



FINAL REPORT OF THE AD HOC ADVISORY COMMITTEE ON GOVERNANCE

**“ON THE THRESHOLD OF UNIVERSITY:
ESTABLISHING FOUNDATIONS,
EMPOWERING GROWTH”**

JUNE 2007

THE COLLEGE OF THE BAHAMAS



ESTABLISHED 1974

June 10, 2007

Mr. Franklyn Wilson
Chairman
The Council of the College of the Bahamas
The College of The Bahamas
Nassau, The Bahamas

Dear Mr. Wilson:

I have the honour to submit to the Council of The College of The Bahamas the Final Report of the Ad Hoc Advisory Committee on Governance, established by the Council on August 17, 2006.

This Report presents the results of the work of the Committee over the past nine months. The Recommendations made herein are based upon the findings of that work, and reflect generally the collective wisdom of the group, informed by the perspectives gleaned from both our research and from the views of the many stakeholders within and outside of the College with whom we consulted. We trust that the proposals advanced will prove to be a useful contribution to the preparations for The College's move to university status.

It has been a genuine pleasure for me to work with such a talented and dedicated group of individuals from within and outside of The College and I wish now to thank you and the other members of Council for having afforded me this unique opportunity. The support provided by the Council, the President and all other colleagues has made the task of leading this work very much easier.

Yours sincerely,

Keva M. Bethel, President Emerita
Chair, Ad Hoc Advisory Committee on Governance

ACKNOWLEDGEMENTS

The work of the Ad Hoc Committee on Governance could not have been accomplished without the help of a great many people. I should now like to acknowledge with gratitude the contribution of those individuals.

On behalf of the Committee, I should first like to thank the Chairman and members of the College Council for affording us the opportunity of carrying out this important project, and for offering us support and encouragement. As Chair, I must also offer sincere thanks to the members of the Committee for their willingness to dedicate so much of their time, intellect, knowledge and experience to the task of fulfilling the mandate given us by the Council.

The Committee received valuable practical assistance from a wide range of persons within The College itself. Members of staff in the Offices of the President and of the Secretary General helped in a variety of ways to facilitate our work— whether it was in securing appropriate meeting times and places, arranging for refreshments, assisting with appointments, tracking down essential information or generally offering advice. Ms. Antoinette Seymour and Mrs. Jacqueline Ferguson-Rolle of the President's Office were always especially helpful in these matters. Ms. Sharon Knowles, Mrs. Vernelle Edwards and Mrs. Calpurnia Campbell of the Secretary General's office provided useful clerical support during the early months of the project. Mr. Rodman Forbes, Mr. Quentin Sands and the members of the Media Department generously provided equipment and expert assistance throughout the period of our work. Having on-line access for electronic discussions, sharing of information and document review was a strategic resource that was ably facilitated by Ms. Sophia Hanna, Ms. Carla Ginton and MIS staff..

The inhabitants of the Michael H. Eldon Complex were consistently hospitable and helpful. Special mention must be made of those persons on the third floor who made us so welcome and who so readily smoothed our way: the Dean of the Faculty of Education and Social Sciences and members of his staff who, like the Chairs of the Schools of Education and of Social Sciences, their faculty and clerical staff, were always there to offer advice and help when needed. The security officers and janitorial staff looked out for us and facilitated our efforts on a daily basis.

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All the many diverse persons who participated in individual interviews and group consultations are particularly deserving of our gratitude. These included past and present Chairs and members of Council, government officers, members of the wider community,

alumni, faculty, staff and students. Their insights and thoughtful comments proved most helpful as we sought to formulate our recommendations.

Several members of the Committee and of the wider College community contributed their time, experience and expertise to assist in the design and implementation of the stakeholder group consultations. These included Committee members Bridget Hogg, Marlene Jackson, Rubie Nottage, Olivia Saunders, Ian Strachan and Marcellus Taylor; and non-Committee members, Remelda Moxey and Michael Rolle from the School of Business at COB. Terrance Fountain and Charles Major from the wider public service also generously offered valuable assistance.

There were a number of Members of the Committee who made accessible to their colleagues extensive reference material of excellent quality or offered other forms of valuable logistical support. These were Virginia Ballance, Marlene Jackson, Colyn Major and Carlton Watson. We are most appreciative of their efforts. We must also record special gratitude to two of our members from outside of The College, Julian Francis and Marcellus Taylor, whose attendance and diligent input equaled and in some instances surpassed those of College counterparts. We also wish to acknowledge formally the valiant efforts of the Asia, Latin America and Caribbean and Europe sub-committees in completing and submitting written reports of their findings.

We are particularly appreciative of the consistent interest and support of the President of The College, who also very graciously hosted our Retreat at her home. President Hodder maintained an enviable record of attendance at our meetings, missing only one when this could not be avoided.

I would be seriously remiss if I did not, in closing, acknowledge with profound gratitude the outstanding contribution to this work of Dr Joan Vanderpool, former Director of Research and Grants at The College, who served the Committee as its Research Assistant and Executive Secretary. Dr. Vanderpool brought to this project the benefits of her wide knowledge of Higher Education theory and policy studies, her extensive research experience, her organizational ability and, not least of all, her willingness to do whatever it took to keep the project moving, often in very challenging circumstances. Much of the credit for the successful completion of our undertaking is due to her dedication. On a very personal level, moreover, I should like to record my heartfelt thanks to Dr. Vanderpool for the wonderful support she has provided to me throughout the course of this venture: it has made my task as Chair very much easier.

Keva M. Bethel,
Chair, Ad Hoc Advisory Committee on Governance
June 10, 2007

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GLOSSARY OF TERMS

CHMI	Culinary and Hospitality Management Institute
COB	The College of The Bahamas
COBUS	The College of The Bahamas Union of Students
MIS	Management Information Systems
OECD	Organisation for Economic Co-operation and Development
OISE/UT	Ontario Institute for Studies in Education/ University of Toronto
UB	University of The Bahamas
UGC	University of The Bahamas Governing Council
UBS	University of The Bahamas Senate
UK	United Kingdom
UNESCO	United Nations Educational, Scientific and Cultural Organization
USP	University of The South Pacific
UTEB	Union of Tertiary Educators of The Bahamas
VP	Vice- President
UWI	The University of The West Indies

EXECUTIVE SUMMARY

1. Introduction

While the pursuit and transmission of knowledge, through teaching, research and service, stand at the core of its mission, the foundations of how a university should be governed rest on philosophical and practical issues that are enshrined in legally acceptable instruments of authority. Given this context, as The College of The Bahamas stands on the threshold of its transformation into the University of The Bahamas, formal consideration of structures and processes that will ensure good governance in the new University has been recognized as being a critical preparatory step.

This Report outlines the work undertaken over the period September 2006 to May 2007 by an Ad Hoc Advisory Committee on Governance established by the Council of The College of The Bahamas for the purpose of advising Council on matters of academic governance, including the wisdom of establishing a University Senate. The detailed findings of that undertaking are presented and proposals, derived from those findings, are advanced regarding a governance structure and processes that might effectively support a national university for The Commonwealth of The Bahamas.

2. The Report

The Report comprises 5 sections:

Section 1 provides an historical context that spans the evolution of The College of The Bahamas from its establishment in 1974, through its further empowerment by means of the 1995 College Act that afforded it greater autonomy to support its move to four-year status.

Section 2 presents the more recent developments that have marked its preparation for transition from a College to a University. One of these preparatory steps was the establishment of the Ad Hoc Advisory Committee on Governance (The Committee).

Section 3 details the work of the Committee and its use of approaches and methods that ensured consultation with past and present Council members, administrators, alumni, faculty, students, staff and members of the general public. To lend reliability to the qualitative approaches used in the conduct of this study, information gained from consultations was analyzed along with archival documents, relevant literature and

examples of legislative instruments establishing universities and higher education systems.

Section 3 also details what the Committee found, including a world-wide interest in university governance, the compelling reasons for good governance and how, internationally, institutions have responded to these, and the congruence of the concerns and expectations articulated by the various groups of stakeholders consulted.

Section 4 outlines the main recommendations that the Committee proposes, based on its findings.

These include the following:

a) The specification of **Values and Principles** that ought to inform the vision and mission of the University of The Bahamas and guide their realization. Those values and principles include a commitment to the following: national development, excellence, shared governance, academic freedom, ethics and integrity, tolerance of and respect for diversity, autonomy, accountability, efficiency and effectiveness, transparency and adaptability.

b) **Changes in Nomenclature** that would reflect the institution's new status.

The name of the institution would now be the University of The Bahamas (UB).

Principal officers of the University would be the following:

the Chancellor (a new, honorary position, with largely ceremonial duties. The Chancellor would however be an *ex officio* member of the Governing Council);

the President and Chief Executive Officer of the University would be the Vice-Chancellor, who would be responsible for providing leadership and general supervision of the work of the University;

the Pro-Vice-Chancellors (one of whom would be appointed as Deputy to the Vice-Chancellor), who would hold responsibility for such areas of operation within the University as the Vice-Chancellor might determine.

c) **A Governance Structure** that, along with its associated processes, would reflect both the principles and values identified and internationally accepted norms.

The structure would embrace two main governance bodies: the University Governing Council (UGC) and the Senate (UBS).

The University Governing Council

- The University Governing Council (UGC) would be the principal governing body of the University, having jurisdiction and final authority over all affairs of the University. The Council would be responsible for the planning of the work of the University and for the effective management of the human, financial and material resources of the University and for the management of risk.
- The membership of the Council would allow for appropriate representation from key stakeholder groups within the University, but would consist mainly of members drawn from key sectors of the wider Bahamian society.

