

National Report on Higher Education in Jamaica

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Introduction

This report on Higher Education in Jamaica follows UNESCO's Common Guidelines for the Preparation of the National Reports on Higher Education. The sections below are preceded by a preamble which provides a definition of higher education and describes the terms commonly used in Jamaica and the Caribbean.

Preamble – Definition of terms.

The terms tertiary, post-secondary, and higher education have all been used to refer to education that takes place after secondary education, as evident in recent publications (e.g. IADB, 2004, Holding and Burke, 2005, Howe, 2000). While the terms post-secondary and tertiary refer to the stage at which the education takes place, higher education usually refers to the education provided in a University. The Ministry of Education Youth and Culture (MOEYC) has presented a definition of tertiary that includes higher education (Henry-Wilson, 2005). Although a fairly influential report on tertiary education has proposed a distinction between higher education and the college/polytechnic level (Restructuring Tertiary Education in Jamaica, 1992, 91), this report will consider the terms higher education and tertiary education as interchangeable. It adopts the definition of tertiary education presented by Roberts (2001) – a definition applicable to higher education as well:

tertiary or post-secondary education is considered to be the third stage of the educational experience which builds upon secondary education completed and which is itself often indicated by possession of credentials such as the Caribbean Examinations Council's General Certificate of Secondary Education. Tertiary is a level and not a type of education and it can be engaged in not only colleges, universities and polytechnics, but also in schools... (p. 20).

1. Historical development of higher education

1.1 Origins of higher education

Higher education in Jamaica has its origins in three different sectors – teacher education institutions for the training of teachers for the primary level of education, seminaries for the training of ministers of religion, and University/ college for a general/liberal education.

The need for tertiary education in Jamaica became a pressing one after emancipation in 1834. Once it was accepted that the ex-slaves would receive some form of rudimentary education or training, it was recognized that local teachers had to be provided. Education was undertaken mainly by the religious denominations who were interested in converting the Blacks to Christianity, and there was keen competition among these religious denominations to establish some form of teacher training. The Moravians established an institution as early as 1832, with the Anglicans, the Church Missionary Society, the Baptists, the Presbyterians, and the Wesleyans following soon after (D'Oyley, 1963). Most of these institutions were short lived because of problems of financing, and differences of opinion about the curriculum. Teachers colleges and model schools were later established by the government when it became obvious that the churches could not provide a sufficient number of teacher training institutions to satisfy the need for teachers. These, however, were also short-lived.

One of the early teacher education institutions that has survived to this day is Mico College - established in 1835 with proceeds from the Negro Education Grant given by the British government for the religious and moral education of the ex-slaves. A sum of £5000 was secured from this grant for the preparation of teachers and most of this money was given to the Mico Trust which at the time ran the largest number of schools in the island. Other teachers colleges established in the nineteenth century and surviving to this day are: Bethlehem Moravian Teachers College, (1861) Shortwood Teachers College (1885), and St. Josephs Teachers College (1897).

A second impetus for higher education in Jamaica was the need to train ministers of religion to lead the local churches. Conversion of the souls of the Black slaves and ex-slaves was a feature of colonial society, and this task fell to the white missionaries. The ‘nonconformist missionaries soon recognized the need for raising of a native ministry’ (Brathwaite, 1958, 12) and took steps to create theological seminaries. The United Presbyterians established a Theological Hall in Montego Bay in 1843, and the Baptists a seminary at Calabar in Kingston. Because of the need to train teachers normal schools were soon attached to these colleges.

These higher education institutions – focused on the training of teachers and ministers of religion - reflect the contribution of both the state and the churches to the development of higher education in Jamaica - an involvement that continues to this day. The circumstances of the establishment of these institutions also reflect themes in the development of higher education which have persisted over the years. These include the importance of financial provisions to the success of higher education institutions, and the effect that financial uncertainty can have on the success of an institution, the mix of public and private providers and the issues of governance that this mix entails, and the nature of the curriculum. Disagreements about the curriculum presage later debates about the programmes that should be emphasized and the relevance of these programmes - especially those offered in institutions classified as University level. What has not been included in this discussion is the effect of the student body on the curriculum and the many changes that had to be made as a result of the weaknesses of the elementary and secondary levels of education.

A third impetus for higher education in Jamaica was the need for what is traditionally considered higher education – one which would provide a liberal non-utilitarian education for the small elite that could benefit from it. Those who presented these plans usually argued that higher education in the West Indies would prepare students for work better than would universities abroad. But ‘it is the persistence of the idea rather than any great achievement which is interesting in the discussion of higher education in the first half of the nineteenth century’ (Gordon, 1963, 273).

The ‘idea of higher education’ in the West Indies began with the proposals by Bishop Berkeley in the eighteenth century. He regarded the University as ‘a place of contemplative solitude in which minds untainted by the corrupt world dwelt with a love of truth and honourable regard’ (Brathwaite, 1958, 3). A later proposal for a non-denominational higher education institution was made by the Jamaican Baptist missionary James Phillippo. Although he had argued for such an institution from as early as 1823, he proposed a plan for a college for secular studies in 1843, a plan that would ensure that ‘intelligent and aspiring youth should have the means of assembling in halls of their own’ (Brathwaite, 1958, 12). This college was to be modeled on the newly-established University College in London. The objective of this college was to ‘train young men immediately before entering upon the business of active life’ (Brathwaite, 1958, 14). These plans may have influenced the establishment of a University College at Spanish Town in 1873, at the instigation of the governor. This college survived for only three years, and during the period had only four students. When in the second year of its operation, all the applicants to this University College were rejected, it became clear that ‘the extent of the demand for higher education had been seriously over-rated’ (Brathwaite, 1958, 18). In the early twentieth century, Marcus Garvey also proposed a private high level Technical Institute in Jamaica based on the Tuskegee Institute established by Booker T. Washington.

Royal commissions established to assess the state of education made recommendations for higher education institutions, but these were usually limited in scope. This was evident in the Keenan Report of 1869 which recommended a University that would focus on examinations. The Marriott-Mayhew Commission which investigated the state of secondary education in Jamaica recommended a University College that would prepare teachers for the secondary system (Gordon, 1963, 292). Further recommendations for reform were made by the Moyne Commission of 1938. The recommendations of that committee led to the establishment of a regional planning mechanism labeled the Colonial Development and Welfare Fund, whose mandate was to administer a major

imperial grant for the social and economic development of the region. The development of higher education in Jamaica thus became more formalized and purposeful.

A semblance of a University College existed at the then Jamaica High School (later Jamaica College) in the latter half of the nineteenth century. The Jamaica College was started in 1888 at the then Jamaica High School for the purpose of providing higher education within the island. It aimed to educate persons for the B.A. and M.A. degrees of the University of London, as well as the LL. B degree, and to prepare persons for their first examination in science and medicine. After twelve years of operation only five persons had been successful in the B.A. and M.A examinations. The collegiate section of the High school never flourished. Several of those who had passed through the college were also enrolled in the High School. In 1908, the name of the high school was changed to Jamaica College. According to Brathwaite (1958), 'the failure of the College as an institution of higher education lay in the narrowness of secondary education and in the superior facilities available abroad for the pursuit of higher education (p.22).

Despite the setbacks and failures, the idea of a University continued to exercise the minds of a few Jamaican legislators, clergymen and others. The disturbances of 1938 led to an emergence of political consciousness and nationalism which saw the beginnings of a demand by Black Jamaicans for a higher education institution, although at the time of the Irvine Report, the 'conception of a University current in the West Indies was not highly developed' (Brathwaite, 1958, 48). The Commission on Higher Education in the colonies - the Asquith Commission - appointed in 1943, led to the formation in 1944 of the Irvine Committee which was mandated to investigate the provision of higher education in the Caribbean. This committee and the recommendations that it made marked a significant development in higher education in Jamaica and the rest of the Caribbean.

The Irvine Committee made a number of recommendations for University education in the West Indies. The University would be a single institution and not a federation of Colleges, which would be sited in Jamaica. It should be open to men and women, without any restrictions on the grounds of race or creed. And it should be wholly residential, to

ensure the creation of a genuine university community. The University would in the first instance be a University College related to the University of London by a special relationship under which the students would be candidates for degrees of the University of London. This arrangement, however, would be temporary. And because of the limitations of funds, there would be only three faculties established at the outset – Arts, Science and Medicine. No provision was made for graduate studies as it was hoped that upon graduation, students would go abroad to study. In addition, the committee mindful of the needs of the smaller territories, recommended the early appointment of resident tutors in each of the territories. The committee made recommendations for the governance of the University with a senate having full responsibility for academic affairs (Report of the Irvine Committee, 1944).

The governments of the region gave support to the recommendations and in 1946, a principal designate was appointed, and a site for the new campus in Jamaica was chosen. The first group of 33 medical students was admitted in October 1948 and the Royal Charter was granted in December 1948. This was the beginning of the University of the West Indies which now has three campuses in three Caribbean territories as well as resident tutors in each of the non-campus territories. By 1963 the University College of the West Indies received a Royal Charter which established it as an autonomous degree granting body, no longer dependent on its special relationship with the University of London for validation. The curriculum would reflect a West Indies outlook. The values and culture, to be transmitted via the curriculum would take on a West Indian character yet maintain standards of quality and relevance. This Royal Charter had great implications for tertiary education in Jamaica.

This brief outline of the origins of the higher education system in Jamaica shows that there were diverse influences in its development and themes that have continued to this day. The teachers colleges played a significant part in its origins. Although many of those that were created in the years following on emancipation were soon discontinued, many teachers colleges established during the nineteenth century continue to this day and have transformed themselves into strong multi-purpose and/or degree granting

institutions. Some of these colleges had a religious affiliation and the churches continue to play an important role in higher education. The establishment of the University of the West Indies however, marked a significant milestone in the development of higher education as it was the first institution that was not linked entirely to professional training. In the early years the government became involved in higher education only when it became clear that the churches were unable to provide it to a sufficient degree. There has been a change in the level of involvement of the government. Today, the government's role in higher education is more visible and proactive. The initial emphasis on professional 'utilitarian' training, has changed; higher education now provides a wide choice of educational offerings including professional education. The reliance on British expertise in the early years of the development of higher education is no longer necessary as indigenous expertise, capacity and academic leadership have developed. Since this early beginning the higher education system has grown and expanded to include diverse types of institutions, with expanded aims, and offering a range of programmes, to a diverse and ever increasing student body. The uncertainty of financing of higher education however, has continued.

1.2 & 1.3 Phases in the evolution of higher education

The phases in the evolution of higher education are evident in the establishment and expansion of different types of institutions, and the development of policies governing the enterprise. The first phase as described in section 1.1 ends in 1963 with the granting of a charter to the regional University of the West Indies. The second phase was characterized by a dramatic increase in the number and types of higher education institutions, and an expansion in the objectives and scope of existing colleges. These institutions include schools of nursing, physical therapy, occupational therapy, pharmacy, radiology, and medical technology, technical colleges, business colleges, colleges of agriculture, colleges of physical education and sports. The four Schools of Art, Drama Music Dance were established and operated as separate tertiary teacher/ artist training institutions until they merged to form the Edna Manley College for the Visual and Performing Arts in 1987. Two new teachers colleges were created and single purpose

institutions such as the Jamaica School of Agriculture merged to form multi-purpose institutions. In the 1980's, a few teachers colleges began presenting the B.Ed in affiliation with universities. Mico College was one such college - presenting the B.Ed in Special Education in affiliation with the University of the West Indies. During this period also there developed a wide variety of articulation, affiliation and franchising arrangements between colleges and universities outside and within the region. In 1996, the Task Force on New Directions in Teacher Education declared that college should begin to prepare teachers at the Bachelors degree level within a five year period. These degree granting colleges continued to offer diploma programmes since this certification will continue until the degree programmes are in effect in all colleges. .

This was also the period of the creation of community colleges the first of which was established in 1974. These colleges developed strong part-time evening programmes which, in some instances, had higher enrolments than their full-time day programme. These colleges were intended to provide continuing education after grade 11, to provide training for various middle level occupations and continuing education for persons who had not successfully completed high school, to prepare young people for entry into certain professions, occupations, higher education institutions or the world of work, to prepare persons for university study, and to respond to the needs of the community (Walsh, 2005). There are now eight community colleges in the island. A technical college – the Jamaica Institute of Technology (JIT), was established in 1958 with a mandate to focus on technical training. The name of this college was changed the following year to the College of Arts Science and Technology. The Vocational Training Development Institute (VTDI) was established with the aim of preparing technical and vocational education and training instructors, managers and technicians. Private institutions also responded to the need for access to tertiary education.

This second period therefore saw a proliferation in number and types of institutions to meet the growing demand for tertiary education, a demand that was fuelled by the expansion of secondary schools during the sixties and seventies. These initiatives served

to increase access to tertiary education. However, this increase took place in the absence of a policy framework or a set of guidelines that would monitor and regulate the sector

Such frameworks and guidelines were attempted during the third phase which began in 1987, with the establishment of the University Council of Jamaica (UCJ) in 1987. During this third phase attempts were made to create a structure within which each institution could be placed, to develop a policy framework, and a set of guidelines and standards that would inform the functioning of the institutions. During this phase, there were some major accomplishments in relation to structure, guidelines and standards and policy. At the same time, this period saw the introduction of GATS which itself posed major challenges to the functioning of higher education institutions.

