learner in any case of voluntary or forced transfer to another provider.
 - (ii) Data is entered into a centralised database as soon as practicable after the data has been generated.
 - (iii) Data is securely stored in two separate physical locations. Computer records are regularly backed-up and a copy is stored separate from the originals.
 - (iv) Record-keeping, access, release and storage protects the privacy rights of the learner.

- (b) Substantial data is kept, in a secure and easily retrievable form, of each learner's academic and/or course work attainments whilst enrolled in the institution's programmes.
 - (i) Progressive (continuous) and final assessment results are recorded accurately and are stored securely.
 - (ii) Back up copies of progressive and final assessment results are kept in secure storage off-site.
 - (iii) Final assessment results are archived indefinitely in a safe yet easily retrievable location and format.
 - (iv) Systems are in place to ensure that progressive and final assessment results may only be accessed, updated or amended by authorised persons.

Impact of Programmes

This section seeks to verify that learner retention and attainment rates represent successful teaching and management of learning and that entry requirements and selection procedures, inclusive of the recognition of prior learning and experience, represent entry standards that offer reasonable chances of success for learners enrolled in each programme.

Institutions must:

- (a) Provide a list of the total number of learners that have enrolled in each programme since the issue of a certificate or registration and the standards (grades) attained by those that have graduated during that period and provide critical commentary on the results shown.
 - (i) Retention and throughput rates show that learner recruitment and selection policies are appropriate to the nature and learning demand of each programme.
 - (ii) Results show that learner admission and selection decisions made to enhance access and equity framework goals are valid in terms of those learners being able to cope (perhaps with the assistance of additional, planned guidance and support systems) with the academic nature or other learning demands of each programme.
 - (iii) Significant variances in learner results compared with documented projections result in documented action plans following intensive investigation into the appropriateness of the nature and structure of the programme, the pedagogical approach taken, resources allocated, coordination, management and support services applied, and learner entry requirements.
- (b) Provide assurances to its governing body, learners and other interested stakeholders (perhaps through regular Programme Reports) that the programmes offered have continued relevance to the economy and society of Botswana.
 - (i) Follow-up (tracer) studies with graduates of each programme and the employer or institution taking those graduates confirms the relevance of the outcomes of learning developed by the programme and the validity of reported standards of attainment in terms of employability and/or readiness for further, advanced learning.
 - (ii) Significant disparities between programme outcomes and economic and social needs result in documented action plans recommending amendments to the nature and structure of the programme, the pedagogical approach taken, resources allocated, coordination, management and support services applied as relevant and necessary.

Degree-level Programmes

This section seeks to verify that degree-level and post graduate programmes represent advanced study of the theoretical aspects of a discipline area(s) and the development of independent learning, thinking and expression. The Council wishes to verify that such programmes are taught mainly by staff engaged in research and who teach and encourage the application of ethical research approaches and methodologies.

Relevant institutions must provide evidence that:

- (a) "Graduate" programmes are comparable to degree-level study.
 - (i) Programmes represent a systematic, well-rounded and coherent introduction to the broad knowledge, ideas, principles, concepts, key research methods and problem-solving techniques of a recognised major subject(s).
 - (ii) Programmes promote:
 - the development and use of abilities in self-directed work and learning
 - the use of skills needed to acquire, understand and assess information from a range of sources

- intellectual independence, critical thinking and analytical rigor
- advanced communication and collaborative skills, and
- aptitudes and capabilities for further advanced study, research and scholarship.
- (iii) Courses are structured to provide sound and balanced academic progression.
- (iv) Programmes are taught by those principally engaged in research.
- (b) "Postgraduate" programmes give an emphasis to the development of research competence.
 - (i) Programmes, learners and assessment are managed and coordinated by a senior academic with research and supervision experience.
 - (ii) Programmes include training in research skills, research design and methodology, and ethics.
 - (iii) Research assessment is inclusive of at least one "external examiner" competent in the discipline in which the research is undertaken.

Application, Verification and Accreditation Fees

Application, verification and accreditation fees are intended to contribute towards the costs associated with processing an application. These costs normally include administration and overhead costs of correspondence and communication. The basic categories of fees stated in the regulations will include desk evaluations of application contents, site visits to verify application contents, and charges for follow-up work identified from the consideration of an application.

The applicant must have paid all deposits, fees, costs and additional charges identified in the regulations and outlined in Schedule II prior to any recommendation for accreditation being made to the Minister.

SCHEDULE IV

INDICATIVE REQUIREMENTS FOR QUALIFICATIONS TO BE ELIGIBLE TO CARRY SPECIFIC TITLES

INTRODUCTION

Section 28 of the Tertiary Education Act (Cap. 57:04) requires private tertiary institutions to only make awards of qualifications that are comparable and of equivalent merit to similar qualifications awarded in respect of programmes offered in and by a public tertiary institution in Botswana.

The following descriptors indicate the broad requirements applied in many of the public tertiary institutions in Botswana. The descriptors are to be taken as indicative of qualification characteristics the Tertiary Education Council shall take into consideration when giving recognition to qualifications during the accreditation processes for private tertiary institutions.

The same characteristics shall also apply to any recognition, under section 28 (2) of the Act, of qualifications offered by private tertiary institutions not subject to ongoing quality assurance of the Council.

The descriptors that follow shall apply until such time as qualification specifications may be prescribed in terms of a national qualifications framework for Botswana and/or prescribed for the Southern African Development Community (SADC) Regional Qualification Framework (RQF).

CERTIFICATES

Qualifications carrying the title "certificate" in their name generally recognise attainment of, a minimum of 30 credits in the certificate programme.

DIPLOMAS

Qualifications carrying the title "diploma" in their name generally recognise successful attainment of a minimum of 60 credits in the Diploma programme. Qualifications carrying the title Higher Diploma in their name generally recognise the attainment of a minimum of 90 credits.

DEGREES

Qualifications carrying the title "Bachelor", "Master" or "Doctor" in their name generally recognise the successful attainment of :

Degrees: Qualifications carrying the title "Bachelors" in their name generally recognise the successful attainment of 120 credits in the Bachelor's degree programme unless stated otherwise in the faculty or Departments Special regulations.

For the Master's award, a student should have fulfilled a minimum of 48 credits attained through course work and research, while the Doctoral Qualification will be awarded through successful completion of a minimum of 72 credits comprising course work and research as prescribed by the specific programme of study, of the 72 credits, 48 will have been attained at Master's Degree level.

POST GRADUATE

Qualifications carrying the title "postgraduate" in their name generally recognise the successful attainment

of a minimum of 72 credits comprising of both course work and research, 48 of which should have been accumulated at Master's Degree level either from the University offering the postgraduate degree or from a recognised University or equivalent institution of Higher Education upon production of satisfactory documentation and references.

TERTIARY EDUCATION (LETTER OF INTERIM AUTHORITY) REGULATIONS

(section 38)

(6th July, 2004)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Interpretation
3. Application for letter of interim authority
4. Fees payable
5. Letter of interim authority
6. Period of validity of letter of interim authority
7. Register of tertiary institutions
8. Offence and penalty

First schedule
Second schedule
Third schedule

S.I. 56, 2004.

1. Citation

These Regulations may be cited as the Tertiary Education (Letter of Interim Authority) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires-

"academic resources" means equipment, aids and references available to teachers, tutors and learners to enable teaching and learning to take place;

"articulation" means the logical progression between qualifications;

"course" means a component of a learning or training programme lasting for one, or more than one, semester;

"franchise partner" means a tertiary institution that grants permission to another tertiary institution to teach and award a programme or qualification developed by it;

"internal moderation system" means the processes put in place by a tertiary institution for ensuring the fairness, validity and consistency of assessment practices, judgements and decisions;

"module" means a component of a course that is independently self-contained, yet integral to the whole course;

"outcomes of learning" means statements of the result of formal or informal learning;

"physical resources" means the land and buildings associated with a tertiary institution;

"programmes of instruction" means structured learning pathways that are directed by teachers or tutors and that lead to a qualification;

"register" means a register established and kept by the Council under regulation 7; and

"stakeholders" means a group which derives direct or indirect benefits from a qualification and its components, or from the services of a tertiary institution.

3. Application for letter of interim authority

(1) A person who wishes to make an application for a letter of interim authority to operate a private tertiary institution shall apply to the Council by submitting to the Executive Secretary, an application in the form set out in the First Schedule.

(2) An application made under sub regulation (1) shall be accompanied by such documentation and evidence as is specified in the Second Schedule.

(3) Notwithstanding subregulation (1), an individual shall not apply for a letter of interim authority.

4. Fees payable

(1) Any costs associated with the verification and evaluation of the information supplied by an applicant in relation to an application under regulation 3(1) shall be paid by the applicant, to the Council, and shall include-

- (a) a non-refundable application fee set out in the Third Schedule; and
- (b) a fee set out in the Third Schedule for a mandatory verification visit by the Council to the applicant's premises.

(2) An applicant shall pay the Council an extra evaluation fee set out in the Third Schedule for an application form which is incomplete.

(3) Any fee payable by an applicant to the Council shall be paid to the Council before a letter of interim authority to operate is issued by the Council.

5. Letter of interim authority

(1) Where the Council makes a decision in respect of an applicant's application for a letter of interim authority, the Executive Secretary shall communicate such decision to the applicant, within 15 days of making such decision.

(2) Where the Council approves an application for a letter of interim authority, it shall, within 60 days-

- (a) issue, to the applicant, a letter of interim authority; and
- (b) record the particulars of the letter of interim authority in the register kept under regulation 7(1).

6. Period of validity of letter of interim authority

A letter of interim authority issued by the Council, to an applicant, shall remain valid for such period, not exceeding five years, as the Council may specify in the letter of interim authority.

(2) After the period of validity specified by the Council under sub regulation (1) has expired, a person issued with a letter of interim authority may apply for registration of the tertiary institution in respect of which the letter of interim authority was issued, in accordance with section 21(2) of the act.

7. Register of tertiary institutions

(1) The Council shall establish and keep a register of all private tertiary institutions issued with a letter of interim authority.

(2) The register under sub regulation (1) shall be kept at the offices of the Council and shall be open to inspection during office hours by any member of the public.

(3) The Executive Secretary shall enter, in the register under sub regulation (1)-

- (a) the name and address of the institution or person to whom the letter of interim authority has been issued;
- (b) the name of the institution being established;
- (c) the site on which the institution is permitted to operate;
- (d) the programmes of instruction to be offered;
- (e) the qualifications to be awarded;
- (f) the principal modes of delivery of the programmes of instruction; and
- (g) the date of issuance of the letter of interim authority.

8. Offence and penalty

A person who establishes a private tertiary institution without the Council's authorisation

shall be guilty of an offence and liable to a fine not exceeding P500 or to imprisonment for a term not exceeding 6 months, or to both.

FIRST SCHEDULE

Application Form for Letter of Interim Authority to Operate a Private Tertiary Institution

(regulation 3(1))

TERTIARY EDUCATION COUNCIL

Private Bag BR 108
Gaborone
Botswana

Tel: (+267) 3900 679
Fax: (+267) 3901 481

Physical address:
Plot 53995, Mabeleapudi Rd
Broadhurst Industrial Site
Gaborone

PART I

Please Note:

1. This form is to be completed by a person with the legal authority of a company, trust or society to lodge an application seeking interim authority to operate a private tertiary institution in Botswana.
2. Before completing this form, the applicant is advised to familiarise himself or herself with the following documents:
 - (a) The Tertiary Education act, (Cap. 57:04);
 - (b) The Tertiary Education (Letter of Interim authority) Regulations;
 - (c) A checklist of requirements for the establishment or registration of a tertiary institution; and
 - (d) The Criteria for Interim authority to Operate a Private Tertiary Institution.