The Senate

- The Senate (UBS) would serve as the academic authority of the University, having control and general direction of curricula and instruction, research and examinations, the award of credentials and all associated policies and processes, including establishment of criteria for the admission, continuation and graduation of students, the welfare and discipline of students, the organization of units of instruction and research, and the identification of the human, physical, material and financial resources necessary to support these entities.
- Membership of the Senate would be predominantly drawn from the faculty of the University, elected by their peers in the respective schools and in the faculty union. The Vice-Chancellor would serve as Chair of the Senate, and other relevant senior personnel of the institution would be members by virtue of their offices. There would also be student, alumni and staff members (elected by their peers) and two external members (one a representative of the Ministry of Education) appointed by the University Governing Council.

d) Section 4 also addresses the future role of existing boards and committees within The College and urges a careful analysis of their existing mandates, to determine whether or not there is overlap with the distribution of powers and responsibilities proposed for the new structure.

Section 5 reiterates the benefits derived and important lessons learned from the range of activities undertaken over the period of the Committee's work. It also identifies additional work to be done in order to lay the groundwork for the orderly implementation of the recommendations made, including, but not limited to, further consultation with a wider range of stakeholder groups, the development of guidelines, procedures and supporting documentation for the main governance bodies, and identification of the kinds of committee structures needed to ensure that the work of the governance bodies is effectively carried out.

The section also emphasizes the need for careful management of the process of communicating to members of the College community, the Ministry of Education, the Members of Parliament and the country as a whole the extent and implications of the changes proposed. The section also stresses the need for focused management of the change process and the provision of appropriate resources for this purpose.

I. HISTORICAL CONTEXT

1.1. ESTABLISHMENT OF THE COLLEGE OF THE BAHAMAS: THE COLLEGE OF THE BAHAMAS ACT, 1974.

The College of The Bahamas was established by an Act of Parliament, passed on October 30, 1974. Its functions, as defined by that original Act, were to be:

- (a) to provide a place of education, learning and research of a standard required and expected of a College of the highest standard;
- (b) to secure the advancement of knowledge;
- (c) to grant diplomas, certificates and other awards;
- (d) to enter in any association or affiliation with universities, colleges or other institutions of learning, whether within The Bahamas or otherwise as the College may deem necessary and appropriate.”¹

Governance of The College

Two bodies were specified in that Act to carry out the major functions of governance in The College. These were a **Council** and an **Academic Board**.

The Council

Functions and responsibilities

The Council was the body in which the “government, control and administration” of The College were vested. Specific responsibilities of the Council were student welfare, the control and oversight of property and policy, the appointment of the Principal, Registrar, and “such academic, administrative and other staff as appears to the Council to be necessary, on such terms and conditions (including salaries, allowances, other remuneration and disciplinary control) as the Council may determine,”² receipt of donations, grants or other moneys and the making of rules for the carrying out of the provisions of the Act.

Membership and procedures

There were nine members of Council, all appointed by the Minister of Education. Members consisted of the Principal (*ex officio*), a public officer from the Ministry of

¹ The College of The Bahamas Act (1974), Section 5

² *ibid.*, Section 8 (c)

Education, six individuals drawn from such “economic or social bodies or associations” considered by the Minister to be appropriate, and a student of the College “selected in accordance with such procedure as the Principal may deem appropriate.”³ There was no specific provision in this Act for faculty representation on Council.⁴ The Registrar of The College served as Secretary to the Council.

Section 9 (1) of the First Schedule of the Act provided for meetings to be held at least every three months and at other times as necessary. In practice, however, meetings were held on a monthly basis.

Powers

It is noteworthy that Council’s powers were statutorily restricted, as the Minister was empowered under the Act to give directions to Council, “either generally or in any particular case.”⁵ Financial matters were directly under the control of Ministers of Government: (1) the Minister of Education fixed fees and charges for tuition, facilities or other services of The College, and these were all paid into the Consolidated Fund; ⁶ (2) expenses of The College were to be paid out of the Consolidated Fund and all expenditure had to receive the prior approval of the Minister of Finance.⁷ Further, all gifts, donations, grants or other moneys received on behalf of The College were to be “expended in such manner as the Minister of Finance may direct.”⁸ There was the proviso, however, that any stipulation attached to a gift by a donor should be adhered to.

The Academic Board

Functions and responsibilities

The Academic Board was responsible for the academic administration of The College, subject to the special or general directions of the Council. Its specific functions were to provide for the delivery of curricula and instruction of The College, to determine criteria for the admission of students to the institution, to approve and revise courses and programmes in all departments, to conduct examinations and make rules for the award of diplomas and certificates, to make rules for the management and conduct of the library, to provide for the preparation and publication of a calendar and to regulate its own procedure and the conduct of its meetings.

³ *ibid*, First Schedule, Section 1 (d)

⁴ From 1983 onwards, as a result of petition made to the Minister by the Faculty Association and with the support of the Principal, a faculty member was appointed as one of the members of Council. This practice continued throughout the remainder of the period during which the 1974 Act was in force.

⁵ College of The Bahamas Act, 1974, Section 12 (1)

⁶ *ibid*, Section 13 (1) and (2).

⁷ *ibid*, Sections 19 and 20.

⁸ *ibid*, Section 21.

Membership and procedures

Chaired by the Principal, the Board's members included the heads of all teaching departments, the Librarian, a student, selected "in accordance with such procedure as the Principal may determine"⁹ and three other persons "selected by the Principal and appointed by the Council."¹⁰ There was provision for the inclusion of external persons in the work of the Board, for Section 16 (3) accorded to the Board the right to invite persons not members of the Council or the staff of the College to attend meetings of the Board for the purpose of giving advice to the Board.

According to the Act, the Board was to meet "at such times and in such places as it may provide or the Principal may require, not being less than three times during an academic year."¹¹ In practice, the Board generally met once each month, and more frequently if circumstances demanded.

General comment

The tightly controlled governance of The College reflected very much the context of the period. When The College was established, the Commonwealth of The Bahamas had only recently acquired Independence and its Government's approach to public institutions still bore signs of the practices of the country's colonial past. Further, the entrance upon the educational scene of a tertiary level institution of the scope and magnitude of The College presented new challenges which, in a system still wrestling with forging an identity of its own, were seen as demanding close and detailed oversight.

1.2. MOVE TO FOUR-YEAR STATUS: THE COLLEGE OF THE BAHAMAS ACT, 1995

As The College matured, it became increasingly obvious to persons within and outside of the institution that the restrictive nature of its enabling legislation was a major obstacle to its effective future growth and development and on June 21, 1995, a new College of The Bahamas Act was passed by Parliament to "repeal the existing Act while providing for the continuity of the College as a statutory body corporate with greater autonomy".¹² The phrase "greater autonomy" was instructive as liberation from government control was not (and in reality could not be expected to be) complete, since some 75% of The College's financing still derived from public funding. The Act did, however, bring about some significant changes.

⁹ College of The Bahamas Act 1974, section 14 (d)

¹⁰ *ibid*, Section 14 (3)

¹¹ *ibid*, Section 16 (1)

¹² College of The Bahamas Act, 1995

Changes in Nomenclature

Some noteworthy changes in nomenclature were included in the 1995 Act. The title “President” now replaced “Principal,” and the term “Registrar” disappeared and in its place were provisions for an Executive Vice-President, a Vice-President for Financial Affairs and “such other Vice-Presidents as Council may determine.”¹³ These new designations were introduced (1) to reflect the College’s anticipated move to four-year, full degree-granting status and (2) to provide greater flexibility in the assignment of administrative responsibilities among senior personnel.

Functions of The College

To reflect the progressive development that had taken place within the institution over the two decades of its existence, in the provisions of the new Act the functions of the College were extended beyond those outlined in the Act of 1974. Section 5 now read as follows:

“The functions of the College shall be:

- (a) to provide instruction, *conduct research and disseminate knowledge* of a standard required and expected of a college of the highest standard in the Liberal and Creative Arts, the Sciences, Technology and other branches of learning *in an environment which fosters academic freedom*;
- (b) to *confer degrees* and grant diplomas, certificates and other awards and honours as are usually conferred by similar institutions; and
- (c) to enter in[sic] any association or affiliation with universities, colleges or other institutions of learning, whether within The Bahamas or otherwise, as the College may deem necessary and appropriate.”¹⁴ (Italics added).

These new provisions formally authorized The College to move to four-year, degree granting status, emphasizing a commitment to academic freedom and the encouragement of research.

Governance of The College

The Council

Functions and responsibilities

In the new Act, the Council was the sole governance body specified and Section 8 (2) gave Council the responsibility for “the general direction and control of the College.”

¹³ *ibid* Sections 6 (1) and 7 (1)

¹⁴ *ibid*, Section 5

Powers

Council's powers now included all those it had previously enjoyed in addition to those previously entrusted to the Academic Board. Further, Council was accorded the authority to assume some of the powers formerly reserved for the Minister of Education (for example, the fixing of fees and charges) and was empowered to make all appointments, save that of the President, without ministerial approval.

Council now also assumed full authority for the management of financial matters (which had formerly required the specific approval of the Minister of Finance) and The College was authorized to retain in its own accounts (and to expend) the moneys voted for its purposes by Parliament, and all revenue generated through fees and other charges payable to The College. In respect of this greater financial autonomy, however, The College was to be held accountable for prudent management of its resources. Section 19 required The College to keep proper accounts and records, to prepare a statement of accounts at the end of each financial year and to submit to the Minister within three months after the end of each financial year, an externally audited statement of accounts that was to be laid before Parliament by the Minister.¹⁵

In a significant departure from the provisions of the 1974 College Act, in the 1995 Act the Minister of Education was only authorized to give "general directions as to the policies to be followed by the Council concerning the administration of the College, as appear to the Minister to be requisite in the public interest,"¹⁶ (though such directions were not to apply to appointments or related matters regarding staff, or to the admission, evaluation, discipline or other matters pertaining to students). This new definition of the Minister's role reflected, again, the intention to grant The College a greater degree of autonomy in the conduct of its affairs.