The University Council of Jamaica was established in 1987 by an act of Parliament to create and monitor standards at the tertiary level. It is responsible for registering all public and private higher education institutions, and to accredit the programmes of local and foreign based institutions on their request. Its aim is to increase the availability of University-level training in Jamaica, through accreditation of institutions, courses and programmes for recognition and acceptance. To do this, the Council carries out a range of functions including quality assurance and accreditation, and professional advice and services for the development and improvement of programmes (London, 2005). Another development occurred when the decision was taken that tertiary students would no longer be exempt from tuition fees. A Task Force was established to rationalize students' fees and made its recommendations in 1986. In 1990, a committee chaired by Sir Philip Sherlock was formed to investigate and address certain anomalies in pay and responsibilities among staff in tertiary education institutions and this provided an opportunity to address the structure of tertiary education. In 1991, the Sherlock Committee issued principles and proposals for the restructuring of tertiary education, including that of establishing two levels of tertiary education institutions – University/Polytechnic and College/Polytechnic - each with separate and distinct responsibilities. In 1992, the West Indian Commission urged governments to set specific targets to increase allocations to the tertiary level in order to increase access. Soon after,

CARICOM issued its decision that access to tertiary education should be increased to 15 percent by the year 2005. These were major developments that helped shape guidelines and policies for the higher education sector.

The number of conferences and forums devoted to issues in higher education attests to the burgeoning interest in this level of education, the realization that the higher education was critically important to national development, and the need to institutionalize the study of the issues related to this level of education. Since 1997, there have been three major conferences that addressed these issues and the deliberations of these conferences have since been published. The Association of Caribbean Tertiary Level Institutions (ACTI) was formed in 1992 to develop a mechanism for accreditation, equivalency and articulation within the Caribbean (ACTI, 2000), the Joint Committee for Tertiary Education was formed, Tertiary Level Institutions Units were established on each campus of the University of the West Indies, and a Tertiary Education Project Unit was initiated on the Mona campus of the University. During this period also the higher education system further expanded to include two national universities. CAST was upgraded to the University of Technology, Jamaica (UTECH) in 1995 and the private West Indies College was upgraded to become the Northern Caribbean University in 1999.

The increase in the number and types of institutions again brought into question the structure of the system and in fact whether there was a higher education system. How did the various institutions relate to one another and to the government? How would coherence in the system be achieved? What was the vision of the higher education sector and how would it contribute to individual and national development? These and other questions were raised by Hall (2005) who argued that a policy on higher education was needed to provide a framework within which all actors could function. Hall who is principal of the Mona campus of the University of the West Indies has since organized the preparation of a Proposal for a National Tertiary Education System in Jamaica, the first of its kind and one which will have much discussion before being adopted (UWI Research and Policy Group, 2004). This draft policy touches on all aspects of the functioning of higher education.

One aspect of the proposal for a policy framework is the structure of the higher education system and the relationship of the University of the West Indies to the other institutions. The proposal outlines three levels of institutions – with the highest being a research institution focusing on graduate and post-graduate degree programmes, the second comprising upper level programmes to the baccalaureate level, as well as professional schools and community colleges and the third level comprising continuing education institutions offering a variety of courses and programmes. This structure is similar in some respects to the structure recommended by the Sherlock committee in 1991, although it is much more detailed.

A policy framework and a system of accreditation and monitoring have become even more urgent as a result of the General Agreement on Trade in Services to which Jamaica has been a signatory. This far-reaching international agreement administered by the World Trade Organization (WTO) specifies four modes of trading in services (such as education) which should be unrestricted in those countries that are signatories to the agreement. One of these modes – commercial presence allows a company from one country to establish itself in another country in order to provide educational services. This agreement will facilitate even more off-shore Universities to provide educational services in Jamaica either virtually or actually in order to satisfy the growing demand for tertiary education. This agreement raises several issues that the tertiary education sector will have to contend including accreditation and monitoring of quality, cultural relevance and research on issues critical to the Jamaican context (Beckles, 2000, Leo-Rhynie, 2005).

The environment in which higher education operates has been radically transformed since the mid 1990s. The traditional reasons for pursuing post-secondary education - the need for higher-level for economic growth and development, and the need for an educated citizenry now include the ability to participate in the global society.

The World Bank (2000) notes that the world economy has been changing, as knowledge supplants physical capital as the source of present and future wealth. As knowledge becomes more important, so does higher education. This has resulted in a greater demand for higher and adult education. Rapid technological advances and the global trend in the liberalization of services in addition to the quest for knowledge and certification have resulted in an even greater demand for higher education in an ever increasing competitive environment. In addition to local public institutions, local private tertiary institutions are offering their services and have contributed to the expansion of access in the region. Overseas colleges and universities registered in Jamaica are also offering programmes. Despite all these developments, the demand for tertiary education is still not completely filled. The target set by CARICOM of 15 percent of the 18-24 age cohort gaining access to tertiary education has already been surpassed in the case of Jamaica.

The rising demand for higher education in Jamaica could not have been met with the traditional programmes and delivery methods in traditional institutions with traditional modes of operation and with resources derived from public funds. Technological advances, distance education, open and e-learning have also opened up new prospects for increased access to higher education and made it possible to provide enhanced delivery of programmes. There is now the possibility of marketing these programmes globally, as part of the new transnational higher education.

2. Structure and Functioning of Higher Education

The different types of institutions discussed in Section 1 have various structures which provide greatly expanded choices to students than existed thirty years ago. They also function in different ways through part-time and full-time programmes, summer programmes and modularized programmes to meet the needs of tertiary level students.

2.1 Types of Higher Education Institutions

There are fifty two tertiary institutions in Jamaica, which are either private or public. Public institutions are those that are financed by the government, and there are different levels of funding depending on the type of institution. Scholarships granted by the MOEYC are available only to public institutions. Private institutions receive no financing from the government, and the MOEYC does not provide scholarships to these institutions. Each public institution serves a particular function and can be categorized as: teacher training college, theological college, technical college, community college, specialist training college, and multi-purpose college. In addition there are three universities, one of which is the regional University of the West Indies with a campus in Jamaica. These public and private institutions are shown in Table 1.

2.2 University and Non-university Institutions

Of the fifty two higher education institutions operating in Jamaica, nine are University level. As shown in Table 1, two of these Universities are local and public while one is local and private. The other six are overseas ‘offshore’ Universities which have been granted a license to operate in Jamaica. Non-university institutions occupy the greater portion of the higher education sector as shown in Table 1. They include ten teachers colleges, eight community colleges, one technical and vocational training institute and two specialist colleges for the training of public servants - all of which are public. There are also private theological/bible colleges, business colleges, schools of nursing and midwifery, colleges of professional studies, and various technical institutes. Three of the eight community colleges are also multi-purpose institutions in that they offer teacher education programmes, in addition to other programmes. Some of the community colleges have satellite campuses in other parts of the country. Ninety percent (90%) of

the programmes in these non-university institutions are below the baccalaureate degree level. The colleges also offer in addition to their diplomas and certificates, baccalaureate and postgraduate degrees in affiliation with universities both local and foreign based. Mico College now offers its own post-graduate degree, the Master of Arts in Teaching.

Table 1
Types of Higher Education Institutions

Higher Education Institutions –	No. of Institutions
Public (Local)	
Universities	2
Teachers’ Colleges	10
Community colleges	8
Technical Colleges - Vocational Training Development Institute	1
Specialist Colleges - Jamaica Constabulary Staff College and Management Institute for National Development	2
Sub Total	23
Private (Local)	
Universities	1
Theological Colleges	5
Other Private Institutions	14
Sub Total	20
Foreign Institutions	
Universities	6
Colleges	2
Other Private Institutions	1
Sub Total	9
Total	52

Source: Directory of Jamaican Tertiary Institutions, Third Edition

2.3 Features of the Public and Private Institutions

The features of the public and private institutions to be discussed below include: programmes, diplomas and degrees offered, modes of delivery, and systems of articulation. The financing of these institutions is discussed under Section 6.

2.3-1 Public Institutions

Public institutions are directly under the auspices of the MOEYC and receive their funding from government through that Ministry. As shown in Table 1, there are 23 public institutions – 44.2% of the total.

Programmes, diplomas and degrees

The University of the West Indies -one of the two public universities - functions as a teaching, research and examining institution. A variety of programmes are offered at both undergraduate and postgraduate levels in the five faculties of Humanities and Education, Law, Medical Sciences, Social Sciences, and Pure and Applied Sciences. There is also a vibrant research programme in all faculties. UWI also has two extra-mural centres - the School of Continuing Studies in Kingston and Montego Bay which offer a range of continuing education programmes.

The University of Technology, Jamaica (UTECH) is a teaching, research and examining institution. It offers undergraduate degrees in five faculties –Engineering and Computing, the Built Environment, Business and Management, Computing and Engineering, Health and Applied Sciences, and Education and Liberal Studies. UTECH focuses on undergraduate education. However, it also offers a Masters programme in Architecture.

The ten teachers colleges offer the Diploma in Teaching at the early childhood, primary, secondary level as well as in special education. In addition, all colleges now offer undergraduate degrees in affiliation with local and foreign Universities. The Consortium of teachers colleges is now developing a proposal to offer a joint Bachelors in Education degree in response to the mandate to prepare a graduate teaching force.

The eight community colleges offer diplomas, certificates and associate degrees in a variety of areas which are directly related to the world of work, are pre-requisites for entry to other higher education institutions or are part of an articulated programme with a higher education institution. A few of these colleges now offer bachelors degrees in designated programmes.

Modes of delivery

Higher education institutions utilize several delivery modes, chief of which is face-to-face method of delivery. Distance education technologies are used mainly by the University of the West Indies, UTECH, and the foreign universities.

Articulation arrangements

The community colleges and teachers colleges have developed articulation arrangements with the two public Universities, as well as seventeen (17) other local, regional and foreign based higher education institutions. Articulation relies on a well functioning system of accreditation which is now provided by the University Council of Jamaica. These articulation arrangements facilitate access to higher education for students in different parts of the country. Articulation arrangements may be of three kinds. The first is one in which a portion of the University programme is presented in the college and graduates of this portion are granted automatic admission to the University. The second is one in which the University grants advanced placement to graduates of the college programme. The third is one in which matriculation is granted to graduates of the college programme.

2.3-2 Private Institutions

As shown in Table 1, twenty nine of the fifty two higher education institutions (55.7%) are private institutions. Six (20.6%) of these private institutions are foreign institutions – with head offices located in the United Kingdom, Canada, and the United States. Below information is provided on the programmes, diplomas and degrees offered and modes of delivery of Northern Caribbean University. Characteristics of the student body and systems of articulation and modes of delivery are not readily available.

Programmes, diplomas and degrees offered

The private Northern Caribbean University offers programmes in six faculties – called colleges – the colleges of Arts and General Studies, Business and Hospitality Management, Teacher Education and Behavioural Sciences, Graduate Education and Leadership, Religion and Theology. These are offered at the certificate, diploma, associate degree, and bachelors levels. There are also eight graduate programmes offering degrees at the masters and doctoral levels. However the focus of the work of this university is undergraduate teaching.

2.4 Regulations and laws that govern the functioning of higher education

Discussion in this section will be limited to the Universities, teachers colleges and community colleges.

Universities

The University of the West Indies, Mona is governed by the charter, and all statutes and ordinances that apply to the regional University. Its governing bodies are the Council, and the Senate as well as various committees that make recommendations that are later approved by Council or Senate. The Council is the body responsible for making appointments, establish departments and institutes and faculties, create/modify ordinances and statutes, and govern finances and the plant of the University. The Mona campus has a campus Council. The Senate represents the academic authority of the University controlling the direction of research, instruction and examination. On each campus an Academic Board comprising deans of faculties, heads of departments and Professors, makes recommendations to the Council and the Senate.

The University of Technology, Jamaica (UTECH) was accorded the status of a bi-cameral system of governance – a Council and an Academic Board. The Governing Council is the supreme University body that has legal responsibility for all University

appointments and promotions, resources and the maintenance of standards within the University. There is a Chancellor who is chairperson of Council and pro-chancellor who acts as chairperson in the absence of the Chancellor. The President of the University is responsible to the Council. The Academic Board is the highest authority with respect to academic matters and is responsible to the Governing Council. In addition there are various committees and boards which report to Academic Board. Various governing instruments, ordinances and regulations relate to various aspects of the functioning of the institution.

Northern Caribbean University was granted a charter by the government of Jamaica through the authority of the Governor General. The governing body includes a Board of Governors, the President, Vice Presidents the deans of the six colleges. The President of the University is responsible to the Board of Governors. The academic departments are headed by a chairperson or sectoral directors, who report to one of the six deans.

Teachers' Colleges

Each of the ten teachers colleges has a principal, vice-principal(s) and other administrators that are responsible for matters related to that college. In addition, all colleges are governed by decisions of the Joint Board of Teacher Education (JBTE), a body representing all teachers colleges, the Ministry of Education Youth and Culture, the Jamaica Teachers Association (JTA) and the Institute of Education. The JBTE was established by an ordinance of the UWI with the objectives of approving syllabuses, conducting examinations, awarding certificates and making recommendations to the appropriate bodies on matters related to teacher education. There is a committee structure with all lecturers in a subject forming a Board of Studies which make recommendations to the appropriate committee which in turn forwards to the JBTE for approval. Like the public universities, the teachers' colleges are government funded. However, unlike the universities, they are regulated and monitored by the MOEYC.

Community colleges

Each of the eight community colleges has a principal, a vice principal and other administrators that have responsibility for the administration of that college. In addition, the Council of Community Colleges (CCCJ) was established to supervise and co-ordinate the work of the community colleges. The Council of Community Colleges Act of Jamaica established the CCCJ as a statutory body the function of which is to *inter alia*, co-ordinate the work of the community colleges, consider recommend and approve curricula, examine and assess the work of students in training advise the Minister on policy and education matters, and determine conditions for the holding of examinations leading to the award of degrees, diplomas and certificates. All principals and vice principals of each college are members of this body.