Other documents not included in these Regulations are available at the Tertiary Education Council Office for such charge as the Executive Secretary may determine.

3. Should you require any help interpreting this form or the documents referred to in paragraph 2 of this Schedule, contact the Tertiary Education Council at the address shown above.
4. Please note that this form must be accompanied by additional documentation and evidence as specified throughout this form and in the Criteria for Interim authority to Operate a Private Tertiary Institution. An application will not be complete unless these specified additional materials are supplied. The Tertiary Education Council will charge an extra fee for any application submitted incomplete.
5. Please complete this form in black ink.
6. You may attach additional information if the space provided in this form is inadequate for your purpose.
7. This form shall be accompanied by the fees specified in the Regulations.
8. For all persons named in paragraph 6 of Part II, two passport size photographs, and certified true copies of their National Identity Card or Passport must be supplied.
9. Curriculum vitae are required for those persons named as proprietors or initiators of the proposed institution and those identified as having legal and financial responsibility for the institution (paragraphs 6 and 7 of Part II).

10. Please indicate (by a tick in the box) that the following documents have been included-

- (a) Proof of legal status of organisation proposing to establish the institution
- (b) Curriculum vitae of key personnel
- (c) Photographs of applicants
- (d) Feasibility study/needs assessment
- (e) Stakeholder consultation process
- (f) Evidence of stakeholder support

<input type="checkbox"/>
<input type="checkbox"/>
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<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

- (g) Certified Memorandum of Agreement for leased premises
- (h) Certified copy of land lease or title deeds for property
- (i) Financial Plan
- (j) Accountant's attestation
- (k) Relevant bank statements/guarantor statements
- (l) Evidence of legal recognition and accreditation of any intended franchiser to the proposed institution
- (m) Attestation from such Franchiser
- (n) Any memorandum of agreement with franchisers to the institution
- (o) Names of people/companies to whom services will be sub-contracted
- (p) Curriculum vitae/credentials of any proposed sub-contractor
- (q) Lists of proposed programmes of instruction, showing duration, level and intended award
- (r) Descriptions of Governors of the institution and key management positions
- (s) Site Plans
- (t) Expansion Plans
- (u) Local Authority Approval (where applicable)

PART II

Please list any further documents forming part of this application

1. Proposed name of the tertiary institution
2. Physical address of proposed tertiary institution
3. Full name of company, society or trust making this application
4. Date of application
5. Particulars of person(s) responsible for this application
 - (a) Name:
 -
 - (b) Postal address:
 -
 - (c) Telephone:
 -
 - (d) Fax:
 -
 - (e) E-mail address:
 -
6. Particulars of proprietor(s)/initiator(s) responsible for this application
 - (a) Name:
 -
 - (b) Postal address:
 -
 - (c) Telephone:
 -
 - (d) Fax:
 -
 - (e) E-mail address:
 -
7. Particulars of person(s) legally and financially responsible for the proposed institution

- (a) Name:
-
- (b) Postal address:
-
- (c) Telephone:
-
- (d) Fax:
-
- (e) E-mail address:
-

8. Declaration

- (a) I/we declare that to the best of my/our knowledge the information given in this form and on any attached documents is correct.
- (b) I/we agree to provide access to any documents and premises, by any Tertiary Education Council personnel appointed to verify the contents of this application.

Signed Name in Print

Date

Signed Name in Print

Date

Signed Name in Print

Date

Signed Name in Print

Date

9. Please mail this form and all accompanying documentation and evidence to the address above.

SECOND SCHEDULE
Criteria for the Issuing of a Letter of Interim authority to Operate a Private Tertiary Institution
(Regulation 3(2))

TERTIARY EDUCATION COUNCIL

Private Bag BR 108
 Gaborone
 Botswana

Tel: (+267) 3900 679
 Fax: (+267) 3901 481

Physical address:
 Plot 53995, Mabeleapudi Rd
 Broadhurst Industrial Site
 Gaborone

PART I
Introduction

1. The assessment criteria detailed in this document represent the standard that must be met by the applicant and the basis upon which the Tertiary Education Council (the Council) shall issue a "Letter of Interim Authority" enabling an applicant to operate a private tertiary institution in Botswana as provided for in section 19(2) of the Tertiary Education Act, (Cap. 57:04)
2. The grant of a letter of interim authority to operate is confirmation by the Council that it supports the establishment of the new institution and that it has a reasonable level of confidence that the new institution will meet the required standard.
3. The minimum resources stipulated in the criteria should contribute towards the attainment of the minimum institutional standards of performance, operations and general conduct referred to in section 23(1) of the act.

4. The issuing of a letter of interim authority shall enable-
 - (a) the establishment of a governing body;
 - (b) the commencement or continuance of the development of physical resources;
 - (c) the commencement or continuance of the assembly of academic resources, including academic and support staff;
 - (d) the advertising of the intended programmes of instruction; and
 - (e) the admittance of students to such programmes as specified by the Council.
5. Before granting a letter of interim authority to operate a private tertiary institution, the Council wishes to be assured that-
 - (a) the establishment of a new private tertiary institution is in the interests of Botswana;
 - (b) there is verified evidence of the need for the new institution and its services;
 - (c) the institution will make a significant contribution towards broadening the availability of and access to tertiary learning;
 - (d) the institution will stand a good chance of being successfully established and remain independent of public funding; and
 - (e) the institution will have a good chance of reaching and maintaining high organisational and academic standards.

PART II

Criteria

1. Ownership

This section seeks to verify that the person applying to establish a tertiary institution is an able and capable individual with the necessary resources, a good track record and determination to achieve his/her aims and objectives.

Criteria 1: Applicant(s) for a letter of interim authority to establish a private tertiary institution shall-

- (a) provide the name(s) of the person(s) legally and financially responsible for the proposed organisation and shall ensure that the name(s) is the same as and/or partly includes those listed in relevant Articles of Association (or similar) required for the registration of a company, society or trust;
- (b) show that the person(s) initiating the project is also (in whole or in part) the one with legal and financial responsibility for the proposed organisation;
- (c) produce affidavits to show that the named person(s) has not individually or collectively within a period of ten years preceding the date of application been convicted, without pardon, whether within or outside Botswana, of a criminal offence;
- (d) produce affidavits to show that the named person(s), being the holder of professional qualifications, has not been disqualified or suspended from practising the trade or skill in Botswana or any other country, by order of a competent authority;
- (e) produce evidence to show that the named person(s) has not been adjudged or otherwise become insolvent or bankrupt under any law in any country and has not been rehabilitated or discharged;
- (f) produce evidence to show that the named person(s) has not made an assignment to, or arrangement or composition with creditors that has not been rescinded or set aside; and
- (g) produce photographs and identity papers endorsed as likeness of applicant.

2. Legal Status of applicant

This section seeks to ensure that the applicant represents a body corporate legally constituted in Botswana. The Council should be able to act for or against the institution in situations where the principals of the institution are no longer able to represent the institution.

Criteria 2: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) produce verifiable proof of the legal status in Botswana of the organisation establishing the proposed institution;
- (b) provide the name and address of any planned franchise partner;
- (c) provide proof of the legal recognition and accreditation of the planned franchise

- (d) partner in its own country;
- (d) provide proof that a recognised national or international education quality assurance agency has conferred accreditation of any franchise partner;
- (e) show that the franchise arrangement described is likely to enhance the attainment of the goals and objects stated for the proposed institution;
- (f) show that there is clear proof of the knowledge and support of the franchise partner for the application seeking interim authority to operate;
- (g) provide a copy of any existing memorandum of agreement with any franchise partner;
- (h) produce any memorandum of agreement clearly stating the duration of the agreement, and the roles, responsibilities and accountabilities of both parties to the agreement;
- (i) show that the terms of any memorandum of agreement are likely to contribute to the long-term viability of the proposed institution;
- (j) show that plans to subcontract include provisions to ensure the quality of learning and the protection of student/learner interests, and that such provisions are fully auditable; and
- (k) provide the credentials of any person and/or organisation to which services will be sub-contracted.

3. Governance of the Institution

The purpose of this section is to establish that the proposed institution will have access to sound guidance, direction and management of its day-to-day and long-term affairs.

Criteria 3: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) provide information on the proposed governance of the institution, which includes persons of credibility and expertise across the fields of education and training, business management, and financial management;
- (b) show that the proposed governance of the institution is inclusive of a representative(s) of the student body;
- (c) show that at least one senior management position is assigned to a person capable of providing strong educational leadership;
- (d) show that at least one senior management position is assigned to a person capable and able to effectively manage and report on financial practices and positions;
- (e) provide an organogram showing the proposed organisational structure;
- (f) provide a general outline which covers the scope of the proposed activities;
- (g) make available an organisational chart and associated duty statements or terms of reference showing lines of authority, responsibilities and allocations of functions and accountabilities for every proposed governance and management position within the proposed organisation;
- (h) show that the position that is assigned responsibility of educational leadership is enabled by the organisation's structures, responsibilities and accountabilities to act decisively to protect and enhance the provision of quality educational services; and
- (i) show that senior management role descriptions include provisions requiring the establishment and maintenance of educational quality.

4. Justification of the Institution

This section seeks to establish the rationale for the establishment of the new institution and determine that its proposed services are fully supported by relevant stakeholders. The primary expectation is that establishment of the institution must clearly align with the development needs of Botswana and its people.

Criteria 4: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

Name

- (a) show that the name does not duplicate any existing, approved institution in Botswana;
- (b) show that the name does not mislead as to the scope or nature of programmes of instruction and /or qualifications to be offered;
- (c) show that the name is not misleading as to the ownership and/or any endorsement of the institution;
- (d) show that the name does not offend, demean, defame or discriminate against

particular persons, groups or organisations;

Description

- (e) show that the residential nature of the proposed services (whether residential, partly residential or non-residential) is consistent with the stated aims, goals and objectives of the institution;
- (f) list intended programmes in terms of duration, level and qualification to be awarded;
- (g) show that the levels of the programmes are consistent with the stated mission and/or vision of the institution;
- (h) show that the intended programmes are relevant to community and/ or national skills needs;
- (i) show that the intended programmes are relevant to the needs of communities and/or respond to the developmental needs of learners from identified disadvantaged groups;

Rationale

- (j) provide statements of strategic direction spanning a minimum of three years and are consistent with stated goals and objectives;
- (k) show that statements of strategic relevance and contribution are consistent with national vision statements and development plans;
- (l) provide clear and realistic statements of how the institution will promote excellence in the quality of teaching, learning and, where relevant, research;

** Note that an institution intending to deliver degree-level programmes and issue graduate and/or post-graduate awards must have a clear commitment towards research as a core function and activity of its teaching staff;*

- (m) provide clear statements of how the institution will enhance access and opportunities for learning, for groups with special needs;
- (n) provide clear statements outlining the institution's obligations to address national health concerns such as HIV/AIDS;
- (o) show that the goals and objectives are clear, focussed, specific, measurable, auditable, realistic, achievable and time-bound;
- (p) ensure that any mechanisms to measure the attainment of goals and objectives are valid and reliable;
- (q) identify any key challenges likely to be faced in relation to the stated goals and objectives;
- (r) ensure that any strategies defined to meet identified challenges are reasonable;

Feasibility

- (s) ensure that feasibility is clearly quantified through a robust study, needs assessment/market survey report and business plan;
- (t) ensure that growth rates are realistic, given known national population projections and current trends across the tertiary sector;

** Note that normally, annual growth of more than 15%, except when the institution is establishing, will be considered too high and unlikely to sustain the expected levels of quality.*

Stakeholder support

- (u) show statements of who the stakeholders are and how these were identified;
- (v) show that the identified stakeholders are consistent with the proposed programmes of instruction;
- (w) provide statements showing how stakeholders were included in and consulted on the determination of goals and objects; and
- (x) provide documented evidence of support from identified stakeholders.