Membership and procedures

Council now consisted of eleven members, appointed by the Governor-General. These included the President, *ex officio*, two public officers (one from the Ministry of Education), a student selected according to procedure determined by the student government body, a faculty member, selected according to procedure determined by the faculty union, the President of the Alumni Association and five persons drawn from relevant sectors of the wider community, who typically represented the business, financial and medical sectors. The Governor-General appointed the Chairman from among the members of Council and the Secretary to the Council, was specially appointed for that purpose by the Council itself.

The intention in these measures was, clearly, to make the membership of Council more inclusive through the representation of key stakeholder groups, and to strengthen the work of that body by the provision of full-time support.

¹⁵ *ibid*, Part IV

¹⁶ *ibid*, Section 10 (a) and (b)

It is worthy of note, also, that three of the members of Council were selected for appointment by the constituency they represented. Further, in order to ensure the continuity of the work of the Council, Section 1 (2) of the Schedule of the Act stipulated that, after the initial constitution of the Council, “the members of the Council shall not consist entirely of persons appointed to members of the Council at the same time.”¹⁷ In practice, however, this staggering of appointments has been difficult to enforce, due to the general practice in the country of requiring all Government Boards to be reappointed at the beginning of each calendar year.

Regarding frequency of meetings, Section 10 (1) of the Schedule stipulated that meetings were to be held at least once each month and “at such other times as may be necessary or expedient for the transaction of its business...” It has been suggested that such frequent meetings, added to meetings of the various sub-committees of Council, impose a considerable burden upon the members of the body.

The Academic Board

Functions and responsibilities

The absence of a reference in the 1995 Act to a specific governance body that would enable academics in the institution to have authority over the process of programme and course design, to set standards of academic performance and to oversee quality assurance, led the Council to re-establish the **Academic Board** which had in the earlier Act enjoyed statutory responsibility for those functions. This was done through the approval of Paper CC-96-08, submitted to Council by the Vice-President of Academic Affairs.

Membership and procedures

The Board was to be chaired by the VP Academic Affairs, and included among its members were Deans of Faculties, Chairpersons of Divisions (or Schools), Directors of Counselling Services, the Library and Continuing Education and Extension Services, representatives of UTEB and COBUS and of the Office of the VP Research, Planning and Development. The Paper does not address the frequency of meetings, but in practice it appears that these are held as needed.

¹⁷ *ibid* Schedule, Section 1 (2)

2. RECENT DEVELOPMENTS

2.1. PREPARATION FOR MOVE TO UNIVERSITY STATUS

In 2002, the newly elected Government of the Commonwealth of The Bahamas declared its intention that The College of The Bahamas should become a full University by 2007, thereby confirming and setting a specific deadline for The College's own previously articulated long-term aspirations. The new Council and successive leaders of The College were challenged to undertake the planning and action necessary to ensure that this goal would be met. A variety of initiatives were taken to prepare The College for this most momentous step in its history to date, including significant infrastructural improvements, programme review and development and the formulation of strategic planning frameworks, informed by the work of various task forces and committees. By the middle of 2006, the process had reached a point where serious consideration could be given to the drafting of the new legislation necessary to establish formally the University of The Bahamas, to stipulate its functions and to provide for the governance of the new University.

The Council, the senior leaders of The College and other key stakeholders within the institution recognized clearly that central to the effective functioning and general credibility of the proposed University would be the establishment of a governing structure that would not only be capable of guiding and supporting the work and reputation of the new University, but would also be recognizably that of a University in the wider international academic arena. It was seen as especially important that such a structure should clearly reflect a concept of collegial governance and, particularly, enable the body entrusted with the authority to make decisions regarding the central work of the institution – i.e., the academic programmes, scholarly research and related matters – to draw deeply upon the expertise and experience of members of the academic faculty and other relevant stakeholders by the inclusion of a broad cross-section of such individuals among its members.

The importance of the role that non-academic staff played in advancing the work of the institution was also appreciated and an initial step was taken in 2006 to ensure the inclusion of this group in the governance of The College when a representative of the staff was appointed as an observer member (with voice but no vote) of the existing Council. This representative was elected by the members of staff themselves – another significant step forward in the journey towards ensuring a more democratic and transparent process in the identification of Council members.

2.2 ESTABLISHMENT OF THE AD HOC ADVISORY COMMITTEE ON GOVERNANCE

The foregoing understandings regarding a desirable approach to governance in the proposed University were directly addressed by the Council at its meeting of August 17, 2006, and a motion was adopted that established an Ad Hoc Advisory Committee to advise Council on matters of academic governance, including the wisdom of establishing a University Senate. Dr. Keva Bethel, President Emerita of The College, was named to serve as Chair of that Committee.

2.2.1. The Mandate

The text of the motion adopted by the Council was as follows:

WHEREAS it is the vision of this Council of the College of the Bahamas to inspire the establishment of The University of The Bahamas;

AND WHEREAS this vision implies an organizational structure which recognizes a governance structure and relies upon the academic expertise, knowledge and achievements of its Faculty and allows for collegial governance;

NOW BE IT RESOLVED THAT this Council create an Ad Hoc Advisory Committee, to advise Council on matters of academic governance including the wisdom of establishing a University Senate;

AND THAT the Council Chairman do name Dr. Keva Bethel, President Emerita, as Chair of the said Advisory Committee, or some other person acceptable to the Chairman;

AND FURTHER THAT the Council Chairman do name to the said Advisory Committee no less than twenty (20) persons, the majority of whom shall consist of members of the College's Faculty, but also including persons who are representative of all sectors of The College and its stakeholders including in particular its staff, students and alumni;

AND THAT the said Advisory Committee do report back to this Council with its findings by December 31, 2006.

2.2.2. The Committee

In total, 25 individuals were named to be members of the Committee. These included the Chair; the President of The College and five (5) other members of the Senior team; one

(1) representative of the School of Business; one (1) representative of the Culinary and Hospitality Management Institute; one (1) representative of the School of English Studies; two (2) representatives of the School of Social Sciences; four (4) representatives of the School of Science and Technology; one (1) representative of the UWI/COB Law Programme; one (1) representative of the Northern Campus; one (1) representative of Libraries and the Grosvenor Close Campus; the president of UTEB (from the School of Education); the President of COBUS; one (1) member of the non-academic staff; one (1) representative of the Ministry of Education (an alumnus of The College); the Executive Director of the Bahamas Chamber of Commerce (also an alumnus); one (1) representative of the Alumni Hall of Fame; and one (1) representative of the Financial Services community.

Dr. Joan Vanderpool, former Director of Research and Grants, was assigned as Research Assistant/ Executive Secretary to the Committee. (The complete list of individual names appears as Annex I).

3. WORK OF THE AD HOC COMMITTEE ON GOVERNANCE

3.1. METHODOLOGY

From the beginning of its work, the Committee determined that its approach to the mandate given to it by the Council should reflect two important dimensions: its commitment to a broadly consultative process, and its commitment to grounding whatever recommendations were advanced in a solidly research-based familiarity with current trends and practices in higher education worldwide.

The methods employed to achieve those goals are outlined below. It should be noted, also, that members of the Committee (as well as other representatives from the wider College community) had opportunities to participate in the consultative process in a variety of settings and in multiple ways.

3.1.1. Meetings

The Committee held seven meetings between September 14 and December 15, 2006. Seven more were held between February and the end of May, 2007. An all-day retreat was held on May 7, 2007, to enable members to give extended attention to potential recommendations.

Discussions centered upon key issues to be considered in determining an appropriate governance structure for the University of The Bahamas. These included an understanding of the Vision and Mission of the institution and how its governance structure contributed to the fulfillment of these; what members of the Committee understood by the term “governance” and how “governance” differed from “management”; and the underlying principles that should inform the process of governance (e.g., a commitment to academic freedom, academic excellence as measured by international standards, participatory decision making, transparency and accountability, as well as to responsiveness to national needs, efficiency and cost-effectiveness).

The Committee also discussed the changes that were occurring in the governing patterns of institutions worldwide (even old and established ones) and it was agreed that it would

be valuable to review and share findings on models of governance from a variety of contexts to learn how others organized themselves to achieve similar objectives. Members of the Committee were therefore divided into eight (8) sub-committees, each of which undertook to examine University governance issues and practices in a particular area of the world. The regions to be examined were the following:

- Africa
- Asia
- Australasia
- Canada
- Europe
- Latin America and the Caribbean
- The United Kingdom
- The United States of America.

The membership of the various sub-committees is presented in Annex II of the Report.

Without limiting the scope of review and discussion to be undertaken by sub-committees, it was recommended that the following common elements be examined in relation to governance structures worldwide:

- nomenclature employed;
- instruments of authority (charter, legislation, statutes, ordinances);
- organs of governance and their membership (categories of members, internal/external representation, number of members, methods and criteria for selection/election, length of terms of membership and conditions of service), organization, processes and procedures;
- functions, roles, scope of powers;
- relationships between various bodies;
- mechanisms of accountability, risk management, quality assurance.

Summary reports of the findings of certain of the sub-committees are included among the Annex VI of this Report.

It was also agreed that, before proposing any new structure for the University of The Bahamas, it would be important to review existing governance bodies within The College to determine their perceived strengths and weaknesses and how they might fit into any future arrangements.

3.1.2. Documents Consulted.

Committee members undertook a literature review and archival search of printed and electronic documents related to COB as well as universities and higher education systems worldwide. To facilitate the sharing of findings and materials and to encourage discussion among members of sub-committees and the committee as a whole, an

electronic discussion forum was established using Blackboard¹⁸, accessed through the COB Web Site.

3.1.3. Individual Interviews

The Chair and Research Assistant/ Executive Secretary conducted a series of individual interviews with members of the College community who had participated in or were currently participating in various organs of governance in the existing structure. By the end of 2006, twenty-one (21) such sessions had been held: with six (6) members of the Senior Team, three (3) Deans, one (1) former Dean, five (5) Chairs of Schools, five (5) Directors, and one (1) former Chairperson who had also been a senior officer in the Faculty Union. Interviews with seven of the eleven members of Council were held in the period January to March, 2007. A detailed list of persons interviewed appears in Annex III in this Report.