The various Acts of Parliament addressing higher education in Jamaica are as follows:

1. University Hospital Act (Nov 26, 1948)
2. Education Act (December 16, 1965)
3. Students Loan Fund Act (July 1, 1971)
4. Council of Legal Education Act (April 1, 1974)
5. University Council of Jamaica Act (October 1, 1987)
6. The University Students Cess Act (May 2, 1988)
7. University of Technology, Jamaica Act (June 29, 1999)
8. Council of Community Colleges of Jamaica Act (December 31, 2001)
9. University of the West Indies, Mona Campus Security Act (October 14, 2002)

Details of four of these Acts may be found in Appendices 1-4.

2.5 Higher education co-ordinating entities and their characteristics

There are now many co-ordinating entities that regulate, co-ordinate and monitor the higher education sector. These agencies are: The University Council of Jamaica (UCJ), the Joint Committee for Tertiary Education (JCTE), the Tertiary Qualifications Framework (TQF), the Caribbean Area Network for Quality Assurance in Tertiary Education (CANQATE), the Council of Community Colleges (CCCJ), the Joint Board of

Teacher Education (JBTE), Association of Caribbean Tertiary Institutions (ACTI), and the Tertiary Level Institution Unit (TLIU) of the University of the West Indies.

The University Council of Jamaica (UCJ) which is the national body for assuring quality and the adherence to standards has already been described in Section 1.3 and 2.2. The Council also co-ordinates the work of the *Joint Committee for Tertiary Education* (JCTE). This joint committee has as its mission ‘the promotion of tertiary education and training in Jamaica, the strengthening of tertiary institutions and training units, both public and private, the pooling of resources and sharing of experiences to promote a common education management culture’ (Joint Committee on Tertiary Education, 1991, 2). The UCJ has published the *Tertiary Qualifications Framework* which seeks to provide a comprehensive framework for standardizing the academic and vocational qualifications available in the higher education sector. The framework contains the main criteria for defining qualifications at each level and in each category of qualification. This qualifications framework facilitates articulation of programmes and the transfer of credits between institutions.

The *Caribbean Area Network for Quality Assurance in Tertiary Education (CANQATE)* of which the UCJ is a member serves to enhance academic professional and collegial support in quality assurance. The *Association of Caribbean Tertiary Institutions (ACTI)* also aims to co-ordinate the work of the higher education institutions in the Caribbean and in particular to facilitate matriculation of graduates of the colleges to the universities. The *Tertiary Level Institutions Unit* of the University of the West Indies is a regional entity with a unit on each campus of the UWI charged with enhancing access to tertiary education by linking the University’s resources, programmes and services to the development of tertiary education institutions. All these various entities were established to co-ordinate the work of higher education institutions and to enhance the quality of curricular offerings.

2.6 Postgraduate Studies

The University of the West Indies is the main research institution in Jamaica. It offers postgraduate programmes in all five faculties of Humanities and Education, Law, Medical Sciences, Social Sciences and Pure and Applied Sciences. Postgraduate degrees are offered at both the Masters and Ph.D levels, and are offered both part-time and full-time, as well as during the summer. Some postgraduate programmes are also offered at the other two universities. Northern Caribbean University offers eight post graduate programmes that offer degrees at the Masters and Ph.D. levels. UTECH offers one Masters programme in Architecture. The VTDI offers an Ed.D. in Instructional Technology and Distance Education.

Universities which are headquartered in other countries also offer postgraduate programmes, some in affiliation with local teachers colleges. The postgraduate studies are all at the Masters level except for the Ph.D. programme in Instructional Design offered in affiliation with Mico College. These foreign-based Universities are listed below, with the local affiliation indicated in parentheses where applicable.

- Florida International University
- Mount St. Vincent University (St. Josephs Teachers College)
- Nova Southeastern University (Mico College)
- University of South Florida (Shortwood Teachers College)
- University of New Orleans
- Temple University (Church Teachers College)
- University of Southern Carolina.
- Central Connecticut (Sam Sharpe Teachers College)

In addition to these Universities, there are private institutions that offer professional programmes such as the ACCA which are accepted as equivalent to post graduate work.

2.7 Systems of Evaluation and Accreditation of Higher Education Institutions

Evaluation of higher education institutions is conducted to ensure that internal operating standards are observed and that quality is maintained. Evaluation can be conducted

internally as well as externally, and is voluntary. The University Council of Jamaica (UCJ) is the body that is charged with conducting external evaluation and accreditation of all higher education systems in Jamaica. The UCJ evaluates and registers institutions, and evaluates accredits programmes of these institutions. Programmes accredited by the UCJ have to apply for re-accreditation every four (4) years, depending on the assessment of the UCJ. External evaluation may also be conducted by other accreditation bodies external to Jamaica. The University of Technology uses an external method of evaluation for quality assurance, and relies on the UCJ for evaluation and accreditation of its programmes. Northern Caribbean University also relies on external accreditation of the UCJ as well as other accreditation bodies in the U.S.A. The University of the West Indies on the other hand, relies on internal evaluation of its programmes which is conducted by the Quality Assurance Unit, a part of the Board for Undergraduate Studies. Each department undergoes an internal quality review process every five years.

The Joint Board of Teacher Education (JBTE), established by an ordinance of the University of the West Indies, is an examination and accreditation which evaluates the teacher education programmes offered by the teachers' colleges operating in Jamaica.

Programmes offered at local institutions may also be accredited by recognized foreign accreditation agencies, such as the American Council on Education (ACE), and the Southern Association of Colleges and Schools (SACS). However, only a small number of locally offered programmes are accredited by these foreign accreditation agencies. Foreign-based institutions operating in Jamaica are usually accredited by accreditation councils in their respective countries. The UCJ accredits their local operations to ensure that standards are the same as those applied in the base countries.

2.8 Internationalization of Higher Education and Inter-Institutional Cooperation

Internationalization is defined as a process whereby societies are in a constant interaction across spaces. This process is usually driven at the level of the individual (Beckles, 2000). In this respect, there was internationalization of higher education before the

establishment of the tertiary education system in Jamaica, since many young people were obliged to go to foreign colleges and universities to pursue a higher education. Because of the limited offerings and limited access, many Jamaicans gained access to higher education through correspondence and distance learning courses offered in foreign countries - mainly the United Kingdom. Today, many Jamaicans still go abroad to continue their education. Internationalization of higher education became more widespread with the establishment of foreign institutions on the Jamaica shores. The first such institution was the Jamaica Institute of Bankers a company- owned institution based in the UK established in 1976. Its first enrolment was two hundred and twenty three (223) students. The Nova Southeastern University established an institution in 1980, with an initial enrolment of three hundred (300) part time students pursuing bachelor and masters degree. The full complement of sixteen (16) teaching staff came directly from the main campus in Fort Lauderdale. Today there are nine foreign institutions offering programmes in various areas including Business Administration, Education and Accounting.

2.8.1 Accreditation and recognition of degrees.

As described in previous sections, the UCJ is the agency created by an Act of Parliament to evaluate and register all higher education institutions and to accredit the programmes of local and foreign based institutions. The UCJ has developed the Tertiary Qualifications Framework which is intended to standardize academic and vocational qualifications available in the higher education and training system in Jamaica. The framework contains the main criteria for defining qualifications at each level and in each category of qualification. It thus provides a methodology for assessing the qualifications offered by institutions and for placing a value on them. This qualifications framework facilitates articulation of programmes and the transfer of credits between institutions, thus facilitating articulation between programmes. This framework also facilitates transfer of credits to institutions overseas, and credits from Jamaican higher education institutions are accepted in several institutions in the UK, USA, Canada, Australia and other parts of the world.

Programmes that are accredited by the UCJ are recognized by other national accreditation agencies such as Southern Association of Colleges and Schools (SACS). The UCJ also works very closely with the agencies and embassies responsible for credentials equivalency in the UK, Canada and the USA. The UWI and other higher education institutions also have articulation arrangements with other universities colleges and schools internationally. In addition, Memorandums of Understanding have been signed by local higher education institutions to recognize programmes offered by foreign institutions that are accredited by the UCJ.

3. ACCESS TO HIGHER EDUCATION AND ITS DEMOGRAPHIC COVERAGE

Access to higher or higher education can be defined as the capacity to provide higher education to those who possess the physical, psychological, mental and psychological ability to undertake this level of education. Admission policies, credentials required, minimum age requirements and sources of financing all have an impact on access.

3.1 Procedures for Accessing Higher Education

Since independence in 1962, governments of Jamaica have tried to widen access to education at all levels of the education sector to all social classes. Success has been achieved at the primary and secondary levels. At the higher education level, only 6.6 percent of the 18-24 age cohorts in Jamaica accessed higher education in 1997, with 1.7 percent accessing university education. (World Bank, 2000). Following the CARICOM Declaration, in 1997 that access should be increased to 15 percent of the age cohort, Jamaica embarked on reforms and projects designed to increase access to higher education. Enrolment of the 18-14 age cohort is now estimated at 16.9 percent.

The emergence of various types of higher education institutions in the 90's further expanded access to higher education. Both local and foreign institutions have different admission requirements for the different types of institutions. The minimum entry requirement, however, for the higher education institutions operating in Jamaica is 4 or 5 subjects passed at the Caribbean Examination Council (CXC) or the equivalent, including English and Mathematics (University Council of Jamaica, 2003). The University of the West Indies is an exception as the minimum requirement for matriculation, the CAPE and/or A Level examination or their equivalent.

Accelerated programmes typically require CAPE or its equivalent. Students can also use Associate degrees, professional diplomas, and two year-long certificates as minimum requisites. To pursue programmes at the Masters Level, a baccalaureate degree is normally required. The duration of years for a baccalaureate is normally 4 years full- time

beyond the CXC. Masters programmes normally are usually of 24 months duration, full-time and 36 months part-time, beyond the Bachelors degree, while doctoral programmes normally require 3 years full-time or 5 years part-time, beyond the Masters level.

Diplomas are of two types – the Undergraduate and Postgraduate, and are normally terminal qualifications. The former is normally two years in duration while the latter is normally 1 year in duration. These specifications are set out in the UCJ's Tertiary Qualifications Framework. Since 2000, each programme is presented on a semester basis. Professional programmes such those for teachers and nurses require three years full-time.

In addition to certificates and diplomas, other matriculation criteria exist at the higher education level in accordance with the institution's admissions policy. Experiential learning, mature entry, prior learning and portfolio assessment are accommodated at higher education institutions, in order to facilitate access. Portfolio assessment is relevant to institutions that emphasize vocational education. All three local universities, other public institutions as well as foreign universities include mature and experiential learning as one set of admission criteria. Local private institutions focus more on credentials for entry to the institutions. Table 2 below provides the entry requirements for each type of institution. The table indicates that 77 percent of the higher education institutions require CXC qualification or its equivalent.

A significant number of Jamaicans also go overseas to access higher education opportunities, and most choose the United States and Canada. Between 1980 and 1984, 8,951 United States visas were issued to students. Between 1980 and 1990, 1461 Canadian student visas were issued (Miller, 2005).

Table 2
Matriculation requirements of different institutions

Institution	CXC/ Equiv alent	CAPE/ Equivale nt	Diplom a	Certificat e	Portfolio Assessme nt	Mature Entry	Experiential	Degree
UWI		X	X	X				
UTech	X		X	X				
Teachers College	X	X						
Community Colleges	X	X						
School of Nursing	X							
Multi- Disciplinary	X	X		X				
HEART Trust/NTA					X	X	X	
VTDI	X		X		X		X	
Other TLI	X	X						
Foreign Institutions								X

Cost

In the post independence period, governments instituted policies to make higher education more affordable, in order to encourage more students to access higher education. In the 1970s, policies provided for free tuition in addition to loans for other costs such as accommodation and books. In the 1990's the government of Jamaica reversed this policy of free tuition at the higher education level, requiring that Jamaicans pay 15 percent of the economic costs of their programme at the public institutions.

Cost sharing schemes have been implemented that vary by type of institutions and programmes. At the same time, the MOEYC has instituted cost sharing policies which stipulate that no student will be denied access to higher education because of inability to

pay. In the case of professional programmes for teachers and nurses, there is a lower cost that students are required to pay. Cost sharing however, does not apply to private or off shore institutions. Students at these institutions are required to pay 100 percent of their tuition and other costs.

Students also access higher education by way of scholarships and grants, and they have to meet economic and academic criteria in order to receive these awards. Both government and private entities make scholarships and grants available at public institutions as well. Very few scholarships and grants are offered at the other local private and off-shore higher education institutions. Less than 2 percent of the student population at these institutions have access to scholarships and grants.

At the local universities in Jamaica, clear guidelines or policies exist to enhance the participation of the physically challenged or disabled in higher education. These guidelines do not exist in the private higher education institutions or at the offshore institutions operating in Jamaica. At the UWI, Mona campus, there were thirty nine students with disabilities in 1998/99 academic year, thirty one students in 1999/2000 and thirty in 2000/01. The majority of these students were enrolled in the faculties of Humanities and Education and Social Sciences. The MOEYC has established programmes to support the physically challenged students.

Age is one of the criteria for accessing and higher education. The minimum age for the UWI, Mona and the teachers colleges is 17 years. At all other higher education institutions, the age is approximately 16.

3.2 Entrance Examinations

Entrance examinations are conducted by institutions to further regulate access to the institution and/or special programmes of study. In addition to certification, some higher education institutions require that applicants sit an internal exam. Such examinations are normal in professional schools for teachers and nurses. At the UWI, internal

examinations are only required by the Faculties of Law and the Department of Media and Communication. Among the foreign based universities the GMAT examination is required for entry to some of the post graduate programmes. The main requisite for entrance examinations is a fee. Offshore institutions require that students pay a fee to sit at examination at the time of application. A fee is not required at the other local public institutions. Success in the internal examination together with the required certificates matriculate students to the institution.