5. Financial Viability of the Institution

This section seeks to verify the sustainability of the proposed institution during its setup and operational phases.

Criteria 5: Applicant(s) applying for registration of a private tertiary institution shall-

- (a) ensure that the financial plan presented spans a minimum of five years;
- (b) ensure that the financial plan and projections are realistic, given the stated goals and objects of the institution;
- (c) ensure that the methodologies for determining the financial plan and calculating values are signed off by an appropriately registered accountant as adhering to sound

- financial and accounting practices;
- (d) show that the applicant or the applying organisation is solvent and likely to remain so;
- (e) provide documentary evidence in the form of bank statements, guarantor statements or sponsor statements verifying any statements made in the financial projections;
- (f) show that student fee structures are realistic in terms of the financial model presented and are comparable with structures used in similar institutions;
- (g) show plans stating the adequate protection of assets, funds, and the pre-payment of any student fees, and the proposed protection mechanisms that are consistent with those currently available or utilised in Botswana; and
- (h) show readiness to pay a refundable security deposit to an endowment fund established by the Tertiary Education Council upon registration.

6. Land Available, Land Use and Physical Development Plans

This section is intended to verify that the proposed institution has the physical space and services infrastructure necessary to conduct its business.

Criteria 6: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the proposed site(s) is justified in terms of accessibility to proposed students or its strategic importance;
- (b) show that the location of buildings is justified in terms of accessibility, health and safety requirements;
- (c) provide evidence that the proposed site(s) carries a local authority zoning that permits the conduct of the proposed services and programmes of instruction;
- (d) show that any existing premises, if to be retained, meet building, health and safety regulations set by the appropriate local authority;
- (e) show that ownership or access of land details are stated and verified through auditable documentation;
- (f) provide a certified true copy of any memorandum of agreement where premises are leased;
- (g) provide a certified true copy of any land lease or title deed over institutional property;
- (h) where land is in tribal ownership, provide evidence of tribal authority to use the land for the purpose of tertiary education;
- (i) show that the amount of land available is sufficient for the proposed programmes of instruction and proposed student volumes;
- (j) produce a sketch plan showing services infrastructures that are sufficient for the number of staff, students and any specialist activities proposed, and that meet the planning regulations of the appropriate local authority;
- (k) show that the plans are likely to allow for the physical capability of the programmes of instruction planned to start during the next five years (or beyond); and
- (l) show that the proposed capital to be used is viable, given the financial plan presented.

7. Buildings and Equipment

This section aims to verify that the proposed institution will have the physical capacity to conduct its business.

Criteria 7: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the proposed library facilities have sufficient space to hold the resources and reader-seating consistent with the proposed programmes of instruction and student enrolments;
- (b) show that the proposed library facilities have sufficient texts and electronic search facilities to cover the planned programmes and meet staff and student volumes;
- (c) show that the planned student amenities are consistent with proposed student enrolment numbers and that their composition is fair in terms of gender and any special needs;
- (d) show that the proposed student amenities and buildings have necessary facilities to cater for the varied needs of the student community, including those with special needs;
- (e) show that the planned staff amenities are consistent with proposed staff numbers;

- (f) show that all proposed specialist and teaching facilities are sufficient for the proposed programmes of instruction, student numbers and maximum capacity levels;
- (g) show that all proposed facilities are capable of accommodating the needs of staff, students and visitors;
- (h) show that sufficient financial provision has been made to provide for the acquisition and maintenance of equipment and specialist materials relevant, to realise the outcomes intended from the proposed programmes of instruction;
- (i) show that proposals for equipment and specialist facilities acquisition recognise the needs of those learners with special needs;
- (j) ensure that where equipment or specialist materials are to be leased or loaned, provision is made for appropriate agreements to be entered into for such actions;
- (k) show that equipment and specialist materials intended to be owned or made accessible by other means are in sufficient volumes to meet the range and number of students planned for enrolment, and proposed staff numbers;
- (l) show that there are sufficient ablution facilities for the projected number of staff and students, and any visitors to the institution;
- (m) show that the type, size and number of proposed housing units is sufficient to meet the projected staff numbers planned to have access to such housing;
- (n) show that there are sufficient safety arrangements and equipment in the buildings; and
- (o) show that there is space set aside for storage and archival safety of essential records of the institution, including student records.

8. Student Residences and Amenities (where applicable)

This section aims to verify that the proposed institution will have the means to meet the physical needs of its student body.

Criteria 8: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the size, type and nature of facilities are sufficient to meet the projected residential (full or partial) student numbers and composition in terms of gender and any special needs;
- (b) show that the nature of facilities will provide a standard of student accommodation that is consistent with accommodation standards found in similar tertiary institutions;
- (c) show that the proposed student amenities are consistent with proposed student enrolment numbers and composition; and
- (d) show that where applicable, catering services do meet appropriate health and hygiene standards.

9. Human Resources

This section wants to verify that the proposed institution will have the human resource capacity to conduct its business.

Criteria 9: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the proposed levels of professional (teaching) staff is relevant and appropriate to the scope of services proposed;

** Note that institutions offering degree level programmes are expected to invest more on research and ensure that their staff are active in research and publication;*

- (b) show that the proposed levels of administrative staff is relevant and appropriate to the size of the institution planned and the support needs of the proposed programmes of instruction;
- (c) show that the proposed minimum qualification levels of professional staff are consistent with the need to ensure the attainment of the types of qualifications to be awarded;

** Note - see (9(a))*

- (d) show that the proposed minimum qualification levels of administration staff are consistent with the provision of the quality of support needed at each level of the proposed institution;
- (e) show that the proposed recruitment sources and processes are likely to secure

persons who have relevant teaching competencies and subject expertise that are commensurate with the scope and level of services proposed;

- (f) show that the proposed selection and promotion criteria for positions across the institution are fair and valid, and would not unfairly discriminate against any prospective applicants;
- (g) show that the proposals to source staff from franchise partners are such that the continuity and quality of teaching and learning would not be compromised;
- (h) show that the proposed commitment to professional development is realistic in terms of the Financial Plan presented;
- (i) show that the proposed commitment to professional development is realistic in terms of the rate of knowledge or technological change in the subject areas to be taught and is likely to maintain the subject competence of the professional staff;
- (j) show that the proposed commitment to professional development is inclusive of all staff; and
- (k) show evidence of a clear commitment to being a "good employer" in terms of policies relating to the health, welfare and ethical treatment of staff.

10. Adequacy of Student Numbers

This section aims to verify that there will be sufficient student numbers to contribute to the financial and academic sustainability of the proposed institution.

Criteria 10: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that proposed enrolment volumes and ratios, (considering gender, nationality, etc.), are realistic in terms of current national statistics and trends in the tertiary sector; and
- (b) show that any growth projections are realistic given known national population projections and trends in the tertiary sector.

11. Suitability of Programmes of Study

This section aims to ensure that the proposed programmes are relevant to identified needs, lay a sound foundation for attaining high standards and quality as required by the Tertiary Education Council at the subsequent stages of registration and accreditation, and are endorsed by appropriate stakeholders, including industry and/or professional bodies.

Criteria 11: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the proposed articulation arrangements between proposed programmes and with those of other institutions will enhance the progression of students;
- (b) show that the qualification nomenclature is consistent with the intended levels of the programmes and relate to the evolving national qualifications framework;
- (c) show that notwithstanding technology-based approaches, the planned modes of teaching are consistent with the goals and objectives, and, where applicable, the residential nature of the proposed services;
- (d) show clear statements describing how proposed pedagogical approaches and learning contexts will enhance access and opportunities for learners;
- (e) show that planned programmes have a clearly defined purpose(s) relating to identified and verified learner, industry, community or national needs;
- (f) show that there are policies and procedures for programme design which detail the inclusion and involvement of relevant industry or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution;
- (g) show that there are policies and procedures for programme design which detail the intended review mechanisms, inclusive of students, industry or professional stakeholders, and recognised expertise in other institutions; and
- (h) show that there are policies and procedures for assessment design which detail the inclusion and involvement of relevant industry or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.

12. Entry Requirements and Adequacy of Course Descriptions

This section seeks to verify that the proposed courses are described in an accurate and informative manner. The meaning of terms used by the applicant to describe programmes of study should be consistent with the meaning of terms contained in the glossary of terms developed by the Council, and should otherwise satisfy the Council.

Criteria 12: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that programme descriptions clearly state the proposed outcomes of learning that will be achieved, the mode and sequence of teaching and learning, and the composition of the programme in terms of a module or course;
- (b) show that assessment descriptions clearly state the proposed assessment methodologies to be used and the relative mix and weighting of these;
- (c) show that the proposed entry policies and criteria do not represent unnecessary barriers for future students;
- (d) show that the proposed policies and selection criteria optimise opportunities for people from under-represented groups to participate fully and have realistic chances of success;
- (e) show that the proposed policies and selection criteria optimise the enrolment of students into programmes in which they have a reasonable chance of success;
- (f) show that the proposed entry policies optimise the recognition of a learner's prior learning and attainment as evidenced by the holding of qualifications awarded by other appropriately quality assured institutions; and
- (g) ensure that any publicity materials on the nature of programmes to be offered or fees payable to the institution are not misleading.

13. Academic Support Services

The aim of this section is to ensure that the proposed institution has a clear commitment to the interests of its students.

Criteria 13: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the proposed textbook and learning equipment acquisition and maintenance procedures are sufficient to meet the needs of intended staff, and student enrolments, and the intended outcomes of the proposed programmes;
- (b) show that the proposed textbook acquisition procedures for intended students will not disadvantage any students due to cost or accessibility;
- (c) show that the proposed policies on learner welfare recognise the institution's responsibilities towards people with major health concerns and the acceptance of those infected or affected;
- (d) show that any rules, regulations and grievance procedures are likely to promote harmony and instil good conduct, and respect the rights of individuals to complain and seek redress; and
- (e) show that there is a recognised need for general counselling services, especially for students.

14. Quality Assurance Mechanisms

This section aims to ensure that the attainment of quality at a tertiary institution will be managed and sustained through systematic and robust assessment and moderation mechanisms.

Criteria 14: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall-

- (a) show that the proposed quality management system contains, as a minimum, statements of policy, procedures to be followed, resource allocations, accountabilities, and review mechanisms and time frames;
- (b) ensure that plans for enhancing the capability of the proposed institution through self-development are stated and are realistic in terms of the stated goals and objects, and the financial model provided;
- (c) show that any proposed internal moderation system is likely to ensure that assessment is fair, valid, reliable and consistent; and
- (d) show that any proposed internal moderation system is inclusive of measures to

ensure the comparability of assessment practice and assessment decisions with other institutions offering similar awards.

15. Application, Inspection and Registration Fees

Application, inspection and registration fees are intended to contribute towards the costs associated with processing an application. The costs of processing an application normally include administration and overhead costs and costs of correspondence and communication. The basic categories of fees stated in the regulations will include application, verification visit fees and a fee for additional work required to process incomplete applications (extra evaluation fee).

Criteria 15: Applicant(s) applying for a letter of interim authority to operate a private tertiary institution shall ensure that all applicable fees, charges and deposits stipulated in the Regulations, including charges for additional work and inspection visits, are paid before the letter of interim authority is issued.

THIRD SCHEDULE

Fees Payable

(regulation 4)

(a)	Non-refundable application fee	P5000
(b)	Mandatory verification visit fee	P2000
(c)	Extra evaluation fee	P1500

TERTIARY INSTITUTIONS (REGISTRATION OF OPERATING PUBLIC AND PRIVATE TERTIARY INSTITUTIONS) REGULATIONS

(under section 38)

(29th September, 2005)

ARRANGEMENT OF REGULATIONS

REGULATIONS

1. Citation
2. Interpretation
3. Registration of operating tertiary institutions
4. Fees
5. Consideration of applications
6. Refusal to issue certificate of registration
7. Issue of certificate of registration
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9. Register for tertiary institutions
10. Renewal of certificate of registration
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First Schedule
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Fourth Schedule

S.I. 56, 2005,
S.I. 60, 2006.