3.1.4. Stakeholder Consultations.

Members of the Committee held small group meetings with three major stakeholder groups: community (including alumni and former members of the College Council), faculty and staff, and students. A team drawn from members of the Committee was established to plan and implement the small group consultations. In order to derive the maximum benefit from the limited time available for such consultations, these small group activities were designed using a rapid assessment method. The planning team was assisted in various ways by other members of the COB faculty, and by volunteers from the wider community in both the planning and implementation of the consultations.

These consultative sessions yielded important insights into the expectations, perceptions and concerns of participants in relation to the proposed University of The Bahamas. A detailed list of persons participating appears in Annex III of the Report.

NOTE: It should be noted that a variety of unforeseen circumstances conspired to make it impossible to complete all aspects of the agreed methodology outlined above by the initial deadline of December 2006. The deadline for the completion of the Committee's work was therefore extended to May 2007.

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3.2. FINDINGS

The varied sources cited above yielded rich information that greatly assisted the Committee in arriving at its recommendations.

¹⁸ Blackboard Academic Suite TM (Bb)

3.2.1. Definitions of Governance

Very early in the work of the Committee it became clear that it was important to define what was meant by the term “governance” in the higher education context. Members questioned the distinction between “governance” and “management,” for example, and how this ought to delimit the scope of the Committee’s undertaking.

The review of literature on higher education yielded a number of useful definitions, of varying degrees of specificity but all containing one common thread: the concept of “governance” as referring to the structures and processes by means of which major (“macro”) decisions and policies were made in an institution of higher education.

“Management’ on the other hand referred to the structures and processes by which those decisions were implemented. The Committee was very aware, nevertheless, that there were many points at which these two functions would inevitably intersect. For example, in the White Paper on University Governance published by the University of Oxford in 2006, it was noted that “governance” also refers to “...the mechanisms whereby those who have been given the responsibility and authority to pursue those policies and objectives are held to account...”¹⁹

The Committee’s work was conducted within this framework of understanding.

3.2.1. Documents Consulted: Important Trends in Higher Education.

[A] General findings

The review of literature on higher education institutions and systems worldwide revealed a remarkably consistent concern to examine the roles, effectiveness and accountability of various providers of tertiary education. As increased attention has been focused on governance patterns and practice in the corporate world, so too has greater attention been paid to governance in higher education. In recent times, more and more government agencies and key stakeholders within and outside of institutions have demanded that these become more responsive to the needs of their communities, more accessible to the populations they serve, more efficient and transparent in their operations, more accountable for the management of their resources (fiscal and otherwise) and for the quality of their performance. There has been a resultant tendency in many contexts to introduce a more corporate approach to higher education governance that allows for the participation of external experts and outside evaluation of stated and approved goals and, in systems formerly directly controlled by state or national governments, there has been a discernible move towards greater institutional autonomy.

¹⁹ White Paper on University Governance. Oxford University. 2006

The traditional, often very hierarchical, “ivory tower” form of governance has been called into question and there have been numerous reviews, in countries around the world, of the practices of institutions and of systems in this regard. The results of these, and the subsequent actions taken based on their findings, provided a revealing source of guidance for the Committee’s present work which, like the earlier undertakings of previous groups within The College, is clearly very much in keeping with this international trend. A particularly instructive element in the reforms noted in other contexts was the emphasis laid on clear definitions of roles and responsibilities, on the provision of carefully documented details of procedures and processes to be adopted in fulfilling those responsibilities and on the orientation, training and assessment of performance of members of governance bodies.

The paragraphs that follow outline in more specific detail the types of literature studied and the range of information derived.

[B] Specific findings

Types of documents studied

The literature pertaining to governance in higher education comprises archival records within universities as well as a wide range of publications and promotion material. Relevant records and publications include legislation, policies, national and institutional governance reviews and protocols, articles and books. Although higher education scholars have noted that published research on governance in higher education is less abundant,²⁰ there are several comparative research studies that have been conducted under the auspices of national and international organizations.

Research studies that compare governance practices in universities and national higher education systems proved particularly useful for the purposes of the work of the Ad Hoc Advisory Committee on Governance because a key consideration in the selection of literature reviewed was the inclusion of both local and global perspectives. Locally, governance at The College of The Bahamas was reviewed using primary and archival sources²¹. Globally, the review included universities worldwide and, for ease of reference, these were classified into the eight regions identified previously, i.e., Africa, Asia, Australasia, Canada, Europe, Latin America and the Caribbean, the United Kingdom, and the United States of America²².

Governance Review Initiatives

Within the past decade, governance review initiatives have increased. Several reasons have been offered for the increased scrutiny of governance in universities and higher education systems. It is apparent from the literature that the sum of these reasons has derived from the recurring issues and numerous effects of higher education growth and

²⁰ Jones, G. A., Shanahan, T., & Goyan, P, (2001,2002 & 2004),

²¹ Individual Interview Participants, Annex III; College of The Bahamas Policies Annex IV

²² Annex VI: Reports of Sub Committees of Ad Hoc Advisory Committee on Governance

development in an increasingly global, knowledge driven society. Within this context some universities have sought to ensure good governance by undertaking periodic review and revision of regulations and guidelines²³ of existing governance mechanisms. Others have conducted comprehensive reviews²⁴ to inform recommendations for policy development. Such reviews and recommendations have also generated response and critique not only from stakeholders within the University under review but also from external stakeholders, the general public and the popular press. Response and critique are particularly valuable in governance review initiatives considering the expressed values and commitment to consultative communications practices and shared governance.

Definitions and Terminology

The variety and lack of brevity of definitions of governance reflect the complexity of the triune mission (teaching, research and service) of universities and their multiple functions, such as conferring credentials, conveying knowledge, fostering socialization, conducting research, sustaining the institution, providing public service and promoting culture²⁵. Readily apparent in the review of governance mechanisms, processes and practices is the fact that some universities have governance arrangements that others have not, or where these are the same, they are referred to using different names. Terminology also varies in the identification of university leadership.

Despite the apparent complexity of governance as a construct there are identifiable elements of commonality in the definitions offered throughout the world.²⁶ Whatever the definitions or terms used, it is clear that governance processes involve collective decision-making, policy formulation, oversight of and accountability for actions relevant to the implementation of policy and decisions made. Within universities governance processes are pursued through formal and informal governance mechanisms and arrangements that are authorised and held accountable through legislation.

Governance Symbols of Authority: Legislation

A review of legislation pertaining to the establishment of universities provides a generally accessible and verifiable source of formal university governance mechanisms, arrangements and terminology. Legal arrangements for the establishment of universities include charters and enactment of bills and statutes. Formal arrangements and mechanisms for the governance of universities are specifically articulated in their legislation.

As is the case in other corporate bodies, there are governmental legal frameworks and non-governmental conventions that are all relevant to Universities generally and their governance in particular. The literature reviewed for this study included national higher

²³ McGill University, University of Toronto

²⁴ Oxford University White Paper on Governance; Report on the Chancellor's Task Force on Governance of the University of The West Indies

²⁵ Helen Willa Samuels Varsity Letters : Documenting Modern Colleges and Universities

²⁶ Kaplan; Keazar; OISE/UT; Oxford

education laws²⁷ and policy documents²⁸ as well as international conventions²⁹ and associated studies³⁰.

Leadership Roles and Responsibilities – Principal Officers of the University

There are some leadership roles and responsibilities that are found in some universities but not in others. On the other hand there are those that may be similar but referred to by different names. Whatever the nomenclature employed, the Principal Officers (sometimes referred to as Executive Officers or Senior Administrators) of the University are inevitably clearly identified at the beginning of the legislation. For example, while the role of the chief executive officer at the College of The Bahamas and Florida International University is undertaken by a “President”, at the University of the West Indies it is undertaken by a “Vice-Chancellor,” at McGill University by a “Principal,” and at Imperial College in the UK and on some campuses of the University of Sydney by a “Rector”. There are universities that have as the titular head, a Chancellor whose role (though higher than the chief executive officer) is largely symbolic. Assisting the chief executive officer of a university might be the responsibility of Pro-Vice-Chancellors or Vice-Presidents and or Provosts. In some Acts, the position of Deputy Vice-Chancellor or Executive Vice-President is clearly defined,³¹ while in others that role is assigned on the approval of the University Council or Board of Trustees.

Deans normally lead faculties of Universities, and like Executive Directors of Institutes have wider latitude of executive power than Chairs of Schools and Directors of various departments and portfolios.

Governance Arrangements and Mechanisms

The importance of governance is underscored by the primacy of its arrangements and mechanisms in the contents of university legislation.

(a) Governance Bodies

The highest levels of university governance mechanisms (i.e. those that have oversight of the entire university) include Boards of Trustees, Boards of Governors, University Councils, and University Senates. The highest levels of academic governance (those that are entrusted with the responsibility for academic affairs) include Academic Boards; Faculty Councils; and Senates

Notably, care must be taken in the interpretation and use of terminology. For example, the term Senate in a University may refer to a University Senate or an Academic Senate

²⁷ South Africa

²⁸ Australia

²⁹ UNESCO Lists of Legal Instruments

³⁰ Report of the Chancellor’s Task Force on Governance of the UWI

³¹ College of The Bahamas Act (1995)

and should therefore be qualified as to whether it is a governance body with responsibility for all University matters or whether its scope is limited to academic work.

(b) Powers, membership and processes

Prominently featured in higher education legislation are articles and regulations that refer to matters pertaining to the membership and powers of governance bodies. The scope of powers and membership, composition and processes of councils, boards of governors, boards of trustees, etc., and senates, along with their delegation of authority to standing committees are all carefully detailed.