3.3 Entities responsible for administering access

The higher education institutions operating in Jamaica are responsible for administering access to their institutions. However, it is required that admission procedures of students to institutions be fair and transparent, in accordance with the general guidelines established by the MOEYC and the UCJ, national quality assurance body. It is also a requirement that persons who undertake admission responsibilities are properly trained so that they can recognize genuine need and potential in order to make fair access decisions. The UCJ requires that all registered institutions observe this requirement. It also requires that admission procedures be clearly outlined in student handbooks or the institution's prospectus.

3.4 Demographic Coverage

The percentage of the 18-14 age cohort enrolled in higher education institutions now stands at 16.9 Percent.

4. Higher Education Administration and Management

4.1 Types of Administration of Higher Education Institutions

Various administrative and management arrangements exist within the higher education institutions. Description of these arrangements will be limited to the Universities, teachers colleges and community colleges.

At UWI, the governing bodies are the Council and the Senate as well as various committees which make recommendations that are later approved by Council or Senate. The Senate represents the academic authority of the University, controlling the direction of research, instruction and examination. On each campus, an Academic Board comprising deans of faculties, heads of departments and professors, makes recommendations to the Council and the Senate. Each individual campus of UWI has an organizational structure comprising the campus administration, academic teaching faculties and research entities. The administration comprises the Office of the campus principal, deputy principal and staff, the campus registrar and staff, the public relations office, the campus archives, the Office of Student services and the Halls of Residence. There are also the campus bursary, maintenance services, health services, information technology services and campus libraries. The academic teaching faculties of which there are five, are responsible for administering the academic programmes offered by the University.

At UTECH, the governing bodies are the Council and an Academic Board. The Governing Council is the supreme University body that has legal responsibility for all University matters. The Academic Board is the highest authority with respect to academic matters and is responsible to the Governing Council. The University is organized into five faculties with each faculty managed by a Faculty Board chaired by the respective dean. The Faculty Board reports to the Academic Board and is responsible for the administration and academic affairs of that faculty.

At Northern Caribbean University, there is a Board of Governors to whom the president is responsible. The academic departments report to six schools each of which is headed by a dean.

Each of the ten teachers colleges has a principal, vice-principal(s) and other administrators that are responsible for matters related to that college. In addition, all colleges are governed by decisions of the Joint Board of Teacher Education (JBTE), a body representing all teachers colleges, the Ministry of Education Youth and Culture, the Jamaica Teachers Association (JTA) and the Institute of Education. The JBTE was established by an ordinance of the UWI with the objectives of approving syllabuses, conducting examinations, awarding certificates and making recommendations to the appropriate bodies on matters related to teacher education. There is a committee structure with all lecturers in a subject forming a Board of Studies which make recommendations to the appropriate committee which in turn forwards to the JBTE for approval. Like the public universities the teachers' colleges are government funded, and are regulated and monitored by the MOEYC.

Each of the eight community colleges has a principal, a vice principal and other administrators that have responsibility for the administration of that college. In addition, the Council of Community Colleges (CCCJ) co-ordinates the work of all community colleges. All principals and vice principals of each college are members of this body. The MOEYC is represented on the board of each community college.

4.2 Appointment of Authorities

The Charter and Acts of Parliament establishing the two public Universities and the private University specified the positions of authority the Boards and Councils in each institution. The President or Principal is appointed for a fixed period of time. All positions are advertised first internally then externally, and all appointments are made in accordance with the policy of the government and the institutions. Academic staff are recruited after a process on international advertisement. Regular performance appraisal of staff is carried out and promotions or renewal of contracts is based on performance.

At the private institutions Board of Directors own shares in the institutions. These institutions have exclusive autonomy as they are privately owned

4.3 Relationships with the state

The person or persons representing the Ministry of Education Youth and Culture or the Minister sit on the Council or Board of all public institutions. All public institutions are supported to varying degrees by the state. The Jamaican government also finances the institutions to varying degrees (see Section 6). All colleges are monitored and regulated by the Tertiary Unit of the MOEYC. This regulation and monitoring do not apply to the two public universities.

4.4 Accountability Procedures

Because the state finances these institutions, they have to be accountable to the state. To this end, annual reports and institutional budgets have to be submitted for approval, and all accounts are scrutinized on an annual basis by the auditors of the MOEYC.

5 The Principal Actors in Higher Education 1990 – present

The principal actors in higher education are the students, the teaching and research staff, and the administrators. This section will present data on the students and the teaching and research staff.

5.1 Students' characteristics

The student characteristics to be described in this section refer to the gender composition, and the percentage of full time students.

The undergraduate student body at the University of the West Indies had the following characteristics in the 2003-2004 academic year: 71 percent full time, and 29 percent part time; 72 percent female versus 28 percent male. The Faculty of Social Sciences was the most frequently chosen faculty followed by the Faculty of Humanities and Education and the Faculty of Pure and Applied Sciences. Students enrolled in the graduate programmes had the following characteristics: 61 percent part time compared with 39 percent full time, and 67 percent female compared with 33 percent male.

The student body at the University of Technology had the following characteristics in the 2003/2004 academic year: 58 percent full time versus 42 percent part time and 45.7 percent male compared with 54.3 percent female. At Northern Caribbean University, the student body had the following characteristics: 62 percent full-time and 38 percent part-time, 79 percent female and 21 percent male.

Enrolment in the ten teachers colleges in 2001/2002 totaled 4728, 81 percent of which was female and 19 percent male. Enrolment in the community colleges in 2001/2002 was 8235 64 percent of which was female and 36 percent male (MOEYC, 2002)

At the public institutions, more students enroll for full-time studies than part-time studies. At the private institutions on the other hand, more than 80 percent offer mainly part time

studies. The foreign based institutions offer mainly part-time programmes, with only 20 percent offering full-time programmes (University Council of Jamaica, 2003).

5.1.2 Evolution of characteristics of the student population

The data above show that females outnumber males in enrollment in both full time and part time programmes. At the same time, there are more full-time students in the public institutions and more part time students in the private institutions. The presence of more private institutions that offer part-time programmes to meet the needs of working persons has influenced the growth in part-time studies.

5.1.3 Students' representative organizations at the institutional and national levels

Students Councils or Guilds exist in all public higher education institutions. The president of the council/guild normally sits on the Board or council of the institution. Student governments are active in Jamaica representing the interests of students in all areas of student life. Student representative organizations do not exist in the local private institutions in Jamaica. However, such organizations exist at the private university.

Foreign based institutions do not make provision for student organizations. Grievances are addressed through the programme coordinators in Jamaica.

5.1.4. Student Aid Programmes (Scholarships etc.)

Student Aid programmes are designed to better serve the student body and to improve the conditions that contribute to the students learning and development. The MOEYC other agencies and private sector companies offer scholarships for public institutions only, as well as for study in foreign institutions. In addition, students are able to obtain loans from the Student Loan Bureau. Aid to students comes in a variety of forms: grants, bursaries, financial assistance, scholarships, fellowships, loan schemes, and corporate sponsorship.

Colleges and universities continuously seek additional scholarships, fellowships and loan schemes to lower the costs of higher education to students of all income groups. In

addition to government scholarship programmes, numerous scholarships, grants and awards are provided by the private sector. These awards range in value from \$1,000 to \$1 million dollars. These scholarships have conditions of eligibility including nationality, place of study, age, programme of study and minimum grade point average. Foreign institutions operating in Jamaica do not offer scholarships to local students.

5.1.5 Students' international Mobility

Students' international mobility involves the movement of Jamaican nationals across international borders to access higher education. Students' mobility has been a part of Jamaica's history since the days when those desiring higher education were obliged to seek it overseas. (See section 1). Foreign or "offshore" institutions operating in Jamaica require that students pursue a part of the programme of study in the base country. For example, Nova Southeastern University requires that students pursue part of the final semester at the base campus, and Mount St. Vincent University requires that students pursue summer sessions in Canada. These requirements do not include faculty exchanges.

5.2 The Teaching and Research Staff

The academic staff are another group of the principal actors at the higher education institutions.

5.2.1 Teaching and Research Staff

The UWI is the only institution that employs staff defined as research staff. Most staff employed in the higher education institutions are teaching staff. All public colleges and universities employ a cadre of highly qualified full-time and part-time teaching staff. More than 70 percent of university academic staff members are employed on a full-time basis. At the UWI Mona campus, there were 606 academic staff members employed to that institution in 2003/2004, of which 485 or 80 percent were full time, while 20 percent were part-time. The gender distribution was: 55 percent male and 45 percent female. At the UTECH, there were 286 academic staff of which 47 percent were male and 53 percent were female.

At the teachers' and community colleges more than 50 percent of the faculty are employed on a full-time basis, and 30 percent are males and 70 percent females (University Council of Jamaica, 2003). Public and private higher education institutions employ many adjunct academic staff. In some institutions, more than 60 percent of the staff are adjunct faculty (University Council of Jamaica, 2003)

Academic staff at the three local universities are recruited locally and internationally in accordance with stated government policy on faculty recruitment. At the other higher education institutions academic staff are mainly recruited locally. At the foreign based institutions academic staff are supplied directly from the main campuses of the host country and supplemented by local adjunct faculty (University Council of Jamaica, 2003)

The qualifications of academic staff at the higher education institutions vary. At the UWI, in 2003-2004, 59 percent of academic staff had a doctorate degree, 28 percent had a Masters degree, and 13 percent had a Bachelors. At Northern Caribbean University, 20 percent had a doctorate degree, 64 percent had a Masters degree and 16 percent had a bachelors degree. Most academic staff in the teachers colleges and the community colleges have at least a Masters degree and many have a doctorate degree. Staff in these institutions who do not possess an advanced degree are normally enrolled in postgraduate programmes.

It is the requirement of the national accreditation agency that teaching faculty hold qualifications at least one level above the degree for which they are preparing students. Thus, academic staff in a Bachelors programme are required to have at least a Masters degree.

5.2.3 Organizations representing teaching and research staff

Teaching and research staff in the public institutions are represented by teachers unions. The union is dependent upon the level and type of institution. The University of the West Indies is represented by the West Indies Group of Universities, Teacher (WIGUT). This body represents the highest faculty negotiation body in the higher education sector. The

University of Technology, Jamaica is represented by UTAS. The community and teachers colleges are represented by the Jamaica Teachers' Association. No union representation exists in the private higher education or the "off-shore" institution operating in Jamaica. There is no representation at the international level for teaching and research faculty.

5.2.4. Recruitment and Selection

Because the caliber of staff is critical to the status and outcomes of higher education institutions, they are careful to recruit and select faculty and staff of the highest quality. At the university and other public institutions, and as a policy of the state, academic staff are recruited locally in the first instance and then externally if the institution is unable to fill positions from within. Faculties also seek to fill positions before they are advertised externally. If internal recruitment fails, positions are advertised in the local print and electronic advertisement media including the internet. As part of the selection mechanism at the public and private universities, candidates are interviewed at least three (3) times by different levels of authority in the institution before a selection is made. This is to ensure that the best person to is selected and that the process is transparent.

At each institution, there are clear career paths for faculty which are described in policy documents of the institution. At the UWI, the career ladder is assistant lecturer, lecturer, senior lecturer and professor. At the community colleges and the teachers colleges, the path is assistant lecturer, lecturer, lecturer 1 and lecturer II to senior lecturer. Promotion is based on a number of criteria depending on the type of higher education institution. These criteria usually include, years of service, teaching load, research and publication, professional participation and public service or service to the community and service to the institutions.

Promotion of staff at the offshore institutions is based on criteria existing at the base institution. Information on this is not presently available, since neither recruitment selection nor promotion is done in Jamaica.

6. HIGHER EDUCATION FINANCING

6.1 Sources of financing

In Jamaica, higher education is financed primarily by the state. A small number of private sector entities also provide financing of higher education. This contribution is purely philanthropic and regarded as a corporate responsibility or as a contribution from alumni. In Jamaica, however, the private sector is not required to contribute to higher education.

6.2 Allocation of Resources

The government's contribution to the higher education institutions varies. The Jamaican government finances on average 41 percent of the recurrent budget (salary and related items) of UTECH, 60-85 percent for the community colleges, 70-80 percent for the teachers colleges and 80 percent of the budget of UWI. In 2004-2005, the state allocated 6 percent of the recurrent and capital budget towards higher education (Davies, 2005). This figure excludes approximately \$4.5 billion in obligations, interest and principal payments on behalf of institutions. This amount is substantially less than the amount allocated to primary and secondary education as shown in Table 3. The table also shows that in 2001-2002, the higher education sector received 18.28 percent of the budget compared with 35.48 percent for primary education and 35.16 for secondary education.