1. Citation

These Regulations may be cited as the Tertiary Education (Registration of Operating Public and Private Tertiary Institutions) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"academic" facilities means equipment, aids and references available to teachers, and students to enable learning to take place;

"academic regulation" means the specification of information regarding the programme of instruction, usually admission requirements, programme structure and duration and progression through the programme, articulation with other programmes, assessment procedures, and the requirements for the award of the associated qualification;

"accreditation of student" means conferring of an award on a student following rigorous assessment;

"articulation" means the logical progression between qualifications;

"assessment" means a process of collecting and interpreting evidence of ability or competence;

"award" means a class or type of qualification such as a Certificate, Diploma or Degree;

"college of education" means a tertiary institution or teacher training college principally engaged in teaching or research oriented towards the needs of pre-school, compulsory or post compulsory sectors of education and training;

"course" means a component of a programme lasting one or more semesters;

"credit" means a value assigned to a unit of standards or qualification that represents the notional learning time required to meet the performance standards of the unit standard or qualification;

"degree level course" means a course in a programme of instruction that covers as a minimum, the demonstration of advanced knowledge and skills related to ideas, principles, concepts, basic research methods and problem solving techniques of a recognised subject area;

"franchise partner" means a tertiary institution which grants permission to teach and award a programme of qualification developed by it to another tertiary institution;

"institutional standards" means the requirements set by the Minister under Part V of the Act, which specify the features characterising what is considered to be effective performance, operation, and general conduct of recognised tertiary institutions;

"learning materials" means any book, hand-out or other resource made available to students in order to complement or expand on the knowledge held by and transferred to the students by the teacher, tutor or trainer;

"module" means a component of a course that is independently self-contained yet intergral to the whole course;

"outcomes of learning" means the statements of the result of formal or informal training;

"physical facilities" means the land and buildings and includes specialist facilities such as laboratories and workshops;

"private tertiary institution" means an institution established by a person or entity whose existence is principally independent of Government funding, governance or operations;

"programme of instruction" means a structured learning pathway directed by a teacher, or tutor and which leads to a qualification;

"public tertiary institution" means any institution established by the Government under an Act of Parliament and whose governance, funding and operations are principally determined by or through the Government;

"qualification" means formal recognition through certification, following a formal assessment process of the attainment of a meaningful and coherent cluster of outcomes of

learning or training;

"register" means a register maintained in accordance with regulation 8; and

"stakeholders" means a group which derives direct or indirect benefits from qualification and its components, or from the services of a tertiary institution.

3. Registration of operating tertiary institutions

(1) A tertiary institution which is operating under a letter of interim authority, and which has procured to the satisfaction of the Council, the academic, physical and other resources listed in the Second and Third Schedules hereto shall make an application for registration in the form set out in the First Schedule hereto.

(2) A tertiary institution which is in operation, but without a letter of interim authority, shall within six months of the commencement of these Regulations, make an application for registration in the form set out in the First Schedule hereto.

(3) An application for registration shall be accompanied by proof that the institution has the academic, physical and other resources necessary to operate effectively as a tertiary institution, and to deliver the education or training consistent with its aims and objectives.

(4) The proof referred to in subregulation (3), in relation to private tertiary institutions, shall be as outlined in the criteria specified in the Second Schedule hereto.

(5) The proof referred to in subregulation (3), in relation to public tertiary institutions shall be as outlined in the criteria specified in the Third Schedule hereto.

4. Fees

(1) All costs associated with the verification and evaluation of the information supplied by the applicant in relation to an application made under regulation 3 shall be paid by the applicant to the Council, and shall include—

(a) the application fee set out in the Fourth Schedule hereto; and

(b) the verification fee set out in the Fourth Schedule hereto.

(2) The application fee shall be paid to the Council at the time of submitting the application.

(3) The verification fee shall be paid immediately before the Council carries out an inspection of the facilities of the applicant.

(4) An applicant whose application is incomplete, shall pay the Council the extra evaluation fee set out in the Fourth Schedule.

(5) The fees and costs for which the time of payment has not been set, shall be paid immediately before a certificate of registration is issued.

(6) The fees payable under this regulation shall not be refundable.

5. Consideration of applications

(1) An application for registration shall first be considered by the Executive Secretary or persons appointed for such purpose to ensure that the application is complete.

(2) Where the Executive Secretary considers that an application is incomplete, he or she shall notify the applicant, in writing, specifying the deficiencies, and the manner in which they can be remedied.

(3) The applicant shall remedy the deficiencies in the manner specified by the Executive Secretary within three months of the receipt of the notice, failing which the applicant shall make a new application.

(4) If the application is complete it shall be forwarded to the Academic Planning and Development Committee for consideration.

(5) The Academic Planning and Development Committee shall consider the application and make a recommendation to the Council either to issue or refuse to issue a certificate of registration.

6. Refusal to issue certificate of registration

The Council may refuse to issue a certificate of registration if, following its evaluation and verification of the contents of an application and the accompanying documentation, the

Council has reasonable grounds to believe that the applicant has not met the requirements and the criteria for registration.

7. Issue of certificate of registration

(1) The Council shall issue a certificate of registration to a tertiary institution where it is satisfied that—

- (a) the registration of the tertiary institution is in the interest of tertiary education in Botswana;
- (b) there is proof of the continuing need for the institution and its services;
- (c) the institution makes and will continue to make a significant contribution towards broadening the availability of and access to tertiary education in the country;
- (d) the institution stands a good chance of operating successfully and that it will continue to do so independent of Government funding; and
- (e) the institution has reached and stands a good chance of maintaining high organisational and academic standards.

(2) The issue of a certificate of registration constitutes authority to operate a tertiary institution and to perform functions consistent with those of a tertiary institution until such time as the certificate of registration is suspended or revoked.

(3) The Council shall publish in the *Gazette* the name and particulars of every institution in respect of which it has issued a certificate of registration.

8. Duration of certificate of registration

A certificate issued under regulation 7 shall, unless previously renewed or revoked, expire after 10 years.

9. Register for tertiary institutions

The Executive Secretary of the Council shall open and maintain a register in which shall be recorded in relation to each certificate issued—

- (a) the name and particulars of every institution in respect of which it is issued; and
- (b) the date of issue and date of expiry.

10. Renewal of certificate of registration

An application for the renewal of a certificate which has not been revoked shall be in the form set out in the First Schedule hereto, and shall be accompanied by the proof required in regulation 3.

11. Notification of registration

The Council shall publish, before the end of March of every year, a list of all the registered tertiary institutions.

12. Reporting to Council

The annual report required to be submitted under section 24 of the Act by a registered tertiary institution shall include—

- (a) details relating to the institutions—
 - (i) current and projected financial position,
 - (ii) an audited financial report,
 - (iii) major activities and achievements,
 - (iv) major operational and academic challenges, and its responses thereto, and
- (b) an updated list of all the services offered by the institution.

13. Other reports

(1) The Council may at any time require a registered institution to submit, within the time specified by the Council, a report regarding—

- (a) the institutions compliance with the requirements of the Act, and these regulations; and
- (b) the steps taken, and their effectiveness, towards the achievement of the institution's aims and objectives.

(2) Where an institution fails to submit the report referred to in subregulation 1, the Council shall initiate an investigation into the institutions operations.

14. Notification of fundamental change

(1) A tertiary institution shall notify the Council of any fundamental change which is likely to affect the quality of the operations of the institution.

(2) Where the Council is notified of a change referred to in subregulation (1), the Council shall institute an investigation to determine whether the institution's operations are consistent with its aims and objectives.

15. Suspension of registration

(1) The Council may suspend the registration of an institution if in the opinion of the Council the institution has ceased to operate consistently with its aims and objectives.

(2) Before suspending registration the Council shall write to the institution—

- (a) notifying it of the grounds for wishing to suspend the registration;
- (b) specifying the remedial action to be taken by the institution, and the time within which it must be taken, in order for the registration to remain valid; and
- (c) stating that the failure to take the action within the time specified shall be a ground for revoking the institution's registration.

(3) The institution may make written submission in response to the notice issued under subregulation (2), within the time specified in the notice for the institution to take action.

(4) The submission, if any, made by the institution shall be considered by the Inspection Committee of the Council, and the Committee shall make recommendations thereon to the Council.

16. Revocation of registration

(1) The Council may revoke the registration of an institution where—

- (a) the institution has failed to comply with a notice issued by the Council under regulation 13; or
- (b) the submission made in response to a notice issued under regulation 13 is not valid.

(2) The Council shall publish in the *Gazette* the name and particulars of every institution in respect of which it has revoked a certificate of registration.

17. Appeals

A person aggrieved by the Council's decision—

- (a) not to issue a certificate of registration;
- (b) to suspend registration; or
- (c) to revoke registration may appeal, in writing to the Minister, within 14 days of receipt of notification of the Council's decision.

18. Offences

A person who contravenes the provisions of these regulations commits an offence, and is liable to the penalty specified in section 22 of the Act.

FIRST SCHEDULE

Application Form for Registration of an Operating Tertiary Institution

(reg. 3)

TERTIARY EDUCATION COUNCIL

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Botswana

Tel: (+267) 3900 679
Fax: (+267) 3901 481

Physical address:
Plot 53995, Mabeleapudi Rd
Broadhurst Industrial Site Gaborone

PART I

Please Note:

1. This form is to be completed by a person legally authorised by a company, trust or society to lodge an application seeking to register an operating tertiary institution in Botswana.
2. Before completing this form, the applicant is advised to familiarise himself or herself with the

following documents:

- (a) The Tertiary Education Act;
- (b) The Tertiary Education (Registration of Operating Public and Private Tertiary Institutions) Regulations;
- (c) The checklist of requirements for the registration of a tertiary institution; and
- (d) The Criteria for Registration of Operating Private/Public Tertiary Institutions.

Other documents not included in these Regulations are available at the Tertiary Education Council Office for such charge as the Executive Secretary may determine.

- 3. Should you require any help interpreting this form or the documents referred to in paragraph 2 of this Schedule, contact the Tertiary Education Council at the address shown above.
- 4. Please note that this form must be accompanied by additional documentation and proof as specified throughout this form and in the Criteria for Registration of a Private/Public Tertiary Institution. An application will not be complete unless these specified additional materials are supplied. The Tertiary Education Council will charge an extra fee for any application submitted incomplete.
- 5. Please complete this form in black ink.
- 6. You may attach additional information if the space provided in this form is inadequate for your purpose.
- 7. This form shall be accompanied by the fees specified in the Regulations.
- 8. For all persons named in paragraph 6 of Part II, two passport size photographs, and certified true copies of their National Identity Card or Passport must be supplied.
- 9. Curriculum vitae are required for those persons named as proprietors or initiators of the institution and those identified as having legal and financial responsibility for the institution (paragraphs 6 and 7 of Part II).