Further review of higher education legislation reveals an increasing attention to and elaboration of detail used to clarify governance powers and processes. Newer universities are more explicit in their charters and other legislation than those that are older. Notwithstanding their year of establishment, however, many universities have amended legislation pertaining to their governance mechanisms and processes. In many cases such amendments were informed by institutional as well as national reviews of higher education policies and practices. Therefore matters pertaining to the scope of powers, membership and processes of governance bodies are specified in surprising detail in university legislation and, to a certain extent, in national higher education legislation. Such legislation is found to include articles relevant to the composition of governance bodies, including their size, categories of representation; qualifications of members; selection, election or appointment processes; duties of members; terms of office; vacation of office; disclosure of interests; meetings; and delegation of powers.

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3.2.2. Perceptions of Internal and External Stakeholders of The College of The Bahamas

Discussions in Committee meetings, coupled with information gleaned from individual interviews and group consultations with faculty, staff, students, administrators, Council members and members of the wider community (including alumni and former members of Council), yielded important insights into both the expectations of these various individuals for the University of The Bahamas and their perceptions concerning the strengths and weaknesses of the current governance structure and practice of The College.

(A) Expectations

It was clear that all interested parties held high expectations for the proposed University. The institution was seen as offering an opportunity to foster higher levels of intellectual leadership and cultural awareness within the community, as well as more informed,

rational decision-making, all of which was likely to result from the more widespread research initiatives that a University should promote. It was recognized that academic freedom – i.e. the freedom of enquiry and expression that should permeate teaching, learning and the pursuit of knowledge through research and publication - was an important ingredient in these expectations' being met. It was equally understood, however, that academic freedom must be exercised responsibly and with accountability.

Stakeholders also expected the University to stimulate greater critical, creative and innovative thinking that could be of significant national value. They expected, as well, that a University would provide a space for divergent views, would demonstrate tolerance for diversity (academic, national, religious, social or ethnic) and be free of political bias.

Key among the attributes that the University would be expected to demonstrate in all aspects of its work and practices was integrity. Almost without exception, individuals consulted stressed the importance of ethical behaviour in the conduct of the affairs of the institution and, indeed, a number suggested that ethics should be taught as a compulsory part of the University's curriculum.

The University was clearly expected to be particularly responsive to national needs and to contribute significantly to the cause of national development, (i) by preparing individuals to participate meaningfully in the economy and to become responsible citizens of their society, (ii) by providing a forum for debate on national issues, and (iii) by providing a reliable source of research to inform national policy, and (iv) by its commitment to excellence in its academic endeavours and in its conduct of its own affairs. The expectation was unequivocally expressed, also, that responsiveness to the national needs would embrace the whole of The Bahamas and not merely New Providence.

(B) Perceived strengths and weaknesses of the current governance structure.

Strengths

(a) Council

The members of the Council were perceived as bringing a valuable range of abilities to the work of the body. In addition, Council members were seen to be extremely committed to the well being of the institution and to be willing to work hard to promote its interests. The range of representation of key stakeholder groups (faculty, students, alumni and, more recently, staff) allowed for the voices of these various groups to be heard at this highest level of governance.

It was pointed out that Council had received a very clear mandate from the Government of The Bahamas that had enabled the body to set concrete goals. The Minister of Education had consistently been a champion for The College and open and available to the Council for briefing and feedback, without seeking to impose his will upon the institution or to use his statutory power to direct the Council.

The Chairman was seen to be a strong leader who encouraged participation by all members of Council before decisions were made. The Council also provided strong support to the President and her team.

The presence at the meetings of Council of the various Vice - Presidents was seen to be helpful as they were available to speak directly to the reports related to their respective areas of responsibility.

(b) Academic Board

The careful and detailed work of the Academic Board, and the many stages of discussion through which courses, programmes and policies had to pass before being submitted to that body were perceived as contributing to a high level of quality assurance and as providing an opportunity for many persons to participate in the development of these. It was perceived that valuable discussion and exchange of views on academic principles and practices were engaged in at the different levels.

The membership of the Board itself allowed for the sharing of information across the schools and faculties of The College.

Weaknesses

(a) Council

There were several areas of weakness identified in relation to functions of and expectations for the Council.

Regarding membership, it was generally perceived that the current number of members of the Council was too small to enable the formation of viable sub-committees of that body. Further, while the representational membership on Council was seen as an important strength, it also created areas of potential conflict of interest that were perceived as a weakness in current arrangements, for, it was noted, at times the interest of the body represented by any given member of Council might run counter to certain aspects of Council's responsibilities.

The lack of clear definition of the role of Council members and of expectations for them was seen as a weakness in the current practices. It was felt that there needed to be more structured orientation, training and detailed documentation provided for new members in order to make them better able to perform their roles adequately.

The requirement stipulated in the Act for Council to meet on a monthly basis was seen as imposing too heavy a burden on Council members, especially as members were also expected to attend meetings of sub-committees. It was perceived, moreover, that this factor tended to involve Council too deeply in the day-to-day operations of the institution and to lead the body to run the risk of micro-management.

(b) Academic Board

While the attention to detail required (and undertaken) by the Academic Board was seen as contributing to course and programme strengthening, it was perceived that too often the Board became bogged down in minutiae, contributing to the length of meetings and leaving the Board insufficient time to engage in the broader philosophical discussions that ought properly to engage the highest academic body in The College. It was felt that much of the editorial work undertaken at the level of the Board itself could be dealt with at earlier stages, and even could be effectively carried out by a skilled technical unit established for the purpose. There was a perception also that the adoption of one standard format for courses and programmes of all disciplines was sometimes inappropriate to reflect the particularity of language and form demanded by the traditions of individual academic or professional disciplines.

Again, the lack of adequate orientation to the work of the Board (as noted in the case of the Council) was cited on a number of occasions. Also the lack of consistent attendance on the part of some groups' representatives was cited as a weakness.

Generally, it was felt that, despite the value of the discussion that occurred at the various levels of programme or course development, the current process was often overly long and often inefficiently repetitive.

(c) General

Overall, a general weakness that was identified was that senior administrators in particular, but also many middle managers, faculty, staff and student representatives, were called upon to attend too many meetings of too many different boards and committees.

4. RECOMMENDATIONS

The general process adopted in formulating the recommendations that follow was to seek consensus of views among members of the Committee. It was agreed that, where any member(s) registered significantly opposing views, these would be reported as minority positions.

The recommendations themselves were derived from a combination of sources: the research findings on higher education, the issues identified in the various forms of consultation undertaken, and from consideration of both the realities of the existing structure within The College and the legal and social imperatives of The Bahamas as a whole.

4.1. Values and Principles.

Emerging from all aspects of the work of the Committee was a recurrent affirmation that the structure and processes of effective governance in a higher education institution must reflect certain fundamental values and principles that are accepted as being essential in an academic environment. These were judged as being particularly important in a national university whose contribution to the development of its society must be at once concrete and symbolic, in that all aspects of its work - its mission and vision, its programmes, research, service, policies, procedures and practices - ought to reflect the standards of excellence to which the nation as a whole should aspire.

The Committee therefore considered at length those principles that the University of The Bahamas should seek to embody in its governance structure and processes. In many instances these coincided with those that pervade higher education enterprises around the world. There were others, however, that seemed to assume particular significance within the context of The Bahamas.

Four major principles, each equally as important as the others, were identified as being central to the work of a national University in our context: a commitment to national development, a commitment to excellence, a commitment to the concept of shared governance, and a commitment to academic freedom. These are elaborated upon more fully below, along with other significant principles that are inextricably linked with them.

1. Commitment to National Development.

The Committee embraced the concept that higher education was both a private and a public good and recognized particularly that, as a national university, the University of The Bahamas would have a special role to play in shaping the Bahamian society. Those responsible for the governance of the institution would therefore have a duty to ensure that it remained relevant and responsive to the diverse needs of The Bahamas as a whole and accessible to students throughout the archipelago, and that it served as an effective partner in national efforts to fulfil the aspirations of the Bahamian people. At the same time, understanding that a University was also a member of an international community of like institutions, the Committee accepted the concept, articulated at UNESCO's 1998 World Conference on Higher Education, that "the international dimension of higher education is an inherent part of its quality," and emphasized that it would be essential to ensure that the University offered the scope, depth, diversity and quality of work that would secure its credibility and acceptance not only within The Bahamas but in the international arena as well.

2. Commitment to Excellence.

The Committee recognized that, in a society that was all too often accepting of mediocrity, the University of The Bahamas must in all aspects of its work demonstrate an uncompromising commitment to standards and quality of performance that would meet or surpass both national and international criteria. Such a commitment must be clearly reflected in the practices adopted in the governance of the institution and be confirmed by the systematic observance of quality assurance and risk management measures

3. Shared governance and participatory decision-making.

It was agreed that the recommendations regarding a desirable governance structure should reflect a firm commitment to the principle of shared, inclusive participation in the making of important institutional decisions. It was further emphasized that the processes adopted by governance bodies should be genuinely consultative in nature. This principle was seen as essential not only to ensure that decision-making would benefit from the diverse expertise and experience of key groups of internal and external stakeholders and to secure "ownership" of decisions taken, but also to confirm unequivocally to the wider Bahamian community that its University accepted the pre-eminent value of the democratic process.

4. Academic Freedom

Members of the Committee agreed that the processes and procedures of University governance must reflect, and foster the centrality of, the principle of academic freedom in the discharge of the business of the institution. In its "Recommendation concerning the Status of Higher Education Teaching Personnel," adopted in November of 1997,

UNESCO defined “academic freedom” as “the right, without conscription by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom [of higher education teaching personnel] to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies.”³² The committee recognized as well, however, that the exercise of such freedom carried with it special duties and responsibilities and that it must always be accompanied by an expectation of being held accountable for its results.

5. Integrity and Ethics

As noted previously, almost without exception, members of the various stakeholder groups with whom the members of the Committee consulted identified the scrupulous demonstration of integrity and ethics as being key among their expectations for the University and its people. The governance of the institution must clearly be grounded in these principles (that are already reflected in the motto of The College: “Knowledge, Truth, Integrity”). Measures to ensure that these qualities were consistently reflected in the work of the institution should, it was felt, be specifically embedded in the requirements for membership of and participation in the organs of governance and in the policies, procedures and practices adopted by such bodies.