Table 3
Recurrent Expenditure on Education by Sub- Sectors
1975 to 2002

Year	Total	Primary	Secondary	Tertiary
1975/1976R	100.00	33.33	32.12	11.71
1976/1977R	100.00	35.18	30.59	13.21
1977/1978	100.00	36.22	31.53	13.19
1978/1979R	100.00	29.55	29.69	21.47
1979/1980R	100.00	30.06	36.58	18.88
1980/1981R	100.00	32.37	31.27	21.90
1981/1982	100.00	33.22	33.66	25.91
1982/1983	100.00	31.89	34.47	22.65
1983/1984	100.00	34.39	36.29	22.23
1984/1985	100.00	35.19	36.33	21.23

1985/1986	100.00	33.20	36.04	22.39
1986/1987R	100.00	31.59	37.65	23.51
1987/1988	100.00	30.83	30.89	21.63
1988/1989	100.00	30.61	30.32	21.96
1989/1990	100.00	32.56	29.70	21.43
1990/1991R	100.00	35.36	31.25	22.80
1991/1992	100.00	32.20	28.67	18.35
1992//1993	100.00	28.96	26.24	21.29
1993/1994	100.00	32.43	30.15	15.95
1994/1995	100.00	28.12	28.26	21.21
1995/1996R	100.00	32.28	27.55	18.52
1996/1997	100.00	32.02	27.33	18.10
1997/1998R	100.00	33.88	27.32	18.48
1998/1999R	100.00	31.55	27.81	16.81
1999/2000R	100.00	31.82	27.78	15.79
2000/2001	100.00	35.85	33.18	19.10
2001/2002R	100.00	35.48	35.16	18.28

Source: Education Statistics, Economic and Social Survey Jamaica, PIOJ, STATIN Yearbook

Other sectors of education, especially the primary sector have increased as a proportion of the recurrent budget. The government's capital investment in education was 2.0 percent between the 1975 to 1995 period, 99 percent of which was invested in primary and secondary education. Table 4 presents the government's capital expenditure in education

Table 4
Government' s Capital Expenditure on Education Sectors: J\$M Current \$

Year	Total	Primary	Secondary	Tertiary
1975/1976R	33.83	8.59	18.10	0.86
1976/1977R	22.97	6.15	17.55	0.49
1977/1978R	8.08	1.73	3.16	0.06
1978/1979R	30.10	2.88	11.85	1.64
1979/1980R	18.19	1.32	3.42	1.78
1980/1981R	22.65	5.04	1.89	0.00
1981/1982	14.45	4.07	4.63	0.00
1982/1983	17.69	10.65	4.26	0.00
1983/1984	23.32	9.10	2.58	0.00
1984/1985	16.81	12.42	1.31	0.00
1985/1986	21.00	15.71	0.91	0.00
1986/1987	34.98	27.13	5.00	0.00
1987/1988	46.51	39.28	5.42	0.00
1988/1989	198.41	68.96	51.31	0.00

1989/1990	199.01	54.46	40.71	0.00
1990/1991R	197.35	46.35	32.60	0.00
1991/1992	198.60	38.91	61.54	0.70
1992/1993	277.59	73.60	89.20	0.80
1993/1994	435.00	190.53	92.83	0.10
1994/1995	666.15	240.83	176.74	1.50
1995/1996R	665.00	216.50	185.37	0.00
1996/1997	844.95	440.34	227.01	0.00
1997/1998R	916.05	405.12	212.76	16.00
1998/1999R	1250.58	517.03	568.80	0.00
1999/2000R	1017.74	440.01	449.16	0.00
2000/2001	973.00	546.18	274.46	42.88
2001/2002R	485.64	257.12	168.27	13.53

Source: Education Statistics, Economic and Social Survey Jamaica, PIOJ, STATIN Yearbook

Since 1993, the private share of education has increased from 12.5 to 21 percent of total investment in education. However, national education spending has fluctuated by about 10 percent of GDP and on higher education by roughly 2 percent. In the same period, the share of expenditure on higher education has fallen from 23 percent to roughly 19 percent in 2001.

6.3 Management Strategies and Use of Funds

Management strategies are the various methods used by public and private institutions, to operate their institutions effectively and efficiently within the constraints of limited resources. In Jamaica, each type of institution establishes its tuition fee in accordance with government policy. Tuition fees vary however depending on the type of institution and by programme. For the 2005/2006 academic year, full time fee for nationals were as follows:

Professional diplomas \$43, 000 per annum

Associate degree on average \$90,000 per annum;.

Bachelors \$128,000;

Masters \$128,000 and PhD \$128,000.

The cost for the Faculty of Medical Sciences at the University of the West Indies is \$208,813 full time and 104,407 part time.

Non-Jamaican students are required to pay higher fees than Jamaican nationals. There is also a difference in fees for part-time students. Institutions may also apply a number of other charges including health insurance, residence hall fees, library fees, and miscellaneous fees for sundry matters such as identification cards. Other administrative fees may be charged for late payment of fees, re-sits and add-drop

At the local private higher education institutions, fees vary. As the institutions are operating in a competitive education marketplace, they set their fees at rates that they consider competitive. Costs of education at the private and foreign institutions are much more than at the public universities.

7. Research in Higher Education

Because the University of the West Indies is designated the research institution in the region, most of the research in higher education is carried out by researchers in that institution. However some research is also conducted at UTECH and the Northern Caribbean University.

7.1 Research in the scientific humanistic and humanistic fields

At the UWI, there are research centres or units whose mandate is to conduct research. These centres are regional in scope and each is represented on the Mona campus. There are six such centres/units: the Centre for Environment and Development (UWICED), the Centre for Gender and Development Studies, Cultural Studies Initiative, the Institute of Education, and the Sir Arthur Lewis Institute for Social and Economic Studies, and the Tropical Medicine Research Institute. Research is also carried out by the Mona School of Business Research and Policy Group. In addition to these centres, specially funded professorships such as the Alcan Professor in Caribbean Sustainable Development and the Michael Manley Professor of Public Affairs and Policy conduct research as part of its mandate. Researchers also partner with their peers in other disciplines to conduct inter-disciplinary research. Research is also conducted by individual lecturers who are required to do research as a criterion for promotion. Such individual research reflects the discipline and personal interests of the lecturer.

The major research highlights reported for the academic year are presented below by centre/unit.

Centre for Gender and Development Studies

Gender Differentials at the Secondary and Tertiary level in the Anglophone Caribbean

The Root Causes of Gender-Based Violence

Institute of Education

Members of the Institute of Education undertook several research projects in the following areas: the context of education and schooling; curriculum innovation and development; and teacher education. A few of the research projects are listed below.

Gender Differences in Academic Achievement at the Secondary Level
Gender Perspectives on the School Experience
The Transition of Jamaican Students from Pre-primary to Primary School
Challenges of Delivering Computer Instruction in Jamaican Schools
Music in Jamaican Secondary Schools
Evaluation of the ROSE Curriculum in a Sample of Grade 8 Classrooms
The Cognitive Abilities and Personality Characteristics of Students in the Teachers Colleges
Music Education in the Caribbean
A Study of the Development of New Teacher Educators
(Institute of Education, 2003)

Sir Arthur Lewis Institute for Social and Economic Studies

Evaluation of the National Poverty Eradication Programme
Assessment of the Impact of Imprisonment on Women
Evaluation of the Youth Information Centres in Jamaica
A socio-economic survey of jurors on rape/carnal abuse cases in Jamaica.

Tropical Medicine Research Institute

Several research projects were conducted in the following areas: Metabolism, Molecular Genetics, Foetal origins of adult disease, Cardiovascular physiology, Genetics, Metabolism, Cardiovascular diseases, HTLV-1 Epidemiology, Nutrition, Health, Development and Behaviour in Early Childhood, Nutrition, Health, Cognitive ability and behaviour in school aged children, Adult Nutrition, Chronic Diseases Epidemiology, Health Economics and Infectious diseases Epidemiology.

The Michael Manley Professor conducted research on various aspects of public policy and the Alcan Professor in Caribbean Sustainable Development conducted research on various aspects of sustainable development. The Mona School of Business Research and Policy Group conducted research that resulted in publications related to a National Tertiary Education policy, Policy Guidelines and Recommendations for the New Caribbean Economy and Labour and Employment Relations policies.

With respect to inter-disciplinary research, the Faculty of Medical Sciences collaborated with the International Centre for Nuclear Sciences to examine the relationship between soil the food and human health, and an island wide survey of basic school children for lead poisoning. (UWI, Vice-Chancellor's Report to Council, 2005, PIOJ, 2004).

At UTECH a major project to determine the thermal coefficient of heat transfer for a composite building material was undertaken.

7.2 Research on higher education

The research conducted on higher has included research on teacher education, the practicum, the process of learning to teach, and the process of becoming a teacher educator – carried out by the Institute of Education. A study was also conducted to determine employers' perceptions of the graduates of UWI, perceptions of final year students of UWI, and perception of quality at the community college level. The Mona School of Business Research and Policy Group conducted research that resulted in publications related to a National Tertiary Education policy. There has been a great deal of effort in the past five years to document the current state of higher education in Jamaica and the Caribbean – with respect to policies, programmes, standards and mechanisms for accreditation.

7.3 Financing of research

At UWI, research grants are made available to new and more experienced staff as well as to graduate students who are undertaking research. Commissioned research is also

funded by private organizations. Funding of specific professorial posts is also one way in which the private sector contributes to the funding of research.

8. Place and Role of the new information and communication technologies (ICTS) in higher education.

The use of technology to deliver courses has been a feature of Jamaican higher education since the first half of the 20th century, when higher education could only be accessed through correspondence courses. The correspondence course package included printed, technology, telephone, audio cassettes and videotapes. Distance education was introduced at the UWI's Mona campus in 1981.

The role of information technology has expanded in the last decade. The first government funded institution to advance distance education in the 1980's in Jamaica is University of the West Indies, Mona through its Distance Education programme (UWIDITE), which delivered instruction by audio conferences. With the INTERNET, the online mode of delivery of education became possible. Internet based technologies extend distance learning systems to a broader group of students, ranging from those in sparsely populated, remote areas to those living in densely populated urban areas. Distance learning, made available through radio, television, and the INTERNET have expanded enormously, making geographical location no longer a deterrent to accessing higher education.

With the expansion of access to higher education and the large number of adults that seek higher education, online options have made access more practical and cost effective. This has resulted in increased access and enrolment.

All local public and private higher education institutions have access to the information and communication technologies. Among the institutions registered by the UCJ, all have computer laboratories where faculty and students can gain access to the World Wide Web. The UCJ requires that student resources and facilities in registered institution be up-to-date. The most common software used by staff and students is Microsoft office.

Those higher education institutions that do not have web pages are in the process of developing electronic data bases of students' data, library resources and facilities.

The three universities in Jamaica provide extensive internet and intranet services to staff and students that allow them to communicate with its locations in different parts of the island. Provision of course syllabi, registration, delivery of lectures are all done via the internet. Faculty members are also encouraged to design websites for their courses. Lecture theatres at the UWI are equipped with advanced technologies including LCD projectors. Students can therefore access programmes/courses/lectures delivered on other UWI campuses. Despite these developments, the majority of programmes delivered in Jamaica are delivered face-to-face. Thus only a small percentage of programmes/courses/lectures in the higher education sector is done by distance. Among the local higher education institutions, the University of the West Indies leads in technology capacity, and is now delivering several courses and programmes online.

Use of ICT technologies has facilitated institutional collaboration in the delivery of programmes, and UWI is taking advantage of this facility. During the academic year 2001/2002, the UWI through its online offerings, distance education centres and its collaboration arrangements with other institutions enrolled a total of 2,324 students in off campus programmes. This number represents an increase of 11 percent over 2000/2001 academic years. Forty (40) percent or 1,522 of the off-campus 2,324 students, were enrolled in degree programmes offered online, through the UWI Distance Education Centres and also through new and existing collaborations with affiliate higher education level institutions. A total 184 off campus students enrolled in postgraduate programmes and 1,338 in first degree programmes. The remaining 802 off campus students enrolled in certificate and diploma programme. Table 5 lists the institutions that collaborated with UWI to present programmes of that institution (UWI, Principal's Report 2002).

Table 5
Institutions presenting UWI's off campus programmes

Affiliate and Tertiary Level Institution		Programme		
	Certificate	First Degree	Higher Degree	Total
HUMANITIES AND EDUCATION				
St Michael Theological College	0	4	0	4
United Theological College	0	34	38	72
Edna Manley College of the Visual and Performing Arts	0	4	0	4
Shortwood Teachers' College	0	18	0	18
SUB TOTAL	0	60	38	98
PURE AND APPLIED SCIENCES				
Brown's Town Community College	0	6	0	6
EXED Community College	0	22	0	22
Knox Community College	0	11	0	11
Montego Bay Community College	0	20	0	20
SUB TOTAL	0	59	0	59
SOCIAL SCIENCES				
B&B Institute of business	79	0	0	79
Bahamas Baptist Community College	7	0	0	7
Bethlehem Moravian Teachers' College	5	0	0	5
Brown's Town Community College	42	0	0	42
EXED Community College	21	0	0	21
Institute of Management and Production	82	62	0	144
Institute of Management Sciences	10	0	0	10
Knox College	18	2	0	26
Management Institute for national Development	275	148	0	423
Moneague Teachers' College	8	0	0	8
Montego Bay Community College	22	25	0	47
Portmore Community College	61	0	0	61
Social Welfare Training Centre	80	139	0	219
Sub Total	710	382	0	1092
Total	710	501	38	1249

Source: Principal's Report 2002, UWI Mona Campus

The UWI also delivers a B.Ed programme by distance and seminar modes to some 3,000 secondary school teachers in ten disciplines. Arrangements have also been made with affiliated higher education institutions to offer programmes through distance education. These affiliated institutions are listed in Table 6 below.