10. Please indicate (by a tick in the box) that the following documents have been included:

- | | |
|---|--------------------------|
| (a) Proof of legal status of organisation proposing to establish the institution | <input type="checkbox"/> |
| (b) Curriculum vitae of key personnel | <input type="checkbox"/> |
| (c) Photographs of applicants | <input type="checkbox"/> |
| (d) Feasibility study/needs assessment | <input type="checkbox"/> |
| (e) Stakeholder consultation process | <input type="checkbox"/> |
| (f) Proof of stakeholder support | <input type="checkbox"/> |
| (g) Certified memorandum of agreement for leased premises | <input type="checkbox"/> |
| (h) Certified copy of the title deed for the property, and where applicable, the land lease | <input type="checkbox"/> |
| (i) Financial Plan | <input type="checkbox"/> |
| (j) Accountants attestation | <input type="checkbox"/> |
| (k) Relevant bank statements/guarantor statements | <input type="checkbox"/> |
| (l) Where applicable, any memorandum of agreement with the franchisers or cooperating partners to the institution | <input type="checkbox"/> |
| (m) Proof of legal recognition and accreditation of any intended franchiser of the operating institution | <input type="checkbox"/> |
| (n) Attestation from such franchiser | <input type="checkbox"/> |
| (o) Names of persons or companies to whom services have been sub-contracted | <input type="checkbox"/> |
| (p) Curriculum vitae/credentials of any proposed sub-contractor | <input type="checkbox"/> |
| (q) Lists of programmes of instruction, showing duration, level and intended award | <input type="checkbox"/> |
| (r) Composition of the Board of Governors of the institution | <input type="checkbox"/> |
| (s) Description of the key management positions | <input type="checkbox"/> |

- (t) Site Plans
- (u) Expansion Plans
- (v) Local Authority Approval (where applicable)

PART II

Please list any further documents forming part of this application.

1. Name of the tertiary institution.
2. Physical address of tertiary institution.
3. Full name of company, society or trust making this application.
4. Date of application.
5. Particulars of person(s) responsible for this application.
 - (a) Name:.....
 -
 - (b) Postal Address:.....
 -
 - (c) Telephone:.....
 -
 - (d) Fax:.....
 -
 - (e) E-mail address:.....
 -
6. Particulars of proprietor(s)/department/initiator(s) responsible for this application—
 - (a) Name:.....
 - (b) Postal Address:.....
 - (c) Telephone:.....
 -
 - (d) Fax:.....
 - (e) E-mail address:.....
7. Particulars of organisation/person(s) legally and financially responsible for the institution
 - (a) Name:.....
 - (b) Postal.....
 - Address:.....
 - (c) Telephone:.....
 - (d) Fax:.....
 - (e) E-mail address:.....

8. Declaration
 - (a) I/we declare that to the best of my/our knowledge the information given in this form and on any attached documents is correct.
 - (b) I/we agree to provide access to any documents and premises, by the Tertiary Education Council personnel appointed to verify the contents of this application.

Signed.....	Name in Print.....
Date.....	
Signed.....	Name in Print.....
Date.....	
Signed.....	Name in Print.....
Date.....	
Signed.....	Name in Print.....
Date.....	
Signed.....	Name in Print.....
Date.....	

9. Please mail this form and all accompanying documentation and proof to the address above.

SECOND SCHEDULE

Criteria for the Registration of an Operating Private Tertiary Institution in Botswana
(reg. 3)

TERTIARY EDUCATION COUNCIL

Private Bag BR 108
Gaborone
Botswana

Tel: (+267) 3900 679
Fax: (+267) 3901 481

Physical address:
Plot 53995, Mabeleapudi Rd
Broadhurst Industrial Site Gaborone

PART I
Introduction

1. The assessment criteria detailed in this document represent the standard that must be met by the applicant and the basis upon which the Tertiary Education Council (hereinafter referred to as the Council) shall issue a Certificate of Registration to an operating private tertiary institution in Botswana as provided for in subsection 22 (4) of the Tertiary Education Act (hereinafter referred to as the Act).
2. The issue of a certificate of registration is confirmation by the Council that it endorses the existence of a tertiary education institution and that it has a reasonable level of confidence that the institution concerned will continue to meet the required standard.
3. The required resources stipulated in the criteria shall be used towards the attainment of the minimum institutional standards of performance, operations and general conduct referred to in section 23 (1) of the Act.
4. Before issuing the certificate of registration to a private tertiary institution, the Council must be satisfied that:
 - (a) the registration of a private tertiary institution is in the interests of tertiary education in Botswana;
 - (b) there is proof of the continuing need for the institution and its services;
 - (c) the institution makes and will continue to make a significant contribution towards broadening the availability of and access to tertiary education in the country;
 - (d) the institution stands a good chance of operating successfully and that it will continue to do so independent of public funding;
 - (e) the institution has reached and stands a good chance of maintaining high organisational and academic standards.
5. An application for registration must meet the criteria specified in Part II herein and provide the required information and/or have the relevant documentation and proof, where applicable, for inspection and verification to the satisfaction of the Council.

PART II
Criteria

1. Ownership

This section seeks to verify that the person(s) applying to register a tertiary institution is/are able and capable individual(s) or an entity with the necessary resources, a good track record and commitment to achieve the aims and objectives set for the institution.

Criteria

The applicant must provide—

- (a) Where the applicant is a company, society, trust or other body corporate, such applicant shall provide proof of its shareholding membership and/or ownership and proof of the authority of any person or persons representing it.
- (b) The named person(s) has not individually or collectively within a period of 10 years preceding the date of application been convicted without pardon, whether within or outside Botswana, of a criminal offence and sentenced in a court of competent jurisdiction to imprisonment of six months or more without the option of a fine.
- (c) Affidavits to show that the named person(s) has not been disqualified or suspended, being the holder of professional qualifications, from practising the trade or skill in

- (d) Botswana or any other country by order of a competent authority.
- (d) Affidavits to show that the named person(s) has not been adjudged or otherwise become insolvent or bankrupt under any law in any country and has not been rehabilitated or discharged.
- (e) Proof that the named person(s) has not made an assignment to, or arrangement or composition with creditors that has not been rescinded or set aside.
- (f) Photographs and identity papers endorsed as likeness of the applicant(s) or authorised representative(s) of the applicant.

2. Legal Status of Applicant

This section seeks to ensure that the applicant represents a body corporate legally constituted in Botswana. The Council should be able to act for or against the institution in situations where the principals of the institution are no longer able to represent the institution.

Criteria

The applicant must provide—

- (a) Proof that the applicant is incorporated, registered, established or otherwise recognised under the laws of Botswana.
- (b) Where applicable, the name and address of the franchise partner.
- (c) Proof of the legal recognition and accreditation status of the franchise partner in its own country is given.
- (d) Proof that a recognised national or international education quality assurance agency has conferred accreditation on the franchise partner.
- (e) Copy of the existing memorandum of agreement with the franchise partner.
- (f) A memorandum of agreement clearly stating the duration of the agreement, and the roles, responsibilities and accountabilities of both parties to the agreement.
- (g) Proof that the terms of the memorandum of agreement are likely to contribute to the long-term viability of the institution.
- (h) Proof of the knowledge and support of the franchise partner for the application for registration.
- (i) Proof that the franchise arrangement described is likely to enhance the attainment of the goals and objects stated for the institution applying for registration.
- (j) Plans to sub-contract including provisions to ensure the quality of learning and the protection of student interests, and such provisions are fully auditable.
- (k) The credentials of any person and/or organisation to which services will be sub-contracted.

3. Governance of the Institution

This section seeks to establish that the institution seeking registration will have access to sound guidance, direction, and management of its day-to-day and long-term affairs.

Criteria

- (a) The governance of the institution includes persons of credibility and expertise across the fields of education and training, business management, and financial management.
- (b) The governance of the institution is inclusive of a representative(s) of the student body.
- (c) An organogram is provided which shows the organisational structure and indicates the lines of accountability as they exist in the institution, and covers the scope of services and current and planned activities.
- (d) At least one senior management position is assigned to a person capable of providing strong educational leadership.
- (e) The position assigned responsibility for educational leadership is enabled by the organisation's structures, responsibilities and accountabilities to act decisively to protect and enhance the provision of quality educational services.
- (f) At least one senior management position is assigned to a person capable of effectively managing and reporting on financial practices and positions.
- (g) Senior management role descriptions include provisions requiring the establishment and maintenance of educational quality.
- (h) Policy making committees are specified and their respective membership stated. The

name of each committee reflects its functions. The committee membership and functions are appropriate to the size and nature of the institution and the scope of its activities.

- (i) Where the institution has multiple, permanent delivery sites, there is a clearly identified head office or main campus. All sites are clearly identified and accountable to a single management body. There are clear lines of reporting and accountability between the sites and the head office.

4. Justification of the Institution

This section seeks to establish the basis for the existence of the institution and to determine stakeholder support for its services. The primary expectation is that the institution must clearly align its services with the development needs of Botswana and its people.

Criteria

Name of the Institution

- (a) The name does not duplicate any existing, approved institution in Botswana.
- (b) The name does not mislead as to the scope or nature of programmes of instruction and/or qualifications to be offered.
- (c) The name does not mislead as to the ownership and/or any endorsement of the institution.
- (d) The name does not offend, demean, defame, or discriminate against particular persons, groups, or organisations.

Description of the Services Provided

- (e) The residential nature of the services (whether residential, partly residential, or non-residential) is consistent with the stated aims, goals and objectives of the institution.
- (f) Intended programmes are listed in terms of duration, level, mode of delivery and qualification to be awarded.
- (g) The types and levels of the programmes are consistent with the stated mission and/or vision of the institution.
- (h) The intended programmes are relevant to community and/or national skills needs.
- (i) The intended programmes are relevant to the needs of communities and/or respond to the developmental needs of students from identified disadvantaged groups.

Rationale for the Institution and its Services

- (j) Statements of strategic direction span a minimum of three years and are consistent with stated goals and objectives.
- (k) Statements of strategic relevance and contribution are consistent with national vision statements, policies and development plans.
- (l) There are clear and realistic statements of how the institution will promote excellence in the quality of teaching, learning and, in the case of a degree offering institution, there must be a clear commitment towards research as a core function and activity of its teaching staff.
- (m) There are clear statements of how the institution will enhance access and opportunities for learning for under-represented groups (including people with special needs).
- (n) There are clear statements outlining the institution's obligations to address national challenges such as HIV/AIDS.
- (o) The goals and objectives are clear, focussed, specific, measurable, auditable, realistic, achievable, and time-bound.
- (p) The mechanisms to measure the attainment of goals and objectives are valid and reliable.
- (q) The key challenges likely to be faced, consistent with the stated goals and objective, are identified.
- (r) The strategies to meet identified challenges are reasonable.

Feasibility of the Institution

- (s) Feasibility is clearly quantified through a recent comprehensive study, needs assessment/market survey report and/or business plan.

- (t) Growth rates are realistic given known national population projections and current trends across the tertiary sector. Where the actual growth rate exceeds 15% of stated projections in any one year, the Tertiary Education Council will ask for assurance from the institution that quality and standards of teaching and learning would not be compromised.

Stakeholder Support of the Institution

- (u) The applicant must state who the stakeholders are and how these were identified.
- (v) The identified stakeholders are relevant to the proposed programmes of instruction.
- (w) Proof that stakeholders have been consulted on the determination of goals and objectives must be provided and verified by supporting documentation of meetings held with stakeholders.
- (x) Recent documentary proof of support from identified stakeholders is provided.

5. Financial Viability of Institution

This section seeks to verify the financial sustainability of the institution.