6. Tolerance of and respect for diversity

By the very nature of higher education whose purposes, among others, are to transmit knowledge, develop critical thinking and encourage scholarly enquiry, a University must provide a space to “let all ideas contend.”³³ This was emphasized by stakeholder groups with whom the Committee consulted who articulated the expectation that the University of The Bahamas would, in its varied undertakings, demonstrate tolerance of and respect for diversity, be free of bias and protective of human rights. The Committee interpreted this principle as referring to diversity in all forms: of gender, ethnicity, nationality, religion, social class, educational background, sexual orientation or political persuasion. It held, also, that the processes that the institution followed to arrive at key decisions must demonstrate the conviction that individuals have a right to hold differing opinions and to have those opinions heard and respected. It was accepted that only in this way might all members of the institution be genuinely empowered in their several roles. It was hoped, further, that this tolerance of and respect for diversity of origin, nature, thought and belief might extend into the more general relationships that pervaded the life of the institution and model the level of tolerance desired in the wider society.

³² Section VI.B. Clause 27: “Recommendation Concerning the Status of Higher Education Teaching Personnel”. UNESCO, 1997

³³ This phrase is taken from the Chairman’s Preface to “Time for Action: Report of the West Indian Commission” Barbados, 1992.

7. Autonomy

It is generally accepted in the higher education arena that the proper exercise of academic freedom and the duties and responsibilities attached thereto can only occur in an environment of institutional autonomy that is designed to protect the independence of the institution from partisan influence and the uncertainties of political change. In this context, autonomy does not imply unfettered licence to pursue individual or institutional agendas without due regard for the overall best interests and priorities of stakeholders and, in the case of national institutions, of the state as a whole. The definition provided by the UNESCO 1997 Recommendation expresses succinctly the meaning and implications of institutional autonomy that the committee would wish to embrace, i.e., “that degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights.”³⁴

8. Accountability

It was stressed that the governance bodies of the University (and indeed all members of the institution) must be scrupulously accountable to internal and external stakeholders for their faithful discharge of all aspects of their responsibilities. As a national institution, the University must be particularly accountable to the Government and people of The Bahamas who are its primary owners. Relevant organs of governance must ensure that the highest standards of performance are reflected in the academic enterprise, in the management of financial and human resources and in the conduct of the institution generally within the context of the national and international communities. Governance bodies must, therefore, be careful to set in place appropriate quality assurance and risk management mechanisms to ensure that the demands of accountability are met.

9. Efficiency and Effectiveness

The Committee agreed that the effective management of resources demanded efficiency in their use, guided by accepted best practices. From a governance perspective, this was seen to imply that the work at each level of the decision-making process should always add value to that undertaken in the one preceding it if an inefficient repetition of effort was to be avoided.

10. Transparency

It was agreed also that, closely allied with the effective demonstration of all the foregoing, was the principle of transparency that should prevail in the procedures and practices entailed in the governance of the University. It was deemed essential that there be clearly understood guidelines and specific requirements for communication of the

³⁴ Section V.A. Clause 17: *ibid.*

content of decisions and the method by which these have been reached, and all participants in the process should undertake to observe these closely. Records of procedures and outcomes should be formally documented, carefully preserved and made available for scrutiny as appropriate.

11. Adaptability

The Committee was sensitive to the inherently dynamic nature of institutions of higher education which, as an essential feature of their existence, must be responsive to changing imperatives within societies and the wider world. Governance bodies within a University would need to be so structured as to be able to demonstrate both the willingness and the capacity to adapt to changing needs, while remaining careful not to jettison indiscriminately important elements of institutional history or those things that have proven to be of abiding value in the higher education enterprise worldwide.

4.2. Governance Structure

The recommendations advanced regarding the governance structure and processes seek both to reflect the principles and values described in the preceding Section, and to reflect internationally accepted norms. In particular, the proposed structure seeks to respond directly to the section of the Committee's mandate that states "...this vision implies an organizational structure which recognizes a governance structure and relies upon the academic expertise, knowledge and achievements of its Faculty and allows for collegial governance; ..."

It was determined that the structure recommended would embrace two main governance bodies:

(1) A Governing Council that would allow for appropriate representation from stakeholder groups within the University, but would consist mainly of members drawn from key sectors of the wider Bahamian society; and

(2) A Senate, that would allow for broad representation of key stakeholder groups, drawn primarily from the academic faculty of the University, but that would include senior University officials who by virtue of their offices had particular responsibility for key dimensions of the academic enterprise of the institution and related activities. Outside involvement in the work of the Senate would come through members drawn from institutions or bodies with whom the University engaged collaboratively. Student interests would be represented through the membership of present and past students of the institution.

It was understood, also, that the **Principal Officers** of the University represented an integral part of the governance structure, so their roles and titles were also addressed.

In making recommendations concerning the nomenclature that might be adopted for such officers, the Committee gave consideration to the need to reflect the change in status of the institution, to adopt terminology that would both be recognized in international University circles and also be particularly in keeping with trends within Commonwealth national Universities. The close affiliation already existing with North American institutions, however, was recognized and was reflected by including in the designations titles familiar in those contexts.

4.2.1. Nomenclature and Instruments of Authority

The Committee recommends the use of the following terms to designate the principal officers and organs of governance:

- (i) The name of the institution shall be the University of The Bahamas (to be known in its abbreviated form as UB).
- (ii) The University's instruments of authority shall be its Charter Act and such supporting statutes, regulations or ordinances as may be necessary for the better carrying out of the provisions of that Act.
- (iii) Governance of the University shall be vested in the following officers and bodies:
 - The Chancellor;
 - The Vice-Chancellor, who shall be the President and Chief Executive Officer of the University;
 - Such number of Pro-Vice-Chancellors (Vice-Presidents) as may from time to time be determined by the Governing Council of the University, one of whom shall be specifically appointed by the Council to serve as Deputy to the Vice-Chancellor
 - The University Governing Council
 - The Senate

4.2.2. Functions, role and scope of powers of principal officers and bodies

Principal Officers of the University

(1) The Chancellor

It is recommended that the position of Chancellor be essentially an honorary one. The associated roles and responsibilities would be largely ceremonial in nature (such as presiding over the convocation/ commencement/ graduation exercises of the University). The Chancellor would, however, hold, *ex officio* membership on the Governing Council and might serve as the Chair of that body. The individual chosen to occupy this role should be a distinguished Bahamian national of outstanding achievement and reputation, who could serve as a highly respected champion of the University's cause.

The Chancellor shall be appointed by the University Governing Council after consultation with the Senate and with the concurrence of the Minister responsible for Education.

(2) The Vice-Chancellor

The Vice-Chancellor shall be the President and Chief Executive Officer of the University, and shall be responsible for providing leadership and general supervision of the work of the University and for carrying out the directions of the major governing bodies.

The Vice-Chancellor shall exercise general and specific supervision over the educational arrangements of the University and shall be responsible to the Council for the promotion and maintenance of the efficiency and good order of the University.

The Vice-Chancellor shall, *ex officio*, be a member of the Governing Council, of Senate and of any other Board or committee established by either of those bodies. The Vice-Chancellor shall serve as Chair of the Senate.

The Vice-Chancellor shall be appointed by the Governing Council after consultation with the Senate and with the concurrence of the Minister, in accordance with such procedure as may be determined by the Council.

The Vice-Chancellor shall hold office for such period and upon such terms and conditions as the Council may from time to time determine.

(3) The Pro-Vice-Chancellors

The Pro-Vice-Chancellors shall hold responsibility for such areas of operation within the University as the Vice-Chancellor may determine.

Pro-Vice-Chancellors may serve as Provosts of outlying campuses of the University.

The Pro-Vice-Chancellors shall be appointed by the Governing Council after consultation with the Senate and in accordance with such procedure as may be determined by the Council. They shall hold office for such period and upon such terms and conditions as the Council may from time to time determine.

One of the Pro-Vice-Chancellors shall be appointed by the Council to serve as Deputy to the Vice-Chancellor, for such period (not exceeding five years) and under such conditions as Council may determine. This individual will assume responsibility for the discharge of the Vice-Chancellor's functions in the absence of the Vice-Chancellor.

The University Governing Council (UGC)

The Governing Council shall be the principal governing body of the University and shall have jurisdiction and final authority over all affairs of the University. It shall be responsible for the planning of the work of the University and for the effective management of the human, financial and material resources of the University and for the management of risk.

Without limiting the generality of its powers, the Governing Council shall have power to:³⁵

- i. Appoint Principal Officers of the University: Chancellor, Vice-Chancellor and Pro-Vice-Chancellors upon recommendation of a joint committee of Council and Senate and after consultation with the Minister of Education.
- ii. Enact and amend the Statutes of the University, particularly concerning the appointment, promotion, tenure and duties of the Officers, the administrative officials, and the faculty of the University.
- iii. Enact and amend rules and regulations for the orderly government of the University, including procedures or the enforcement of the same.
- iv. Authorize the appointment of a Dean of any School, College or Faculty.
- v. Approve the Faculty Union Industrial Agreement.
- vi. Review and take appropriate action respecting the budget.
- vii. Authorize any changes in tuition, room, board or fees.
- viii. Authorize the sale and purchase or lease of land or buildings.

³⁵ Note: the specific suggestions outlined in this section have been adapted from a variety of sources, including the Statutes of the university of the South Pacific, the University of the West Indies, the University of Canberra, the University of East Anglia, the University of Sussex and Boston College.