Table 6
Colleges with affiliation arrangements with UWI

FACULTY/UWIDEC SITE		UWIDEC SITE Programme		
	Certificate	First Degree	Higher Degree	Total
Mona Campus				
Savanna-la-mar				
HUMANITIES & EDUCATION: EDUCATION				
Brown's Town	3	21	0	24
Denbigh High School	5	14	0	19
Mandeville	5	33	0	38
Mona Campus	17	81	2	100
Montego Bay	2	27	0	29
Morant Bay	3	16	0	19
Ocho Rios	1	11	0	12
Port Antonio	2	11	0	13
Savanna-la-mar	2	22	0	24
Vere Technical High School	1	4	30	35
SUB TOTAL	41	311	34	386
MEDICAL SCIENCES				
Mona Campus	0	0	112	112
SUB TOTAL	0	0	112	112
SCOCIAL SCIENCES				
Bahamas Baptist Community College	0	3	0	3
Brown's Town	0	22	0	22
Denbigh High School	6	44	0	50
Institute of Management and Production	0	1	0	1
Mandeville	0	34	0	34
Mona Campus	35	259	0	249
Montego Bay	3	34	0	37
Morant Bay	2	14	0	37
Ocho Rios	1	36	0	37
Port Antonio	0	13	0	13
Savanna-la-mar	0	38	0	38
School of Continuing Studies	1	0	0	1
St Kitts/Nevis Teachers' College	0	1	0	1
Vere Technical High School	3	27	0	30
SUB TOTAL	51	526	0	577
TOTAL	92	837	146	1075

Source: Principal's Report 2002, UWI Mona Campus

Several foreign institutions operating in Jamaica use a high degree of ICTS in their operations. Since lecturers are not based in Jamaica, communication is conducted via telephone, teleconferencing, or the internet. A combination of distance education and online delivery supplement the face-to-face instruction in programme delivery. Nova Southeastern University offers a programme in Distance Educational Instructional Design. More than 90 percent of these programmes are web based. Table 7 gives a list of programmes being offered or delivered online by the “off-shore” institutions in Jamaica.

Table 7
Programmes delivered online at foreign based universities

Institutions	Programmes		
	Bachelor	Master	PhD
Nova Southern University	✓	✓	✓
Florida International University		✓	
Mount St. Vincent		✓	
University of New Orleans		✓	
Temple		✓	

9. Recent Innovations, Reforms and Development Programmes

Recent innovations in higher education have been made at the institutional and programme levels. There has been the creation of multi-purpose or multi-disciplinary institutions mainly as a result of the amalgamation of smaller single-purpose institutions. Today there are three such multi-purpose colleges, formed as a result of a teachers college combining with another institution. At the institutional level also, the University of Technology and Northern Caribbean University were upgraded to university status in 1995 and 1999 respectively.

At the UWI, an internal Quality Assurance mechanism has been created to conduct internal reviews of all programmes in all faculties. Such evaluations often lead to reassessment and programme improvement. The UWI also established an Instructional Development Unit for the purpose of providing ongoing professional development for college lecturers. The aim of this Unit is to enhance the pedagogical skills of lecturers thus improving academic outcomes.

Many institutions have included regular summer offerings in an attempt to make programme delivery more convenient to students as well as to attract non-traditional students such as foreigners.

All private institutions, local and off-shore, are involved in redesigning curriculum and programmes so that they can gain the competitive edge. Registered foreign institutions, under the guidelines of the University Council of Jamaica, have redesigned curricula to include more local content. Registered foreign institutions are also including local teachers in the delivery of the programmes.

In earlier sections the delivery of degree programmes at the teachers colleges and community colleges was described. These Bachelors programmes are presented in collaboration with local and foreign based universities.

At the community colleges, a Council of Community Colleges of Jamaica (CCCJ), was formed in by ACT of Parliament in 2001. The functions of the CCCJ include, *inter alia*, the supervision and coordination of the work of the community colleges, and advising the Minister of Education Youth and Culture on policy and education matters relevant to community colleges. The community colleges now offer an Associate degree, which has been accepted for second year matriculation at the universities.

10. Evolutionary trends, future development prospects and plans

Synthesis

This report has shown that the higher education system has developed significantly since the early beginnings of the nineteenth century, to become a very diversified sector that seeks to address the growing demand for higher education. The presence of foreign based institutions has made the sector even more diverse and complex. In the last fifteen years, there have been major strides in the creation of mechanisms that regulate, co-ordinate, monitor the sector and the various higher education institutions and significant developments have taken place in the development of higher education policy. The descriptions of the various institutions indicate that there are variations in the administration, governance, programme offerings and student body of these institutions. Although colleges and universities offer degree programmes, a distinction is usually made between the University of the West Indies which is positioning itself as a research institution focusing on graduate education, and the other two universities which have less well developed research and graduate programmes.

Evolutionary trends

The main trends that are evident in the recent development of the sector have to do with: formalizing the policy framework that will guide higher education in Jamaica, increasing access to higher education, tightening the quality assurance mechanisms instituted in place in the past ten years, increasing the use of distance education and the use of instructional technology in this process, and strengthening research and graduate studies at all universities.

The Policy framework

The publication of the document 'Proposal for a National Tertiary Education System for Jamaica' represents a major development in policy formulation with respect to the higher education sector in Jamaica. The proposal, developed at the UWI will surely influence any policy framework that the MOEYC adopts.

Access

While Jamaica has already surpassed the goal of 15 percent of the age cohort gaining access to higher education specified by CARICOM, it is still behind the level of access that exists in other middle income countries. Furthermore it is known that higher education institutions do not at present satisfy the demand for higher education as most institutions are unable to accept all the students who apply. The question of access will also have to be informed by the quality of education at the secondary level and the number of students who leave that level with the knowledge and skills to take advantage of higher education.

Two significant trends that will have an impact on access are the devolution of programmes from the university to the colleges, and the increased use of distance education and ICT. Already UWI has begun to rationalize its relationship with the colleges, and the TLIU has been established for this purpose. Devolution and the expanding relationship with colleges have been accepted as part of the UWI's 2002-2007 five-year strategic plan.

In considering access, all institutions will face the challenge of achieving equity in access. There is at present an imbalance in admissions and in enrollment. This is especially dramatic at UWI, and less so at the other two universities. The institutions will be challenged to examine their curricula, teaching methods and the extent to which curricula are made practical and linked to the world of work. It has been shown that there are gender differences in the appeal of such curricula.

Quality assurance mechanisms

This report has documented the major strides that have been made with respect to quality assurance mechanisms in Jamaica. The University Council of Jamaica has as its specific mandate the assurance of quality at the higher education level. Higher education institutions are encouraged to work closely with the national accreditation body to ensure that minimum standards of operation in higher education are met and quality is maintained. In the context of globalization where higher education becomes even more

important as knowledge is recognized as the driving force behind economic growth and development, institutions are encouraged to conduct regular programme reviews. This is to ensure that the programmes are relevant and that the institutions are in fact responsive to the needs of students. At this time, participation in quality assurance is voluntary. However in order to ensure quality in all higher education institutions, it will be necessary that all programmes in all higher education institutions be mandatory.

Increasing the use of distance education and ICT

Increased use of distance education and ICT will have an impact on access. While all colleges are now using ICT to some extent for their instruction, expansion of the use of ICT must be a reality if greater access will be achieved. Increased use of distance education and instructional communication and technology will be necessary if access to higher education is to be increased and if the institutions are serious about making participation in higher education more convenient to students. The use of distance education and ICT will also allow the participation of more rural part-time students. At the moment the percentage of programmes delivered by distance is very small at all institutions of higher education. A recent survey of higher education students indicate that about one-half would like to take course by distance either solely or in combination with face to face instruction. (Davis-Morrison and Evans, 2004).

Strengthening of post graduate studies and research

In an environment where knowledge and skills become increasingly critical, the demand for higher education and in particular for post graduate training continues to grow. The UWI has already pinpointed postgraduate studies and research as one of its key objectives for the period 2002-2007. Emphasis will continue to be placed on this strategic objective. UTECH and Northern Caribbean University while placing emphasis on undergraduate teaching will also begin to place more emphasis on these vital areas as is evident in their plans for the next few years. These areas will continue to grow in the future, as the demand for specialized knowledge and skills continues to grow.

Appendix 1

Education Act (December 16, 1965)

Arrangement of Sections

Part I. Preliminary

1. Short title.
2. Interpretation.

Part II. Minister's Powers and Advisory Bodies

3. General powers of the Minister.
4. Particular powers.
5. Establishment and constitution of the Teachers Service Commission.
6. Special Committees.

Part III. The Statutory System of Education

7. Stages of the statutory system of public education.
8. Educational Boards.
9. Management of public educational institutions.
10. Minister's power to alter endowments.
11. Certain educational interests to be protected in schemes
12. when scheme requires assent of governing body
13. Procedure with regard to schemes
14. [Repealed by act 19 of 1980]
15. Loans to aid educational institutions.
16. Transfer of educational institutions to new sites.
17. Requirements to be fulfilled by public educational institutions.
18. conscience clause
19. Registration of students.

- 20. Declaration of compulsory education areas and compulsory school age.
- 21. Duty of parents to secure education of their children.
- 22. School attendance orders.
- 23. Authorization and powers of Attendance officers.
- 24. Children requiring special educational treatment.

Part IV. Independent Schools

- 25. Registration of independent schools
- 26. Independent schools committee.
- 27. Notices of complaint.
- 28. Determination of complaints.
- 29. Appeal to Minister.
- 30. Enforcement.
- 31. Removal of disqualifications.

Part V. Registration and Discipline of Teachers

- 32. Functions of the Teacher Service Commission.
- 33. Persons who may teach in a public educational institution.
- 34. Registration of teachers.
- 35. Grounds for refusal of registration.
- 36. Authorized teachers.
- 37. Appeals Tribunal.
- 38. Disciplinary penalties.

Part VI. General

- 39. Inspection of educational institutions.
- 40. Enquiry into management of endowed institutions.
- 41. Approval required for disposal of property included in endowment.
- 42. Certificate of age.
- 43. Regulations.
- 44. Wishes of parents to be considered in education of students.

Appendix 2

Council of Community Colleges of Jamaica Act (December 31, 2001)

Arrangement of Sections

1. Short title.
2. Interpretation

The Council of Community Colleges of Jamaica.

3. Establishment of Council.
4. Functions of the Council.
5. Ministerial directions.
6. Appointment of officers and other employees.
7. Pensions, gratuities and other retiring benefits.

Financial Provisions, Accounts and Reports

8. Funds and resources of the Council.
9. Power to invest moneys.
10. Borrowing powers.
11. Power of Minister of Finance to guarantee loans to Council.
12. Accounts and audit.
13. Annual report and estimates.
14. Power of Minister to require returns.
15. Exemption from taxes and duties.
16. Recovery of debts.

General

17. Regulations.

SCHEDULE.

No. 29-2001

I assent,

[L.S.]

H.F. Cooke,
Governor-General.
28th day of December, 2001.

An act to establish the Council of Community Colleges of Jamaica and for connected matters.

[28th December, 2002]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:-

	Preliminary
Short title	1. This Act may be cited as the Council of Community Colleges of Jamaica Act, 2001.
Interpretation	2. In this Act- “chairman” means the chairman of the Council; “Council” means the Council of Community Colleges of

Jamaica established under section 3;
“community college” has the meaning assigned to it by
section 2 of the Education Act.

Establishment Of Council	The Council of Community Colleges of Jamaica 3. (1) There is hereby established a body to be known as the Council of the community Colleges of Jamaica, which shall be a body corporate to which section 28 of the Interpretation Act shall apply.
Schedule.	(2) The provisions of the schedule shall have effect as to the constitution of the council and otherwise in relation thereto.
Functions of the Council	4. The Council shall- (a) supervise and co-ordinate the work community colleges; (b) promote the interests of community colleges; (c) advise the Minister on policy and education matters relevant to community colleges. (d) determine conditions for the holding of examinations leading to awards to persons who have pursued an approved course of study at a community college; (e) appoint such committees as it considers necessary for the furtherance of its functions; (f) provide professional development opportunities for members of staff of community colleges; (g) solicit or receive grants, donations, prizes or gifts on behalf of community colleges, subject to the approval of the Minister; (h) implement public awareness programmes; (i) consider, recommend or approve the curricula of community colleges; (j) examine and assess the work of students in training at community colleges.

(k) determine all matters and disputes which may be referred to it by any community college;

(l) prescribe the conditions under which persons may be admitted as students of a community college or of any particular course of study within a community college;

(m) collaborate with other institutions, including institutions of further and higher education, in provision of educational opportunities;

(n) institute such offices as the Council requires;

(o) perform such other functions as may be requisite to further its functions.

Ministerial
directions

5. The Minister may, after consultation with the chairman, give to council such directions of a general character as to the policy to be followed by the Council in the performance of its functions as appear to the Minister to be necessary in the public interest and the Council shall give effect thereto.

Appointment
of officers
other
employees.

6. (1) The Council shall appoint and employ, at such remuneration and on such terms and conditions as the Council may determine, an Executive Director and such other officers and employees as the Council deems necessary for the proper carrying out of its functions:

Provided that-

- (a) no salary in excess of the prescribed rate shall be assigned to any post without the prior approval of the Minister; and
- (b) no appointment shall be made to any post to which a salary in excess of the prescribed rate is assigned without the prior approval of the Minister.

(2) For the purpose of sub-section (1), the "prescribed rate" means such rate as the Minister may, by order prescribe.

(3) The Governor-General may, subject to such conditions as he may impose, approve the appointment of any public officer in the service so appointed shall, while so employed, in relation to any pension, gratuity or other

allowance and in relation to any other rights as a public officer, be treated as continuing in the service of the Government.

Pensions,
gratuities
and other
retiring
benefits.

7. The council may, with the approval of the Minister-
- (a) enter into arrangements respecting schemes, whether by way of insurance policies or otherwise; and
 - (b) make regulations, for medical benefits, pensions, gratuities and other retiring benefits or disability or death benefits, relating to employees of the Council and such arrangements or regulations may include provisions for the grant of benefits to the dependants and the legal personal representatives of such employees.

Financial Provisions, Accounts and Reports

Funds and
Resources of the Council.

- 8.-(1) The funds and resources of the Council shall consist of-
- (a) sums which may from time to time be placed at the disposal of the Council by Parliament;
 - (b) all other moneys payable to, and other property vested in the Council in respect of any matter incidental to its functions.
- (2) The expenses of the Council, including the remuneration of members and employees, shall be paid out of the funds of the Council.