Criteria

- (a) The most recent Statement of Accounts is provided showing, as a minimum: financial position at balance date; operating statement reflecting the revenue and expenses for the year; statement of cash flows during the year; statements of financial performance to be achieved; statement of commitments; statement of contingent liabilities; statement of service performance comparing actual performance against objectives and targets; and a statement of accounting policies.
- (b) The accounts fully and fairly show transactions, assets, liabilities, and funds.
- (c) The accounts are kept and presented in a form consistent with international accounting standards as recognised by the Botswana Institute of Accountants.
- (d) The accounts indicate that the institution is a going concern likely to successfully continue its operations into the future. The institution is able to pay its debts as they become due in the normal course of business and the value of easily liquified assets is greater than the value of current liabilities, including contingent liabilities.
- (e) The control of the institution is in the hands of the proprietors and not in the hands of creditors. The accounts show a positive owners equity and relative stability in equity positions over the past 12 months.
- (f) The cash flow indicates that funds are directed to activities clearly related to teaching and learning and that where applicable, student fee structures are realistic in terms of financial projections and are comparable with fees for similar programmes in other institutions.
- (g) Comparative figures are shown for the preceding year, estimates for the current year, and targets for the next two years are also shown.
- (h) Current and forecast accounts and budgets have been vetted by the governing body of the institution. The governing body/board has attested that it has viewed the accounts and budgets and are satisfied that they comply with accepted accounting policies and procedures.
- (i) Confirmation is given by the governing body/board that: forecast figures are consistent with information in any business plans or similar documents and the last set of audited financial statements; outcomes are realistic and achievable.
- (j) An independent auditor has audited the accounts for the previous year.
- (k) Sound measures are in place to protect assets, funds and any pre-paid fees and any other payments (e.g. for accommodation) made by students. The instruments are consistent with protection measures adopted by other institutions or organisations of a similar size.
- (l) A signed declaration that the institution is ready to pay a refundable security deposit to the Tertiary Education Council to guarantee operational expenses in case of institutional crisis.

6. Land Availability, Land Use and Physical Development Plans

This section seeks to verify that the operating institution has the physical space and services infrastructure necessary to conduct its business.

Criteria

Land has been Allocated by Recognised Land Authority

- (a) Where land is in tribal ownership, proof of the authority to use the land for the purpose of tertiary education is provided.
- (b) Ownership of land and/or access details are stated and verified through auditable documentation.
- (c) The proposed site(s) carries a local authority zoning that permits the conduct of the proposed services and programmes of instruction.

Where Land is Leased

- (d) Where premises are leased, a certified true copy of the memorandum of agreement is available.
- (e) A certified true copy of the land lease or title deed over institutional property is produced.

Adequacy of Land

- (f) Proof that the amount of land available is sufficient for the proposed programmes of instruction and proposed student volumes.
- (g) Proof that the site(s) is justified in terms of accessibility to students and/or strategic importance.

Existence of a Comprehensive Master Plan

- (h) A Master Plan which shows services infrastructure that is sufficient for the number of staff, students, and any specialist activities proposed, and that meet the planning regulations of the appropriate local authority.
- (i) Building expansion and land acquisition plans are adequate to provide for existing and planned programmes of instruction during the next five years (or beyond).
- (j) The proposed capital works are viable given the Financial Plan presented.

7. Buildings and Equipment

This section seeks to verify that the registering institution has the physical capacity to conduct its business.

Criteria

Adequacy of the Learning Facilities

- (a) Library facilities have sufficient space to hold the resources and reader-seating consistent with the existing and future programmes of institution and student enrolment.
- (b) Library facilities have sufficient texts and electronic search facilities to cover the existing programmes and meet current and future staff and student volumes.
- (c) All specialist and teaching facilities are sufficient for the existing programmes of instruction, student numbers and maximum capacity levels.
- (d) All academic facilities are capable of accommodating the needs of all staff and students including those with special needs.
- (e) Sufficient financial provision is made to provide for the acquisition and maintenance of equipment and specialist material which is relevant, current, and appropriate to the realisation of the outcomes intended from the proposed programmes of instruction.
- (f) The acquisition of equipment and specialist facilities recognises the needs of those students with special needs.
- (g) Where equipment or specialist materials are to be leased or loaned, provision is made for appropriate agreements to be entered into.
- (h) Systems are in place to ensure that research activities are conducted in an ethical manner and that research is subject to public scrutiny.
- (i) Equipment and specialist materials intended to be owned or made accessible by other means are in sufficient volumes to meet the range and number staff and of enrolled students.

Adequacy of Student and Staff Amenities

- (j) Student amenities are consistent with the existing student enrolment numbers and composition.
- (k) Student amenities and buildings have necessary facilities to cater for the varied needs of the student community including those with special needs.
- (l) Staff amenities are consistent with existing staff numbers.

- (m) There are sufficient ablution facilities for the existing and projected number of staff and students, and any visitors to the institution.
- (n) The type, size and number of housing units is sufficient to meet the staff numbers planned to have access to such housing.

Safety of Buildings, Equipment and Records

- (o) There are sufficient safety arrangements and systems for the equipment and the buildings.
- (p) There are storage and archival facilities for the safe keeping of essential records of the institution, including student records.
- (q) The location of buildings is justified in terms of accessibility and/or health and safety requirements.
- (r) Existing buildings meet building, health and safety regulations set by the appropriate local authority.

8. Student Residences and Amenities (where applicable)

This section seeks to verify that the institution applying for registration has the means to meet the physical needs of its student body.

Criteria

- (a) The size, type and nature of facilities are sufficient to meet the residential (full or partial) needs of the student taking into account their numbers, gender and ages.
- (b) The nature of facilities will provide a standard of student accommodation that is consistent with accommodation standards found in similar tertiary institutions.
- (c) Student amenities are consistent with existing and projected student enrolment numbers and composition.
- (d) Where applicable, proof of a recent inspection of catering facilities by an appropriate authority and that catering services meet appropriate health, safety and general standard of hygiene.

9. Human Resources

This section seeks to verify that the institution will have the human resource capacity to conduct its business.

Criteria

- (a) The structure and levels of professional (teaching) staff is relevant and appropriate to the scope of services provided. Where a tertiary institution offers programmes at degree level, a minimum of 15% of the academic staff in residence will normally be expected to hold a doctoral degree or have extensive and sustained research experience.
- (b) Staff is involved, on a continuous basis, in significant and verifiable research and publication activities relevant to their disciplines.
- (c) The structure and levels of administrative staff is relevant and appropriate to the size of the institution and the support needs of the programmes of instruction.
- (d) The minimum qualification levels of professional staff are consistent with the need to ensure the attainment of the types of qualifications to be awarded. Where the institution is to offer degree level programmes, the minimum qualification for the teaching staff for such programmes will be a Masters Degree.
- (e) The minimum qualification levels of administrative staff are consistent with the provision of the quality of support needed at each level of the institution.
- (f) The recruitment sources and processes are likely to secure persons who have relevant teaching competencies and subject expertise that are commensurate with the scope and level of services provided and qualifications to be awarded.
- (g) The selection and promotion criteria for positions across the institution are fair and valid, and do not unfairly discriminate against some prospective applicants.
- (h) Where applicable, sourcing of staff from franchise partners does not compromise the continuity and quality of teaching and learning.
- (i) Commitment to professional development is realistic in terms of the Financial Plan presented.
- (j) Commitment to professional development is realistic in terms of the rate of knowledge and/or technological change in the subject areas to be taught and is likely to maintain

- the subject competence of the professional staff.
- (k) Commitment to professional development is inclusive of all staff.
 - (l) There is a clear commitment to being a good employer in terms of policies relating to the health, welfare, and ethical treatment of staff.

10. Adequacy of Student Numbers

This section seeks to verify that there are sufficient student numbers to contribute to the financial and academic sustainability of the institution.

Criteria

- (a) Statements of proposed enrolment volumes and ratios considering gender, nationality, etc. are realistic in terms of current national statistics and trends in the tertiary sector.
- (b) There are clearly stated current and projected staff/student ratios differentiated by each programme of study.
- (c) Any growth projections are realistic given known national population projections and trends in the tertiary sector. Where the growth rate exceeds the projections by more than 15% in any one year, the Tertiary Education Council will seek assurance from the institution that quality will not be compromised.

11. Suitability of Programmes of Study

This section seeks to verify that the programmes of study are relevant to identified needs, lay a sound foundation for attaining high standards and quality required by the Tertiary Education Council, at the subsequent stage of accreditation, and are endorsed by appropriate stakeholders, including industry and/or professional bodies.

Criteria

- (a) Programmes are listed in terms of duration, level, and qualification to be awarded.
- (b) Programme duration and composition for degrees are commensurate with the definition of a degree level programme and provide a sound foundation for further study and research.
- (c) Articulation arrangements between programmes and with those of other institutions will enhance the progression of students.
- (d) Qualification nomenclature is consistent with the levels of the programmes and the National Qualifications Framework.
- (e) Notwithstanding technology-based approaches, the modes of teaching are consistent with the goals and objectives, and where applicable the residential nature of the services.
- (g) There are clear statements describing how pedagogical approaches and learning contexts enhance access and opportunities for students.
- (h) Programmes have clearly defined purpose(s) relating to identified and verified student, industry, community and/or national needs.
- (i) Workplace learning activities have a sound educational rationale and appropriate arrangements for student support (including health and safety) which are easy to monitor and access by students.
- (j) Policies and procedures for programme design detail the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.
- (k) Policies and procedures for programme design detail the review mechanisms, inclusive of students, industry and/or professional stakeholders, and recognised expertise in other institutions.
- (l) Policies and procedures for assessment design indicate the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.
- (m) Degree programmes should emphasise general principles and basic knowledge as the basis for self-directed work and learning.

12. Adequacy of Course Descriptions

This section seeks to verify that the courses offered by the institution are described in an accurate and informative manner. The meaning of terms used by the applicant to describe programmes of study should be consistent with the meaning of terms contained in the glossary of terms developed by the Council, and should otherwise satisfy the Council.

Criteria

- (a) Programme and course descriptions clearly state the proposed outcomes of learning that will be achieved in terms of theoretical knowledge, practical skills and overall competencies.
- (b) Assessment descriptions clearly state the assessment methodologies to be used (i.e. assignment, test and examination) and the relative mix and weighting of these.
- (c) The entry policies and criteria do not present unnecessary barriers for intending students.
- (d) The policies and criteria optimise opportunities for people from under-represented groups (e.g. people with disabilities) to participate fully and have realistic chances of success.
- (e) The selection policies and criteria optimise the enrolment of students into programmes in which they have a reasonable chance of success.
- (g) The entry policies optimise the recognition of a students prior learning and attainment as evidenced by the holding of qualifications awarded by other appropriately quality assured institutions.
- (h) Any publicity materials on the nature of programmes offered and/or of fees payable to the institution are not misleading.

13. Academic Support Services

The aim of this section is to verify that the institution has a clear commitment to the interests of its students.

Criteria

There are adequate textbooks and learning equipment to meet the needs of the students and staff.

- (a) The textbooks and learning equipment, acquisition and maintenance procedures are sufficient to meet the needs of staff, students, and the intended outcomes of the programmes.
- (b) The institution provides guidance on how students will acquire textbooks and other learning materials.
- (c) Orientation and induction materials and processes are comprehensive in familiarising students with the institutions layout, services, processes and expectation.
- (d) Information regarding relevant welfare and support services available, within and outside the institution, is provided to students.
- (e) Services and processes are available to determine students special learning and/ or other needs.
- (f) Information regarding the recognition of prior learning and/or the cross crediting of attainments within the institution and/or to or from other institutions is clear and transparent, and reflects current practice.
- (g) Academic and career support is available prior to and after enrolment, with appropriate access to support regarding progress through a students chosen programme of study.
- (h) Information, guidance and support services ensure that any student working independently (e.g. distance learning) receives support and guidance of the same quality as other students.
- (i) Policies and practice related to student welfare recognise the institutions responsibilities towards people with major health concerns (such as HIV/AIDS).
- (j) Procedures for reassessment are clear, detailed, transparent and unambiguous and treat students fairly.
- (k) Appeals against assessment, or other decisions, include the involvement of a party capable of objective and independent input.
- (l) Disciplinary procedures are clearly outlined in terms of making a distinction between minor and serious misconduct, and outlining the steps involved in the processes.
- (m) Complaints procedures are documented in terms of processes and obligations for all parties.
- (n) Rules, regulations and grievance procedures are likely to promote harmony and instil good conduct, and respect the rights of individuals to complain and seek redress.