- ix. Authorize and promote major fund-raising activities.
- x. Authorize acceptance of gifts to the University.
- xi. Authorize the incurring of debts, securing mortgage and pledge of real and personal property.
- xii. Constitute standing or *ad hoc* committees concerning financial matters.
- xiii. Authorize the construction of new buildings and major renovations of existing buildings.
- xiv. Receive and approve the Annual Report of the University.
- xv. Authorize each year externally audited financial reports.
- xvi. Submit, each year, a copy of the audited financial Reports to the Minister of Education.
- xvii. Authorize all major changes in the educational policies and programmes.
- xviii. Provide for the encouragement and support of research.
- xix. Review, amend, refer back, control or disallow any act of the Senate required under the Statutes, the Ordinances or the Regulations to be reported to the University Governing Council, and to give directions thereon to the Senate; provided that any such act of the Senate which is amended by the UGC shall be referred again to the Senate for consideration and report before such act (so amended) is put into effect. [***Alternative wording suggested for the above: "Review the work of the University and, subject to the powers and duties of the Senate, take such action as may appear to be necessary to advance the interests of the University, maintain its efficiency, encourage teaching, the pursuit of learning and the conduct of research..."***]
- xx. Establish, after report from the Senate, such Schools of Studies and other units of academic organization as may be deemed necessary from time to time; to prescribe their constitution and functions, and to modify or revise the same.
- xxi. Approve the granting of all degrees in course and of all honorary degrees on recommendation of a joint committee of Council and Senate.
- xxii. Enact and amend the Statutes of the University, particularly concerning the appointment, promotion, tenure and duties of the Officers, the administrative officials, and the faculty of the University [***It has been suggested that this clause be deleted since these terms are negotiated through the Collective Bargaining process. However, it would seem appropriate that the framework for such negotiated terms be enshrined in the Statutes***].

- xxiii. Constitute, in consultation with Senate, such standing or ad hoc committees concerning academic affairs and student, faculty and staff welfare as may be deemed necessary.
- xxiv. Establish such other standing committees of Council as may be necessary for the better discharge of the powers of Council.
- xxv. Delegate its functions under the Act (other than its power to make Statutes) to a member of Council, or a committee that includes a member of Council, or a member of the staff of the University.

*Examples of such sub-committees might be: Finance, Audit, and Nominating Committees

NOTE: It has been suggested that the Powers of the University Governing Council should also include the recommendation of two members of Council to serve as members of the Senate. This position is put forward with a view to ensuring that there would be an integral link between the UGC and the Senate. The implications of this proposal and of the reciprocal measure proposed for the Senate are discussed under the Sections that address, respectively, the members of the Council and the Senate.

The Senate:

The Senate shall be the academic authority of the University. It shall have the control and general direction of curricula and instruction, research and examinations, the award of degrees, diplomas, certificates and other academic awards, the establishment of criteria for the admission, continuation and graduation of students, student welfare and discipline, the organization of Schools, Faculties, Institutes and other units of instruction or research, the identification of facilities required for those entities, and of the size and relative composition of the complement of academic staff. The Senate will where appropriate collaborate with unions and other collective bargaining units on all matters relevant to the appointment and promotion of faculty. All decisions of Senate that have financial implications shall be subject to the approval of the University Governing Council and all decisions of Council that have academic implications shall require consultation with Senate.³⁶

Specifically;³⁷

The Senate shall be the academic authority of the University of The Bahamas and shall, subject to the powers, duties and functions referred to the UGC by the Charter Act and Statutes, take such measures and act in such manner as shall appear to it best calculated to promote the teaching, consultancy, research and other academic work of the

³⁶ Adapted from the University of Guelph, the University of the West Indies and the University of Hong Kong.

³⁷ Adapted from University of the South Pacific and the Statutes of other universities.

University. The Senate shall, subject to the Charter Act and Statutes, in addition to all other powers vested in it, have the following powers, duties and functions:

- i To regulate and ensure the quality of all teaching programmes and courses of study and the conditions under which persons may qualify of the various Degrees, Diplomas, Certificates and other distinctions and awards, of the University: provided that Regulations relating to any programme or course of study shall be referred to the UGC for comment and that any comment or recommendation that the UGC may make shall receive consideration by the Senate.
- ii To recommend to the UGC the institution of Degrees, Diplomas, Certificates and other distinctions and awards.
- iii To regulate and ensure the quality of the admission of persons and categories of persons to the University for the purpose of pursuing any programmes or courses of study and to regulate and control their continuance in those programmes or courses of study.
- iv To approve the appointment of examiners and where examinations, tests or other methods of assessment are necessary under requirements prescribed by the Senate for the granting of Degrees, Diplomas, Certificates and other distinctions and awards, to regulate such examinations, tests and methods of assessment and to appoint examiners, assessors and moderators, whether internal or external.
- v To accept examinations passed and periods of study spent at other Universities or other institutions or bodies as equivalent to such examinations and periods of study in the University as the Senate may determine and to revoke such acceptance at any time.
- vi To accept courses of study in any other institution or body, which in the opinion of the Senate possesses the means of affording the proper instruction for such courses, as equivalent to such programmes or courses of study in the University as the Senate may determine.
- vii To recommend the granting of Degrees, Diplomas, Certificates and other distinctions and awards to persons who have pursued a course of study approved by the Senate and have qualified for such grant in terms of requirements prescribed by the Senate.
- viii To recommend academic distinctions including Honorary Degrees: provided that an Honorary Degree shall not be granted to any person except on the recommendation of a Joint Committee of the Senate and the UGC to be established by the Senate.
- ix To determine what formalities and requirements shall attach to the conferment of Degrees, Diplomas, Certificates and other distinctions and awards.

- x To regulate the use of academic dress in the University.
- xi To recommend to the UGC the terms and conditions under which any institution or body may affiliate to the University, the terms and conditions of any association or cooperation between the University and any institution or body, or the terms of any agreement for the incorporation in the University of any institution or body.
- xii To recommend to the UGC the institution or acceptance of awards such as Fellowships, Scholarships, Bursaries, Studentships, Prizes and other aids to study and research.
- xiii To approve recommendations for the operation and development of the University Libraries.
- xiv To approve recommendations for the operation and development of extramural (i.e., outreach, continuing education and extension) activities of the University.
- xv Review periodically the academic organization and development of the University, with special reference to the effectiveness of the work of the University in relation to its mission and objects, including that of providing at appropriate levels education and training responsive to the well-being and needs of the communities of the Bahamian archipelago.
- xvi Whether or not consequent upon the periodic review of the academic organization and development of the University, to recommend to the UGC the establishment or discontinuance of any School, institution or body for the University, and the creation, suspension or abolition of any faculty post, cognizant of the role of specialized groups including unions and collective bargaining units.
- xvii To review from time to time the duties of all faculty, cognizant of the role of specialized groups including unions and collective bargaining units.
- xviii To make recommendations to the UGC on any matter pertinent to the University and its affairs.
- xix To recommend to the UGC appropriate provision for the personal development and well-being of the students.
- xx To take such steps as it thinks appropriate to advise and assist the Students Association and other organizations of the students.
- xxi To regulate the discipline of the students of the University in accordance with Ordinances to be made by the UGC after consultation with the Senate.

- xxii Subject to an appeal to the UGC, to expel any student guilty of grave misconduct after giving him an opportunity to appear personally and to be heard by a committee of the Senate to be established under the Ordinances.
- xxiii To propose to the UGC new Statutes or Ordinances which it shall be the duty of the UGC to consider.
- xxiv To express an opinion on any matter pertinent to the University and its affairs.
- xxv Generally to exercise all such powers, duties and functions as are or may be conferred on the Senate by the Charter Act and Statutes, including the power to make Regulations in the exercise of the powers, duties and functions hereinbefore expressly set out and of all other powers, duties and functions of the Senate.
- xxvi To establish such standing committees of Senate as may be deemed necessary for the better discharge of the powers and duties of Senate.
- xxvii To delegate any of the powers, duties or functions assigned to it under the Act to a member of Senate, or any committee involving a member or members of Senate, or to a member of faculty or staff of the University.

NOTE: As indicated earlier, there has been a suggestion that the powers of the Senate should also include that of electing two of its members to serve as Senate representatives on the University Governing Council. Again, this proposal is made with a view to ensuring that there exists a direct and integral link between the Senate and the Council.

4.2.3. Membership of major organs of Governance

A. The University Governing Council (UGC)

Size: There shall be no fewer than 17 members of the UGC.

Composition: The UGC shall comprise internal and external members. External stakeholders shall constitute the majority of members.

- a) Internal members shall include the Chancellor and Vice-Chancellor (President) *ex officio*, faculty, student, staff, and alumni representatives.
- b) External stakeholders shall include representatives of the Government and members of the wider Bahamian community from throughout the archipelago.

Categories: There shall be *ex officio* members; appointed members and elected members

a) *Ex Officio* Members

- i. The Chancellor
- ii The Vice- Chancellor /President

b) Appointed Members

- i. A senior officer of the Ministry of Education who shall be authorized to speak and act on behalf the Minister.³⁸
- ii. A senior officer of the Ministry of Finance who shall be authorized to speak and act on behalf of the Minister³⁹
- iii. Four individuals drawn from key sectors of the Bahamian society, e.g., the business, financial services, tourism, education or scientific communities.

c) Elected members

- (i) Three persons drawn from communities outside of New Providence: one resident in the Northern Bahamas, one resident in the Central Bahamas and one resident in the Southern Bahamas who shall be elected by members of their communities in accordance with an ordinance to be made by the UGC, provided that no person who is a full-time member of the staff of the University, as defined by Ordinance, shall be eligible to be elected under this paragraph.
- (ii) Two persons, being members of the faculty: one to be elected by the faculty at large in such manner as UGC shall determine the and the other elected to represent the faculty union in such manner as provided for in the Union's constitution.
- (iii) Two persons, each of whom shall be at the time of his election a registered student of the University (one undergraduate and one graduate) to be elected by the Student Associations in such manner as the UGC shall determine
- (iv) One person who is a graduate of the University and who shall be at the time of his election a member of the Alumni Association of the University to be elected by the Alumni Association in such manner as the UGC shall determine.