Power to
Invest moneys

9. All moneys of the Council not immediately required to be expended for the purpose of meeting any obligations or discharging any of the functions of the Council may be invested in such securities as may be approved either generally or specifically by the Minister and the Council may, with the approval of the Minister, sell all or any of such securities.

Borrowing
powers.

- 10.- (1) Subject to the provisions of subsection (2), the Council may borrow such sums as may be required by it for meeting any of its obligations or for discharging any of its functions.
- (2) The power of the Council to borrow shall, as to the amount, as to the source of borrowing, and as to the terms on which the borrowing may be effected, be exercisable only with the approval of the Minister responsible for finance and any such approval may be either general or limited to a particular borrowing or otherwise, and may be either unconditional or subject to conditions.

Power of Minister of Finance to guarantee loans to Council.

11. –(1) With the approval of the House of Representatives, signified by resolution, the Minister responsible for finance may guarantee, in such manner and on such conditions as he thinks fit, the repayment of the principal and the payment of interest and charges on any authorized borrowing of the Council.

(2) Where the Minister responsible for finance is satisfied that there has been a default in the payment of any principal moneys guaranteed under the provisions of this section or in the payment of interest or charges so guaranteed, he shall direct the repayment or, as the case may be, the payment out of the Consolidated Fund of the amount in respect of which there has been such default and any such repayment or payment shall be a charge on the Consolidated Fund.

(3) The council shall make to the Accountant-General, at such times and in such manner as the Minister responsible for finance may direct, payments of such amounts and may be so directed in or towards repayment of any sums issued in fulfillment of any guarantee under this section, and payments of interest on what is outstanding for the time being in respect of any sums so issued at such rate as the Minister may direct, and different rates of interest may be directed as respects different sums and as respects interest for different periods.

Accounts and Audit.

12. –(1) The Council shall keep proper accounts and other records in relation to its functions and shall prepare annually a statement of accounts that conforms to established accounting principles and is in a form satisfactory to the Minister.

(2) The accounts of the council shall be audited annually by the Auditor-General.

Annual reports and estimates

13. –(1) The Council shall, within six months after the end of each financial year or within such longer periods as the Minister may in special circumstances approve, cause to be made and transmitted to the Minister a report dealing generally with the activities of the Council during the preceding financial year.

(2) The Minister shall cause a copy of the annual statement of accounts and the auditor's report thereon to be tabled in the House of Representatives and the Senate.

(3) The Council shall in each financial year, before a date specified by the Minister, submit to the Minister for his approval, estimates of income and expenditure for the ensuing financial year.

Power of
Minister to
require
returns

14. The Council shall furnish the Minister with such returns, accounts and other information as he may require with respect to the activities of the Council and shall afford him facilities for verifying such information in such manner and at such times as he may reasonably require.

Exemption from
taxes and
duties

15. –(1) The income of the Council shall exempt from income tax and the property of the Council shall be exempt from property tax.

(2) The Council shall be exempt from liability to stamp duty in respect of any instrument executed by it or on its behalf.

(3) Any transfer by the Council of any property belonging to it or of any right or interest created in, over or otherwise with respect to, any such property shall be exempt from transfer tax.

(4) No customs duty, general consumption tax or other similar impost shall be payable upon any article imported into Jamaica or taken out of bond in Jamaica by the Council and shown to the satisfaction of the Commissioner of Customs to be required for the use of Council in the performance of its functions.

Recovery
Of debts

16. Without prejudice to any other method of recovery any debt due to the Council may be recovered, without limit of amount, in a Resident Magistrate's Court as a civil debt.

Regulations

17. The Council may, with the approval of the Minister, make regulations generally for the better carrying out of the purposes of this Act.

SCHEDULE

(Section 3)

The Council of Community Colleges of Jamaica

Constitution
of Council

1. The Council shall consist of not less than nineteen members of whom-

- (a) the following shall be *ex officio* members-
 - (i) the Permanent Secretary in the Ministry responsible for education or his nominee;
 - (ii) the principal of each Community College;
- (b) the following (hereinafter referred to as “appointed members”) shall be appointed by the Minister by instrument in writing-
 - (i) a representative of the University of the West Indies, nominated by the Vice-Chancellor of that University;
 - (ii) a representative of the University of Technology, Jamaica, nominated by the President of that University;
 - (iii) a representative of the academic staff of each community college;
 - (iv) a representative of the University Council of Jamaica;
 - (v) a representative of the College of Agriculture, Science and Education;
 - (vi) a representative of the National Council on Technical Vocational Education and Training;
 - (vii) the president of the Secondary Schools Principals’ Association or his nominee;
 - (viii) one person nominated by an organization representing the business sector;
 - (ix) not more than three other persons appearing to the Minister to be persons knowledgeable and experienced in matters relating to education.

Chairman
and deputy
chairman.

2. – (1) The Minister shall appoint a chairman from among the appointed members.

(2) The members of the Council shall appoint a deputy chairman from among them.

(3) In the case of absence or inability to act of the chairman, the deputy chairman shall perform the functions of chairman.

	(4) In the case of the absence or inability of both the chairman and the deputy chairman, the Minister may appoint any other appointed member to perform the functions of chairman, or, as the case may be, the members may appoint another member to perform the functions of the deputy chairman, during such absence or inability.
Grant of leave of absence.	3. The minister, on the application of any appointed member of the Council, may grant to such appointed Member leave of absence for any period not exceeding six months and may appoint some other person to act as an appointed member during the period of leave of absence so granted.
Tenure of office	4. –(1) An appointed member shall hold office for a period not exceeding three years. (2) Every appointed member shall be eligible for reappointment. (3) If any vacancy occurs in the appointed membership of the Council such vacancy shall be filled by the appointment of another appointed member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous appointed member was appointed.
Resignation of members	5. –(1) An appointed member of the Council, other than the chairman, may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the chairman, and from the date of receipt by the Minister of such instrument, the appointment member shall cease to be a member of the Council. (2) The chairman may at any time resign his office by instrument in writing addressed to the Minister and his resignation shall take effect from the date of the receipt of the instrument by the Minister.
Revocation of Gazetting of appointments	6. The Minister may, at any time, revoke the appointment of any appointed member of the Council. 7. The names of all members of the Council as first constituted and every change in the membership shall be published in the Gazette.

Seal

8. –(1) The seal of the Council shall be authenticated by the signature of the chairman, the secretary or any other member of the Council authorized to act in that behalf and shall be judicially and officially noticed.

(2) All documents, other than those required by law to be under seal, made by, and all decisions of, the Council may be signified under the hand of the Council authorized to act in that behalf.

Procedure

9. –(1) The Council shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such places and times and on such days as the Council may determine.

and meetings.

(2) Except in exceptional circumstances, written notice of the date, time and place of each meeting shall be given to each member at least thirty days prior to the meeting.

(3) The chairman may at any time call a special meeting of the Council and shall call a special meeting to be held within ten days of a written request for that purpose addressed to him by at least twenty-five per cent of the members of the Council.

(4) The chairman or, in the case of the inability to act of the chairman, the deputy chairman shall preside at the meetings of the council and in the absence of both the chairman and the deputy chairman from any meeting, the members of the Council present shall elect one of their number to preside at that meeting and when so presiding the chairman, the deputy chairman or the member elected as foresaid, as the case may be, shall have in addition to an original vote, a casting vote.

(5) The Quorum of the Council shall be ten.

(6) Subject to the provisions of this Schedule, the Council may regulate its own proceedings.

(7) The validity of any proceedings of the Council shall not be affected by any vacancy amongst the members thereof or by any defect in appointment of a member thereof.

	(8) Minutes, in proper form, of the meetings shall be kept.
Remuneration. of members.	10. There shall be paid to the chairman, the deputy chairman, and other members of the Council, such remuneration (whether by way of honorarium, salary or fees) and such allowances as the Minister may determine
Appointment of committees.	11. –(1) The Council may with the approval of the minister, appoint committees for special purposes connected with the functions of the Council, would be better regulated and managed by means of committees. (2) The number of members of a committee appointed under sub-paragraph (1), the terms of appointment of such members, the quorum of the committee and the area within which the committee is to exercise authority shall be determined by the Council. (3) A committee appointed to this paragraph may include persons who are not members of the Council, but at least one of the members of such committee shall be a member of a Council. (4) The provisions of paragraph 14 shall apply to a member of a committee who is not a member of the Council in like manner as they apply to a member of the Council. (5) The validity of the proceedings of a committee appointed pursuant to this paragraph shall not be affected by any vacancy amongst the members thereof or by any defect in the appointment of a member thereof.
Power to Delegate.	12. (1) Subject to the provisions of this Schedule, the Council may, by instrument in writing, delegate to any member, committee, officer or employee of the Council any function exercisable by the Council under this Act, other than this power of delegation and the power under section 17 to make regulations. (2) A delegation under this paragraph-

- (a) may be made subject to such conditions, qualifications and exceptions as may be specified in the instrument; and
- (b) is revocable by the Council,

and such delegation shall not prevent the exercise by the Council of the function delegated.

Protection
of members.

13. - (1) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member of the Council in respect of any act done *bona fide* in pursuance or execution or intended execution of this Act.

(2) Where any member of the Council is exempt from liability by reason only of the provisions of this paragraph, the Council shall be liable to the extent that it would be if the said member were an employee or agent of the Council.

Disclosure
of interest.

14. A member of the Council who is directly or indirectly interested in any matter which is being dealt with by the Council-

- (b) shall as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Council; and
- (b) shall not be present during the deliberation of the Council on the matter or take part in the decision of the Council with respect thereto.

Office of
member
not public
office.

15. the office of the chairman, deputy chairman, or members of the Council shall not be a public office for the purposes of Chapter V of the Constitution of Jamaica.

The University of Technology, Jamaica Act, 1999

Arrangement of Sections

Preliminary

1. Short Title.
2. Interpretation.

Part I Establishment of University of Technology, Jamaica

3. Establishment of University of Technology, Jamaica.

Objects and Functions of University

4. Objects and functions of University.

Visitor

5. Visitor.

Policy directions

6. Ministerial directions.

General Provisions for staff

7. Appointment of officers and employees.

Part II Financial Provisions, Accounts and Reports

8. Funds and resources of the University.
9. Expenses of the University.
10. Pensions, gratuities and other retiring benefits.
11. Power to invest moneys.
12. Borrowing powers.
13. Power of Minister of Finance to guarantee loans to University.

Accounts and Audit

14. Accounts and audit.

Reports and Estimates

15. Annual reports and estimates.

16. Power of Minister to require returns.

Exemption from taxation

17. Exemption from taxes and duties.

18. Recovery of debts.

Part III General

Seal

19. Authentication of seal and documents.

Rules

20. Rules.

Statutes

21. Statutes.

Ordinances

22. Ordinances.

Part IV Saving and transitional provisions

23. Saving of rights to staff, students and graduates.

24. Transfer of money, property, liability etc.

SCHEDULES.

Appendix 4

The Council of Legal Education Act [1st of April 1974]

Short title	1. This Act may be cited as the Council of Legal Education Act.
Interpretation	2. In this Act- “ the Agreement” means the Agreement for the establishment of a Council of Legal Education for the Caribbean region the original of which Agreement is deposited with the Secretary-General of the Commonwealth Caribbean Regional Secretariat and of which the text of the Articles is set out in the Schedule to this Act; “Minister” means the Minister for the time being charged with responsibility for legal education.
Certain provisions Of the Agreement Given force of law In Jamaica. 14/1982 S.2 (a) L.N. 153/1985.	3. The provisions of clause 2 (legal Status) of Article 1, Article 5 and 6 and clause 6 (exemptions from taxation) of Article 9 of the Agreement shall have the force of law in Jamaica.
Minister may Amend Schedule.	4. - (1) Where any amendment of the Agreement is accepted by the Government, the Minister may by Order amend the Schedule to this Act for the purpose of including therein the amendment so accepted. (2) Any order made under this section may contain such consequential, supplemental or ancillary provisions as appear to the Minister to be necessary or expedient for the purpose of giving effect to the said amendment and, without prejudice to the generality of the foregoing, may contain provisions amending references in this Act to specific provisions of the Agreement.

(3) Where the Schedule to this Act is amended pursuant to this section, any reference in this Act or in any other enactment or any instrument having effect under any such enactment to the Agreement shall, unless the constitution otherwise requires, be construed as a reference to the Agreement as so amended.

Exemption
From

5. - (1) The Council of Legal Education shall be exempt from income tax.

Income Tax and
Transfer Tax.

(2) Notwithstanding anything to the contrary Contained in any enactment, any deed, agreement, instrument, insurance policy, writing or receipt relating to any loan made to or by the Council under this Act shall be exempt from stamp duty and recording and registration fees.

(3) There shall be exempt from taxation under the Transfer Tax Act, any transfer by the Council of property belonging to it or any right or interest created in, over or otherwise with respect to any such property.

