

TERTIARY EDUCATION ACT
(Cap. 57:04)

**TERTIARY EDUCATION (LETTER OF INTERIM AUTHORITY)
REGULATIONS, 2004**
(Published on 6th July, 2004)

ARRANGEMENT OF REGULATIONS

REGULATION

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SCHEDULES

IN EXERCISE of the powers conferred on the Minister of Education by section 38 of the Tertiary Education Act, and in consultation with the Tertiary Education Council, the following Regulations are hereby made —

1. These Regulations may be cited as the Tertiary Education (Letter of Interim Authority) Regulations, 2004.

Citation

2. In these Regulations, unless the context otherwise requires —

Interpretation

“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.

Application for letter of interim authority

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

Fees payable

4. (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.

Letter of interim authority

5. (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).

Period of validity of letter of interim authority

6. 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.

Register of tertiary institutions

7. (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. 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.

Offence and
penalty

FIRST SCHEDULE (regulation 3(1))

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



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
 - (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

Signed **Name in Print**
Date

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

SECOND SCHEDULE
(Regulation 3 (2))

Criteria for the Issuing of a Letter of Interim authority to Operate a Private Tertiary Institution



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 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 set-up 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.

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- (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 publications;*

- (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 (regulation 4)

Fees Payable:

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

MADE this 29th day of June, 2004.

K. KGOROBA,
Minister for Education.