14. Quality Assurance Mechanisms

This section aims to ensure that the attainment of quality in a tertiary institution will be managed and sustained through systematic and robust assessment and moderation mechanisms.

Criteria

- (a) The quality management system contains, as a minimum, statements of policy, procedures, resource allocations, accountabilities, and review mechanisms and time frames.
- (b) Plans for enhancing the capability of the institution through self development are stated and are realistic in terms of the stated goals and objects, and the financial model provided.
- (c) Policies and procedures for programme design detail the review mechanisms, inclusive of students, industry and/or professional stakeholders, and recognised expertise in other institutions.
- (d) Policies and procedures for assessment design detail the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.
- (e) The proposed internal moderation system is likely to ensure that assessment is fair, valid, reliable and consistent.
- (f) The proposed internal moderation system is inclusive of measures to ensure the comparability of assessment practices and assessment decisions with other institutions offering similar awards.
- (g) External persons with appropriate qualifications, teaching and research experience are appointed to monitor and evaluate the effectiveness of the institutions quality management system as it relates to specific degree level qualifications.
- (h) The memorandum of agreement clearly states the duration of the agreement, and the roles, responsibilities and accountabilities of both parties to the agreement policies and procedures for programme design, detail the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.

THIRD SCHEDULE

Criteria for the Registration of an Operating Public Tertiary Institution in Botswana

(reg. 3)

TERTIARY EDUCATION COUNCIL

Private Bag BR 108
Gaborone
Botswana

Tel: (+267) 3900 679
Fax: (+267) 3901 481

Physical address:
Plot 53995, Mabeleapudi Rd
Broadhurst Industrial Site Gaborone

PART I

Introduction

1. The assessment criteria detailed in this document represent the standard that must be met by the applicant and the basis upon which the Tertiary Education Council (the Council) shall issue a Certificate of Registration to an operating public tertiary institution in Botswana as provided for in subsection 22(4) of the Tertiary Education Act (Hereafter the Act).
2. The issue of a certificate of registration is confirmation by the Council that it supports the existence of a tertiary education institution and that it has a reasonable level of confidence that the institution concerned will continue to meet the required standard.
3. The required resources stipulated in the criteria shall be used towards the attainment of the minimum institutional standards of performance, operations and general conduct referred to in section 23 (1) of the Act.
4. Before issuing the certificate of registration to a public tertiary institution, the Council shall be

satisfied that:

- (a) there is proof of the continuing need for the institution and its services;
 - (b) the institution makes and will continue to make a significant contribution towards broadening the availability of and access to tertiary education learning in the country;
 - (c) the institution stands a good chance of operating successfully and that it will continue to make efficient use of public funding allocations;
 - (d) the institution has reached and stands a good chance of maintaining high organisational and academic standards.
5. An application for registration must meet the criteria specified in Part II herein and provide the required information and/or have the relevant documentation and proof (where applicable) for inspection and verification to the satisfaction of the Council.

PART II Criteria

1. Ownership

This section seeks to verify that the person(s) applying to register a public tertiary institution is/are the officially appointed representative(s) of the institution and has/ have been authorised to play the managerial leadership role as specified by the Governing Body of the institution or such other higher authority.

Criteria

- (a) Name the Ministry with the responsibility for the establishment and operation of the institution or to whom an institution established under its own legislation reports.
- (b) Proof that the name(s) of the person(s) making the application is that of the legal administrative head responsible for and having the powers to formally represent the institution.

2. Legal Status of Applicant

This section seeks to ensure that the applicant represents a body corporate legally constituted in Botswana. The Council should be able to act for or against the institution in situations where the principals of an institution are no longer able to represent the institution.

Criteria

- (a) Cite the legislation or administrative instrument enabling the constitution of the institution.
- (b) Where applicable, provide the name and address of any co-operating partner.
- (c) Give proof of the legal recognition and accreditation status of the cooperating partner in its own country.
- (d) Provide proof that a recognised national or international education quality assurance agency has conferred accreditation on any cooperating partner.
- (e) Provide proof that the co-operation arrangement described is likely to enhance the attainment of the goals and objects stated for the institution applying for registration.
- (f) Show that there is clear proof of the knowledge and support of the cooperating partner for the application for registration.
- (g) Produce a copy of the existing memorandum of agreement with any cooperating partner.
- (h) Provide the memorandum of agreement that clearly states the duration of the agreement, and the roles, responsibilities and accountabilities of both parties to the agreement.
- (i) Provide proof that the terms of the memorandum of agreement are likely to contribute to the long-term viability of the institution.
- (j) Provide proof that plans to subcontract include provisions to ensure the quality of learning and the protection of student interests, and such provisions are fully auditable.
- (k) Provide proof that the credentials of any person and/or organisation to which services will be subcontracted are provided.

3. Governance of the Institution

This section seeks to establish that the institution seeking registration will have access to

sound guidance, direction, and management of its day-to-day and long term affairs.

Criteria - provide proof that—

- (a) The governing of the institution includes persons of credibility and expertise across the fields of education and training, business management, and financial management.
- (b) The governing of the institution is inclusive of a representative(s) of the student body.
- (c) At least one senior management position is assigned to a person capable of providing strong educational leadership.
- (d) At least one senior management position is assigned to a person capable of effectively managing and reporting on financial practices and positions.
- (e) An organogram is provided which shows the organisational structure and indicates the lines of accountability as they exist in the institution, and covers the scope of services and current and planned activities.
- (f) The position assigned responsibility for educational leadership is enabled by the organisations structures, responsibilities and accountabilities to act decisively to protect and enhance the provision of quality educational services.
- (g) Senior management role descriptions include provisions requiring the establishment and maintenance of educational quality.
- (h) Policy making committees are specified and their respective membership stated. The name of each committee reflects its functions. The committee membership and functions are appropriate to the size and nature of the institution and the scope of its activities.
- (i) Where the institution has multiple, permanent delivery sites, there is a clearly identified head office or main campus. All sites are clearly identified and are accountable to a single management body. There are clear lines of reporting and accountability between the sites and the head office.

4. Justification of the Institution

This section seeks to establish the basis for the existence of the institution and to determine stakeholder support for its services. The primary expectation is that the institution must clearly align its services with the development needs of Botswana and its people.

Criteria

Name of the Institution - produce proof that:

The name does not duplicate any operating, approved institution in Botswana.

- (a) The name does not mislead as to the scope or nature of programmes of instruction and/or qualifications to be offered.
- (b) The name does not mislead as to the ownership and/or any endorsement of the institution.
- (c) The name does not offend, demean, defame, or discriminate against particular persons, groups, or organisations.
- (d) The name does not offend, demean, defame, or discriminate against particular persons, groups, or organisations

Description of the Services Provided:

- (e) The residential nature of the proposed services (whether residential, partly residential, or non-residential) is consistent with the stated aims, goals and objectives of the institution.
- (f) Intended programmes are listed in terms of duration, level, mode of delivery and qualification to be awarded.
- (g) The types and levels of the programmes are consistent with the stated mission and/or vision of the institution.
- (h) The intended programmes are relevant to community and/or national skills needs.
- (i) The intended programmes are relevant to the needs of communities and/or respond to the developmental needs of students from identified disadvantaged groups.

Rationale for the Institution and its Services

- (j) Statements of strategic direction span a minimum of three years and are consistent with stated goals and objectives.
- (k) Statements of strategic relevance and contribution are consistent with national vision statements, policies and development plans.

- (l) There are clear and realistic statements of how the institution will promote excellence in the quality of teaching, learning and, in the case of a degree offering institution, there must be a clear commitment towards research as a core function and activity of its teaching staff.
- (m) There are clear statements of how the institution will enhance access and opportunities for learning for under-represented groups (including people with special needs).
- (n) There are clear statements outlining the institutions obligations to address national challenges such as HIV/AIDS.
- (o) The goals and objectives are clear, focused, specific, measurable, auditable, realistic, achievable, and time bound.
- (p) The mechanisms to measure the attainment of goals and objectives are valid and reliable.
- (q) The challenges likely to be faced within the context of the stated goals and objectives, are identified.
- (r) The strategies to meet identified challenges are reasonable.

Feasibility of the Institution

- (s) Feasibility is clearly quantified through a recent comprehensive study, needs assessment/market survey report and/or business plan.
- (t) Growth rates are realistic given known national population projections and current trends across the tertiary sector. Where the actual growth rate exceeds 15% of stated projections in any one year, the Tertiary Education Council may ask for assurance from the institution that quality and standards of teaching and learning would not be compromised.

Stakeholder Support of the Institution - provide proof that

- (u) The applicant must state who the stakeholders are and how these were identified.
- (v) The identified stakeholders are consistent with the proposed programmes of instruction.
- (w) Stakeholders have been consulted on the determination of goals and objectives that are verified by supporting documentation of meetings held with stakeholders.
- (x) There is recent documentary proof of support from identified stakeholders.

5. Financial Viability of Institution

This section seeks to verify the sustainability of the institution.

Criteria - provide proof that:

- (a) The most recent Statement of Accounts showing, as a minimum: financial position at balance date; operating statement reflecting the revenue and expenses for the year; statement of cash flows during the year; statements of financial performance to be achieved; statement of commitments; statement of contingent liabilities; statement of service performance comparing actual performance against objectives and targets; and a statement of accounting policies.
- (b) The accounts fully and fairly show transactions, assets, liabilities, and funds.
- (c) The accounts are kept and presented in a form consistent with international accounting standards as stated by the Botswana Institute of Accountants.
- (d) The accounts indicate that the institution is a going concern likely to successfully continue its operations into the future. The institution is able to pay its debts as they become due in the normal course of business and the value of its assets is greater than the value of current liabilities, including contingent liabilities.
- (e) The cash flow indicates that funds are directed to activities clearly related to teaching and learning and that where applicable, student fee structures are realistic in terms of financial projections and are comparable with fees for similar programmes in other institutions.
- (f) Comparative figures show the preceding year, estimates for the current year, and targets for the next two years.
- (g) Current and forecast accounts and budgets have been vetted by the governing body/board of the institution. The governing body/board has attested that it has viewed the accounts and budgets and is satisfied that they comply with accepted

- (h) accounting policies and procedures.
- (h) Confirmation by the governing body/board that: forecast figures are consistent with information in any business plans or similar documents and the last set of audited financial statements; outcomes are realistic and achievable.
- (i) An independent auditor has audited the accounts for the previous year.
- (j) Sound measures are in place to protect assets, funds and any pre-paid fees and any other payments (e.g. for accommodation) made by students. The instruments are consistent with protection measures adopted by other institutions or organisations of a similar size.

6. Land Availability, Land Use and Physical Development Plans

This section seeks to verify that the operating institution has the physical space and services infrastructure necessary to conduct its business.

Criteria

Land has been Allocated by Recognised Land Authority

- (a) Where land is in tribal ownership, provide proof of tribal authority to use the land for the purpose of tertiary education.
- (b) State ownership of the land and/or access details verified through auditable documentation.
- (c) Provide proof that the proposed site(s) carries a local authority zoning plan that permits the conduct of the proposed services and programmes of instruction.

Where Land is Leased - produce:

- (d) A certified true copy of the memorandum of agreement.
- (e) Certified copy of the land lease, and where applicable, the title deed.
- (f) Provide the proposed sites(s) carries a local authority zoning plan that permits the conduct of the proposed services and programmes of instructions.

Adequacy of Land - show that:

- (g) The amount of land available is sufficient for the proposed programmes of instruction and proposed student volumes.
- (h) The site(s) is justified in terms of accessibility to students and/or strategic importance.

Existence of a Comprehensive Master Plan - show that:

- (i) A Master Plan shows services infrastructure that are sufficient for the number of staff, students, and any specialist activities proposed, and that they meet the planning regulations of the appropriate local authority.
- (j) Building expansion and land acquisition plans are adequate to provide for existing and planned programmes of instruction during the next five years (or beyond).
- (k) The proposed capital works are viable given the Financial Plan presented.