Council of Legal Education

SCHEDULE

(Sections 2 and 4)

Agreement establishing the Council of Legal Education

THE CONTRACTING PARTIES:

SHARING a common determination to establish without delay a scheme for legal education and training that is suited to the needs of the Caribbean:

AWARE that the objectives of such a scheme of education and training should be to provide teaching in legal skills and techniques as well as to pay due regard to the impact of law as an instrument of orderly social and economic change;

CONVINCED that such a scheme of education and training can best be achieved by:-
Firstly, a University course of academic training in a Faculty of Law designed to give not only a background of general legal principles and techniques but an appreciation of relevant social science subjects including Caribbean history and contemporary Caribbean affairs;

Secondly, a period of further institutional training directed towards the study of legal subjects, having a practical content and emphasis, and the acquisition of the skills and techniques required for the practice of law;

RECOGNISING the need to vest responsibility for providing the institutional training in a Regional Council of Legal Education which should be established in advance of students being admitted to the Faculty of law so as to give assurance that the whole scheme for legal education will be implemented in its entirety;

HEREBY AGREE AS FOLLOWS:

ARTICLE 1 CONSTITUTION

There shall be a Council of legal Education (hereinafter called “the Council”) with the following membership, status, functions and powers:

1. Membership
 - (a) The Council shall consist of:
 - (i) The Dean of the Faculty of Law of the University of the West Indies and another member of the faculty nominated by him;
 - (ii) The Principals of the Law Schools;
 - (iii) The Head of the Judiciary of each practicing territory;
 - (iv) The Attorney-General of each participating territory;

- (v) From each of the four participating territories in which namely Jamaica, Barbados, Trinidad and Tobago and Guyana, a Barrister and a Solicitor nominated by their appropriate professional bodies, or in the event of the two branches of the profession at any time becoming fused in any such territory two members of the fused profession nominated by their appropriate professional body.
- (b) Each member of the Council appointed under paragraphs (v) and (vi) of Clause (a) above shall hold office for three years from the date of his appointment and shall be eligible for reappointment. The effective date of appointment of members under the said paragraphs (v) and (vi) shall be the date on which the Council is notified of the appointment.
- (c) Each member of the Council may be represented by an alternate to be appointed, in the case of (i) above by the Dean, in the case of (ii), (iii) and (iv) by the member himself and in the case of (v) and (vi) by the body represented by the member.
- (d) A casual vacancy, however, occurring in the case of a member appointed under (v) and (vi) may be filled by the body appointing such member and the person appointed to fill such casual vacancy shall hold office for the remainder of the period of the appointment of the member whose place he fills.
- (e) Any committee of the Council shall have the power to co-opt such person or persons as it thinks fit.

2. Legal Status

The Council shall possess full juridical personality and in particular, full capacity-

- (a) to contract;
- (b) to acquire, and dispose of movable and immovable property; and
- (c) to institute and defend legal proceedings.

3. Functions and Powers

The functions and the powers of the Council shall be as follows:-

- (a) to undertake and discharge general responsibility for the practical professional training of persons seeking to become members of the legal profession;
- (b) to establish, equip and maintain Law Schools, one in Jamaica, one in Trinidad and Tobago and in such other territories as the Council may from time to time determine, for the purpose of providing post-graduate professional legal training;
- (c) to appoint a Principal of each Law School and all necessary staff;
- (d) to make proper provision for the courses of study and practical instruction, for the award of scholarships, studentships, bursaries, and prizes, and for holding examinations and granting diplomas and certificates;

- (e) to evaluate courses of study provided by and to accord appropriate recognition of legal qualifications obtained at other institutions;
- (f) in the exercise of any of the above functions or powers to enter into any such agreements with the University of the West Indies, and the University of Guyana as the Council shall think fit;
- (g) to appoint Committees of the Council and to delegate to any such Committee such of its powers as the Council shall think fit provided that the Council shall nevertheless maintain overall responsibility for co-ordinating training throughout the area on a planned and integrated basis paying due regard to the needs of the several participating territories.
- (h) to make regulations for the due discharge of its functions, for the courses and examinations at the Law Schools, and for prescribing fees to be paid and disciplinary rules to be observed by persons admitted to the Law schools and, subject to the provisions of Articles 7 and 8, to regulate its own procedures;
- (i) to do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the Council.

ARTICLE 2

Principals of Law Schools

The Principal of each Law School shall be responsible to the Council for the organization and administration of the Law School and of the courses of study and practical instruction and shall exercise such other functions of the Council as the Council may, from time to time, entrust to him.

ARTICLE 3

Admission to Law Schools

Every person who holds a University of the West Indies LL.B. degree shall be eligible for admission to the Law Schools and every person who holds a degree of a University Institution which is recognized by the Council as being equivalent to the University of the West Indies LL.B. degree shall, subject to the availability of places and to such conditions (if any) as the Council may require, be eligible for admission to the Law Schools. Provided that any national who prior to 1st October, 1972 was the holder of University Degree or had commenced upon a degree programme other than in law and completed that programme before 1st October, 1975, shall be eligible to be admitted to one of the Professional Law Schools without being required to obtain a degree of LL.B. from the University of the West Indies or a Law Degree recognized by the Council of legal Education as equivalent thereto but subject to such other terms and conditions as the Council of Legal Education shall after consultation with the Faculty of Law of University of the West Indies determine.

L.N.
153/1985

ARTICLE 4
Legal Education Certificate

1. On the satisfactory completion by any person of the course study and professional training at one of the Law Schools established by the Council that person shall be awarded by the Council a certificate herein referred to as a Legal Education Certificate.
2. Any person to whom paragraph 1 (b) of Article 6 does not apply and who-
 - (a) has obtained a degree of a University or Institution which is recognized by the Council as equivalent to the University of the West Indies LL.B. degree; and
 - (b) (i) is the holder of a qualification which had it been obtained prior to 1st October, 1972 would have been recognized by all of the participating territories as a qualification to be admitted to practice as a barrister or solicitor in those territories; or
 - (ii) is the holder of qualification, obtained in a Common Law Jurisdiction, for admission to practice law in that jurisdiction and which qualification is approved by the Council; and
 - (c) has completed, to the satisfaction of the Council, a six month course of training organized by the Council, shall be awarded by the Council a Legal Education Certificate.

ARTICLE 5
Admission to Practise

1. The Government of each of the participating territories undertakes that it will recognize that any person holding a Legal Education Certificate fulfills the requirements for the practice in its territory so far as institutional training and education are concerned and that (subject to the transitional provisions hereinafter contained and to any reciprocal arrangements that any of the said territories may hereafter make with any other country) no person shall be admitted to practice in that territory who does not hold such a certificate. But nothing herein contained shall prevent any territory from imposing additional qualifications as a condition of admission to practice therein.

2. The foregoing provisions of this Article shall be subject to the terms of the protocol to this Agreement which shall have effect for the purposes specified therein.

ARTICLE 6

Saving and Transitional Provisions

1. The government of each of the participating territories agrees that the following persons shall be recognized as professionally qualified for admission to practice in its territory, namely-

- (a) any national who is on 1st October, 1972 qualified to be admitted to practice as a solicitor or a barrister in that territory;
- (b) any national who, prior to 1st January, 1985, had undergone or is undergoing or has been accepted for a course of legal training leading to a qualification such as is referred to in paragraph 2 (b) (i) of Article 4 of this agreement and obtains that qualification.

2. In this Article “national” means a person who-

- (a) is a citizen of any participating territory; or
- (b) is regarded as belonging to any participating territory under any law in force in that territory.

ARTICLE 7

Council - Procedure

1. The Council shall meet at such time and place as may from time to time be directed by the Council.

2. The chairman may, in his discretion, and shall, upon the written request of five or more members of the Council specifying the matters to be considered, call a meeting of the Council.

3. Decisions of the Council and of any Committee of the Council shall be by a majority of members present and voting and one-third of the members of the Council or of any Committee of the Council shall be a quorum.

4. Each member shall have one vote. The Chairman of a meeting in addition to his original vote shall have a casting vote in the event of an equal division.

5. The Council and any Committee of the Council shall be competent to act notwithstanding any vacancy in its membership or any irregularity subsequently discovered in the appointment of its members.

ARTICLE 8 Council – Chairman

At the first meeting and as required thereafter the Council shall elect one of its members as Chairman who shall hold office for three years. The chairman, if present, shall preside at all meetings of the Council and in the event of his absence the members present shall appoint a Chairman.

1. The revenue of the Council shall be derived from contributions from the Governments of the participating territories, from grants and donations, and from fees payable by persons admitted to the Law Schools.

2. The Council shall have the power to invest any monies belonging to it, including any unapplied income, in such stock, funds, fully paid shares or securities as the Council may from time to time think fit, whether authorized by the general law for the investment of trust monies or not, with the like power of varying such investments from time to time by sale or reinvestment or otherwise.

3. The Council shall govern, manage and regulate its finances, accounts, investments, property, business and all its affairs whatsoever and for that purpose shall have the power to appoint bankers and any officers or agents whom it may deem expedient to appoint

4. The interim expenses of the Council (other than those relating to the establishment and operation of the Law School) shall be borne by the Government of the participating territories in the same proportion as the interim expenses of the Faculty of Law of the University of the West Indies. All other expenses relating to the establishment and operation of the Law Schools shall be considered by the Governments of the participating territories and their respective contributions thereto agreed upon at the earliest practicable date.

5. (a) The Council shall cause to be kept proper books of account which shall be audited at least once a year by an auditor who shall be a qualified and independent Accountant in the active practice of his profession appointed by the Council, and shall cause to be prepared not later than three months after the end of each academic year-

- (i) a statement showing in detail the income and expenditure of the Council for the immediately preceding academic year;
- (ii) a statement of the assets and liabilities of the Council as they stood at the end of the immediately preceding academic year.

- (b) Such statements shall be certified by the Auditor appointed by the Council and as soon as may be thereafter a copy of each statement as audited shall be transmitted to each contracting party.
- (c) The Council shall in each year not later than the date specified in paragraph 5 (a) (i) cause to be prepared and transmitted to each contracting party a report dealing generally with the activities of the Council.
6. The Council, its assets, property, income and its operations and transactions, shall be exempt from all direct taxation and from all custom duties on goods imported for its official use; this shall not include exemption from taxes which are no more than charges for the public utility services.

ARTICLES 10

Deposit, Ratification and Entry into Force

1. This Agreement shall come into force upon signature or deposit of letters of ratification or acceptance on behalf of the University of the West Indies and the University of Guyana and on behalf of Barbados, Guyana, Jamaica and Trinidad and Tobago.
2. This Agreement shall be subject to ratification or acceptance by the contracting parties. Instruments of ratification or acceptance shall be deposited by the contracting parties with the Depository who shall notify the other contracting parties.
3. This Agreement shall be deposited with the Secretary-General of the Commonwealth Caribbean Regional Secretariat (herein called the "Depository").
4. The Depository shall transmit copies of this Agreement to each contracting party.

ARTICLE 11

Participating of Territories other than original Signatories

Any of the territories named Annex "A" hereof (other than the signatories hereto at the date of the coming into force of this Agreement) may become parties to this Agreement at such time and in accordance with such terms as may be determined by the Council.

ARTICLE 12

Inaugural Meeting

As soon as this Agreement comes into force, the Vice-Chancellor of the University of the West Indies shall take the necessary steps to secure the nomination of

the members of the Council specified in Clause 1 (a) paragraphs (v) and (vi) of Article 1 and convene the Inaugural Meeting of the Council.

IN WITNESS WHEREOF the undersigned representatives, being duly authorized thereto by their respective Governments or institutions, have signed the present Agreement.

ANNEX “A”

(Article 11)

Antigua
Bahamas
Barbados
Belize
The British Virgin Islands
The Cayman Islands
Dominica
Grenada.
Guyana
Jamaica
Montserrat
St. Kitts-Nevis- Anguilla
St. Lucia
St. Vincent
Trinidad and Tobago
The Turks and Caicos Islands
The University of the West Indies
The University of Guyana

Protocol to Provide for the Reservation Made By the Government of the Bahamas to Paragraph 1 of Article 5 of the Agreement Establishing the Council of Legal Education.

The contracting parties to the Agreement establishing the Council of Legal Education hereby agree that notwithstanding the provisions of paragraph 1 of Article 5, the Government of the Bahamas shall be able to admit to practice in the Bahamas, persons holding qualifications other than a Legal Education Certificate awarded by the Council of Legal Education. The Government of the Bahamas undertakes to review the position within five years of the coming into force of the Agreement with a view to implementing fully the provisions of paragraph 1 of Article 5.

Further Protocol to Provide for the Adhesion of the Government of the Cayman Islands Notwithstanding Paragraph 1 of Article 5 of the Agreement Establishing the Council of Legal Education.

The contracting parties to the Agreement establishing the Council of Legal Education hereby agree that notwithstanding the provisions of paragraph 1 of Article 5, the Government of the Cayman Islands shall be able to admit to practice in the Cayman Islands persons holding qualifications other than a Legal Education Certificate awarded by the Council of Legal Education.

Provided that the Government of the Cayman Islands may at, any time not later than five years from the date on which that Agreement entered into force, adhere unconditionally to the full terms of that Agreement but if, at the conclusion of the said period of five years, the Government of the Cayman Islands has not so adhered, it shall cease forthwith to be a participating Government in the Council of Legal Education.

Appendix 5

The University Hospital Act (November 26, 1948)

Arrangement of Sections

1. Short title.
2. Interpretation.
3. Establishment of University Hospital.
4. Establishment of Board.
5. Duties of Board.
6. Consideration of Hospital estimates.
7. General powers of Board.
8. Power to make by-laws.
9. Regulations.
10. Composition of Board.
11. Remuneration of chairman.
12. Tenure of office and vacation of seats.
13. Audit.
14. Exemption from customs duty or tax.

Appendix 6

Students Loan Fund Act (July 1, 1971)

Arrangement of Sections

1. Short title.
2. Interpretation.
3. Establishment of Students' Loan Fund.
4. Establishment of the Students' Loan Bureau.
5. Establishment of Students' Loan Council.
6. Power of Minister to issue general directions on matters of policy.
7. Functions of the Bureau.
8. Rate of Interest.
9. Exemption from income tax, stamp duty and other fees.
10. Regulations.
11. Examination as to application of money lent.
12. Notice of Bureau upon an examination under section 11.
13. Misapplication of loan.
14. Offences.
15. Recovery of debts.

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