7. Buildings and Equipment

This section seeks to verify that the registering institution has the physical capacity in terms of infrastructure, buildings and equipment to conduct its business.

Criteria

Adequacy of the Learning Facilities - provide proof that:

- (a) Library facilities have sufficient space to hold the resources and reader-seating consistent with the existing and future programmes of instruction and student enrolment.
- (b) Library facilities have sufficient texts and electronic search facilities to cover the existing programmes and meet current and future staff and student volumes.
- (c) All specialist and teaching facilities are sufficient for the existing programmes of instruction, student numbers and maximum capacity levels.
- (d) All academic facilities are capable of accommodating the needs of all staff and students including those with special needs.
- (e) Sufficient financial provision is made to provide for the acquisition and maintenance of equipment and specialist materials relevant, current and appropriate to the realisation of the outcomes intended from the proposed programmes of instruction.
- (f) The acquisition of equipment and specialist facilities recognises the needs of those students with special needs.
- (g) Where equipment or specialist materials are to be leased or loaned, provision is made

- for appropriate agreements to be entered into.
- (h) Systems are in place to ensure that research activities are conducted in an ethical manner and to ensure that research is subject to public scrutiny.
- (i) Equipment and specialist materials intended to be owned or made accessible by other means are in sufficient volumes to meet the range and numbers of staff and enrolled students.

Adequacy of Student and Staff Amenities — provide proof that:

- (j) Student amenities are consistent with existing student enrolment numbers and composition.
- (k) Student amenities and buildings have necessary facilities to cater for the varied needs of the student community including those with special needs.
- (l) Staff amenities are consistent with existing staff numbers.
- (m) There are sufficient ablution facilities for the existing and projected number of staff and students, and any visitors to the institution.
- (n) The type, size and number of housing units is sufficient to meet the staff numbers planned to have access to such housing.

Safety of Buildings, Equipment and Records

- (o) There are sufficient safety arrangements and systems for the equipment in the buildings.
- (p) There are storage and archival facilities for the safe keeping of essential records of the institution, including student records.
- (q) The location of buildings is justified in terms of accessibility and/or health and safety requirements.
- (r) Existing buildings meet building, health and safety regulations set by the appropriate local authority.

8. Student Residences and Amenities (where applicable)

This section seeks to verify that the institution applying for registration has the means to meet the physical needs of its student body.

Criteria — produce proof that:

- (a) The size, type and nature of facilities are sufficient to meet the residential (full or partial) needs of the student taking into account their numbers, gender and ages.
- (b) The nature of facilities will provide a standard of student accommodation that is consistent with accommodation standards found in similar tertiary institutions.
- (c) Student amenities are consistent with existing and projected student enrolment numbers and composition.
- (d) Where applicable, proof of a recent inspection of catering facilities by an appropriate authority and that catering services meet appropriate health, safety and general standard of hygiene.

9. Human Resources

This section seeks to verify that the institution will have the human resource capacity to conduct its business.

Criteria — produce proof that:

- (a) The structure and levels of professional (teaching) staff is relevant and appropriate to the scope of services provided. Where a tertiary institution offers programmes at degree level, a minimum of 15% of the academic staff in residence will normally be expected to hold a doctoral degree or have extensive and sustained research experience.
- (b) Staff is involved, on a continuous basis, in significant and verifiable research and publication activities relevant to their disciplines.
- (c) The structure and levels of administrative staff is relevant and appropriate to the size of institution and the support needs of the programmes of instruction.
- (d) The minimum qualification levels of professional staff are consistent with the need to ensure the attainment of the types of qualifications to be awarded. Where the institution is to offer degree level programmes, the minimum qualification for the teaching staff for such programmes will be a Masters Degree.
- (e) The minimum qualification levels of administration staff are consistent with the

- (f) provision of the quality of support needed at each level of the institution.
- (f) The recruitment sources and research processes are likely to secure persons who have relevant teaching and research competencies and subject expertise that are commensurate with the scope and level of services provided and qualifications to be awarded.
- (g) The selection and promotion criteria for positions across the institution are fair and valid, and do not unfairly discriminate against some prospective applicants.
- (h) Where applicable, sourcing of staff from Franchise Partners does not compromise the continuity and quality of teaching and learning.
- (i) Commitment to professional development is realistic in terms of the Financial Plan presented.
- (j) Commitment to professional development is realistic in terms of the rate of knowledge and/or technological change in the subject areas to be taught and is likely to maintain the subject competence of the professional staff.
- (k) Commitment to professional development is inclusive of all staff.
- (l) There is a clear commitment to being a good employer in terms of policies relating to the health, welfare, and ethical treatment of staff.

10. Adequacy of Student Numbers

This section seeks to verify that there are sufficient student numbers to contribute to the financial and academic sustainability of the institution.

Criteria — provide proof that:

- (a) Statements of proposed enrolment volumes and ratios considering gender, nationality, etc are realistic in terms of current national statistics and trends in the tertiary sector.
- (b) There are clearly stated current and projected staff/student ratios differentiated by each programme of study.
- (c) Any growth projections are realistic given known national population projections and trends in the tertiary sector. Where the growth rate exceeds the projections by more than 15% in any one year, the Tertiary Education Council will seek assurance from the institution that quality will not be compromised.

11. Suitability of Programmes of Study

This section seeks to ensure that the programmes of study are relevant to identified needs, lay a sound foundation for attaining high standards and quality required by the Tertiary Education Council, and are endorsed by appropriate stakeholders, including industry and/or professional bodies.

Criteria — produce proof that:

- (a) Programmes are listed in terms of duration, level, and qualification to be awarded.
- (b) Programme duration and composition for degrees are commensurate with the definition of a degree-level programme and provide a sound foundation for further study and research.
- (c) Articulation arrangements between programmes and with those of other institutions will enhance the progression of students.
- (d) Qualification nomenclature is consistent with the levels of the programmes and the National Qualifications Framework.
- (e) Notwithstanding technology-based approaches, the modes of teaching are consistent with the goals and objectives, and where applicable the residential nature of the services.
- (f) There are clear statements describing how pedagogical approaches and learning contexts enhance access and opportunities for students.
- (g) Programmes have clearly defined purpose(s) relating to identified and verified student, industry, community and/or national needs.
- (h) Workplace learning activities have a sound educational rationale and appropriate arrangements for student support (including health and safety) which are easy to monitor and assess by students.
- (i) Policies and procedures for programme design detail the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.

- (j) Policies and procedures for programme design detail the review mechanisms, inclusive of students, industry and/or professional stakeholders, and recognised expertise in other institutions.
- (k) Policies and procedures for assessment design indicate the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.
- (l) Degree programmes should emphasise basic principles and general knowledge as the basis for self-directed work and learning.

12. Adequacy of Course Descriptions

This section seeks to verify that the courses offered by the institution are described in an accurate and informative manner. The meaning of terms used by the applicant to describe programmes of study should be consistent with the meaning of terms contained in the glossary of terms developed by the Council, and should otherwise satisfy the Council.

Criteria — provide proof that:

- (a) Programme and course descriptions clearly state the proposed outcomes of learning that will be achieved in terms of theoretical knowledge, practical skills and overall competencies.
- (b) Assessment descriptions clearly state the assessment methodologies to be used (i.e. assignment, test and examination) and the relative mix and weighting of these.
- (c) The entry policies and criteria do not represent unnecessary barriers for intending students.
- (d) The policies and criteria optimise opportunities for people from under-represented groups (e.g. people with disabilities) to participate fully and have realistic chances of success.
- (e) The selection policies and criteria optimise the enrolment of students into programmes in which they have a reasonable chance of success.
- (f) The entry policies optimise the recognition of a students prior learning and attainment as evidenced by the holding of qualifications awarded by other appropriately quality assured institutions.
- (g) Any publicity materials on the nature of programmes offered and/or of fees payable to the institution are not misleading.

13. Academic Support Services

The aim of this section is to ensure that the institution has a clear commitment to the interests of its students.

Criteria — provide proof that:

- (a) There are adequate textbooks and learning equipment to meet the needs of the students and staff.
- (b) The textbooks and learning equipment acquisition and maintenance procedures are sufficient to meet the needs of staff, students, and the intended outcomes of the programmes.
- (c) The institution provides guidance on how students will acquire textbooks and other learning materials.
- (d) Orientation and induction materials and processes are comprehensive in familiarising students with the institutions layout, services, processes and expectations.
- (e) Information is provided regarding relevant welfare and support services available within and outside the institution.
- (f) Services and processes are available to determine students special learning and/or other needs.
- (g) Information regarding the recognition of prior learning and/or the cross crediting of attainments within the institution and/or to or from other institutions is clear and transparent, and reflects current practice.
- (h) Academic and career support is available prior to, and after enrolment, with appropriate access to support regarding progress through a students chosen course of study.
- (i) Information, guidance and support services ensure that any student working independently (e.g. distance learning) receives support and guidance of the same

- quality as other students.
- (j) Policies and practice related to student welfare recognise the institutions responsibilities towards people with major health concerns, such as HIV/AIDS.
- (k) Procedures for reassessment are clear, detailed, transparent and unambiguous, and treat students fairly.
- (l) Appeals against assessment, or other decisions, include the involvement of a party capable of objective and independent input.
- (m) Disciplinary procedures are clearly outlined in terms of making a distinction between minor and serious misconduct, and outlining the steps involved in the processes.
- (n) Complaints procedures are documented in terms of processes and obligations for all parties.
- (o) Rules, regulations and grievance procedures are likely to promote harmony and instil good conduct, and respect the rights of individuals to complain and seek redress.

14. Quality Assurance Mechanisms

This section aims to ensure that the attainment of quality at a tertiary institution will be managed and sustained through systematic and robust assessment and moderation mechanisms.

Criteria - provide proof that:

- (a) The quality management system contains, as a minimum, statements of policy, procedures, resource allocations, accountabilities, and review mechanisms and time frames.
- (b) Plans for enhancing the capability of the institution through self-development are stated and are realistic in terms of the stated goals and objectives, and the financial model provided.
- (c) Policies and procedures for programme design detail the review mechanisms, inclusive of students, industry and/or professional stakeholders, and recognised expertise in other institutions.
- (d) Policies and procedures for assessment design detail the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.
- (e) The proposed internal moderation system is likely to ensure that assessment is fair, valid, reliable and consistent.
- (f) The proposed internal moderation system is inclusive of measures to ensure the comparability of assessment practices and assessment decisions with other institutions offering similar awards.
- (g) External persons with appropriate qualifications, teaching and research experience are appointed to monitor and evaluate the effectiveness of the institutions quality management system as it relates to specific degree level qualifications.
- (h) The memorandum of agreement clearly states the duration of the agreement, and the roles, responsibilities and accountabilities of both parties to the agreement policies and procedures for programme design, detail the inclusion and involvement of relevant industry and/or professional stakeholders, and the inclusion and involvement of recognised expertise from at least one other recognised institution.

FOURTH SCHEDULE

(regulation 4)

Fees payable for applications:

(a)	application fee		
	<i>Category</i>	<i>Student Numbers</i>	<i>Fee</i>
	1	10—500	P5,000
	2	501—3000	P7,500
	3	3001—5000	P10,000
	4	5001+	P12,500
(b)	verification fee		P2,500
(c)	extra evaluation fee		P1,500

The requirements and criteria detailed in Section 7, Certification and Reporting shall also be used by the Tertiary Education Council for the recognition of qualifications in terms of section 28 (2) of the Tertiary Education Act, (Cap. 57:04) where the relevant institution has not been subject to regular assessments or quality assurance by the Council under section 24 (1) (b) of the same Act.