³⁸ The inclusion of a specially empowered delegate of the Minister of Education has been recommended in order to reflect the commitment to transparency and accountability emphasized in our guiding principles. It is felt that, in this way the Government would have ongoing firsthand knowledge of the plans and affairs of the University and be integrally involved in their formulation.

³⁹ The same principle applies in the instance of the specially empowered designate of the Minister of finance. The management of the institution's finances would be open to scrutiny on an ongoing basis and should therefore hold no surprises.

(v) One person who shall be at the time of his election a staff member of the University to be elected by the staff at large in such manner as the UGC shall determine.

Co-opted members.

The Council may from time to time co-opt individuals with special and relevant expertise who are not members of Council to serve on sub-committees of Council or such other standing or *ad hoc* committees that Council may from time to time establish.

Secretary to the Council

The Secretary General of The College shall serve as Secretary to the University Governing Council.

NOTE: If the proposal made earlier were accepted – i.e., to include two representatives of the Senate (in addition to the two faculty already provided for in the recommendations above) - it would increase the total number of Council members to 19, made up of 10 “internal” members and 9 external. This would run counter to the intention that there should be a majority of external members on the Council, to redress which situation would require increasing the total of outside members as well.

Appointment of Members of the UGC

The members of the University Governing Council shall be formally appointed by the Governor-General of The Bahamas

One of the members shall be appointed by The Governor- General to be the Chairman of the Council.

Selection and Election of members

“*Ex officio* members” of Council shall be appointed by virtue of their office within the University.

“Appointed members” shall be selected by the Minister responsible for Education who may receive nominations from a joint committee of the UGC and the Senate. In the making of such appointments, due regard shall be paid to ensuring that there is a balanced representation of skills, expertise and gender among the members of the UGC. Particularly, care must be taken to ensure that members have skills in finance, management, law or education and that they have an appreciation of the needs of the community, as well as the values and principles of the University, including its

independence and academic freedom, and its core activities of teaching, research and service.

“Elected members” shall be elected by the groups that they represent in accordance with such procedure as may be determined by those groups and as are approved by the UGC.

Term of Office of Members of the UGC

Commencement and Length of Term.

- 1) The term of office of members of the Council, other than *ex officio* members, shall commence or shall be deemed to have commenced on the first day of July of the year in which they are appointed or elected.
- 2) *Ex officio* members shall hold office for so long as they continue to occupy the positions by virtue of which they became members.
- 3) Members of the UGC appointed as “appointed members” or elected as representatives of communities outside of New Providence shall hold office for a term of three years and shall be eligible for reappointment or re-election for one additional consecutive term.

Note: A member of the UGC may be appointed for a term shorter than three years to provide for greater continuity through the staggered terms of service.

- 4) A member elected as a representative of faculty, staff, students or alumni of the University shall hold office for a term of two years, unless during that period he or she shall cease to be a member of the group he or she was elected to represent.

The Chair

(a) The Chair may be elected from among the UGC members for such period as may be determined by the UGC. This service may be in addition to the normal time of service for a UGC member.

(b) If not elected from among the members of the Council, the Chair shall be appointed by the Governor-General for such period as may be determined by the Governor-General. This service may be in addition to the normal term of office for a member of the UGC.

When members cease to be

A member of the UGC appointed or elected ceases to hold office if he ceases to be eligible under the clause under which he was appointed or elected.

NOTE: Additional detailed recommendations regarding the selection, election and appointment of members of Council, as well as qualifications, duties, performance expectations and associated matters are presented in Annex V of this report.

B. The Senate

Size: The number of members of the University of The Bahamas Senate shall not exceed 40.

Categories: There shall be *ex officio*, appointed and elected members.

Apportionment of Representation: Each School shall have faculty representation proportionate to the number of its full-time faculty members. Faculty representatives shall constitute at least fifty-five percent (55%) [or 50%+2] of the total membership of the Senate. *Ex officio* members shall constitute twenty-seven and one-half percent (27.5%). Student members, staff members and appointed members shall each account for five percent (5%) and the alumni shall account for two and one half percent (2.5%) of the total membership of the Senate

a) *Ex officio* members ⁴⁰

The Vice-Chancellor (Chair)
 Three (3) Pro-Vice-Chancellors
 The Deans of the Faculties (4)
 The Executive Director of the Culinary and Hospitality Management Institute
 The University Librarian
 The Registrar

b) Appointed members

Two [2] persons from institutions and bodies affiliated to or otherwise associated or cooperating with the University as shall from time to time be determined and recommended by the Senate, and appointed by the University Governing Council.

⁴⁰ It should be noted that Chairs of Schools have not been included among the *ex officio* members of the Senate. They may however serve as elected members if their Schools so determine. It is anticipated, moreover, that Chairs of Schools will play a significant role in the Standing Committees of the Senate with delegated powers such as Faculty Boards and other policy-making bodies.

It is recommended that one of these individuals be a senior technical officer of the Ministry of Education.

c) Elected members⁴¹

(a) Full-time Faculty:

School of Business: 2
 School of Communications and Creative Arts: 2
 School of Education: 2
 School of English Studies: 2
 School of Nursing: 1
 School of Science and Technology: 4
 School of Social Sciences: 2
 Law Programme: 1
 Representatives of the Northern Bahamas Campus (from any School): 2

(b) Part-time faculty: 2 (one to be drawn from a Family Island Centre)

(c) UTEB representatives: 2

(d) Staff: 2 (one to come from outside of New Providence)

(e) Students: 2 (one undergraduate and one graduate)

(f) Alumni: 1

Secretary to the Senate

The Secretary-General of the University shall serve as the Secretary to the Senate.

NOTE: If two members of Council were added to the membership of the Senate, as proposed previously, it would increase the size of the Senate to 42 (in a situation where 40 is already considered large) and, again, have implications for the intention of ensuring that some 55% (or 50%+2) would be drawn from the faculty.

Selection, Election and Appointment of Members

1) “*Ex officio*” members” shall serve by virtue of their position within the University.

⁴¹ The distribution of numbers suggested in this section reflect the current situation at The College, and are recommended as an initial composition to facilitate the implementation of the Senate concept. Enabling Statutes would need to reflect that the makeup of the Senate would be subject to change as circumstances in the University as a whole changed.

2) “Appointed members” shall be appointed in such manner and based on such criteria as are prescribed by Ordinance by the Council in consultation with the Senate.

3) “Elected members” (with the exception of the faculty union and student and alumni associations who shall be elected by their own criteria and procedures) shall be elected in such manner and in accordance with such criteria and procedures as are prescribed by Council by Ordinance after consultation with Senate.

Term of Office of Members of the Senate

1) Commencement and length of term

a) The term of office of members of the Senate, other than *ex officio* members, shall commence or be deemed to have commenced on the first day of July in the year in which they are appointed or elected.

b) *Ex officio* members shall hold office for so long as they continue to occupy the positions by virtue of which they became members.

c) Appointed members and elected Faculty members of Senate shall hold office for a term of three years.

d) Student members of the Senate elected shall hold office for a term of two years. Student members of the Senate shall cease to be members if they cease to be students other than by becoming eligible for the grant of a degree, diploma, certificate or other distinction or award of the University.

2) When members cease to be

A member of the Senate, whether appointed or elected, ceases to hold office if he ceases to be eligible under the clause under which he was appointed or elected.

3) Reappointment and re-election

Any member appointed or elected is eligible for reappointment or re-election so long as he does not serve continuously for more than six years, but on the expiration of one year after having served continuously for six years, he again becomes eligible for appointment or election.

NOTE: Detailed recommendations regarding the selection, election and appointment of members of Senate, as well as their qualifications, duties, terms of office, performance expectations, procedures regarding meetings and related matters are found in Annex V of this Report.

4.2.4. Future Role of Existing Boards and Committees

It is recommended that, if the governance structure outlined above is accepted, a careful analysis of the terms of reference of all Boards and Committees currently operating within The College of the Bahamas be undertaken to determine whether or not their specific responsibilities are now included among those of the proposed organs of governance for the University. The Committee is very conscious that, in the interest of efficiency and effectiveness cited previously as guiding principles, it is important to minimize as far as possible the layers of procedure involved in the governance of the institution. It may be that, in certain cases, existing Boards or Committees would serve as standing committees of the major Governance Bodies, exercising delegated powers and making substantively the decisions that are reported to the main body for ratification or information only. (The Appointments Board may be one such body, for example, that might be designated a joint Standing Committee of both the University Governing Council and the Senate).

With the introduction of the Senate as the body responsible for broad academic policy making, the role of the Academic Board in its present form would seem to be redundant. Many of the specific functions of that Board regarding programmes, courses and policy proposals could, it would appear, be dealt with at the level of the Faculty Boards, that could be designated as Standing Committees of Senate, operating with delegated powers within guidelines established by the Senate and formalized by Ordinance approved by the University Governing Council.

In order to ensure the maximally efficient and appropriate supporting architecture for the proposed governance structure, the criteria for determining the desirability of the continuance of existing bodies should include as an important benchmark the concept that each additional step must add significant value to the process. The specific duties of each body should be clearly defined to ensure that there is no unnecessary overlap, and be clearly known and understood by all. Further, routine aspects of procedure that can competently be undertaken by technical personnel should be so “out-sourced” and overall effectiveness of all governance mechanisms should be regularly evaluated.

5. CONCLUDING COMMENT

The various activities undertaken by the Ad Hoc Committee on Governance over the past nine months have been instructive on several levels. The rich store of ideas and perspectives arising from the research undertaken, committee discussions and consultative sessions held has confirmed the value of involving a broad spectrum of individuals and sources in the formulation of proposed plans or policies. It has confirmed particularly, moreover, that while collegial participation in such processes does not necessarily mean that one's individual perspective will in the end prevail, it does ensure that one's point of view will have been taken into account in the eventual position agreed.

This has been the experience of this committee. At some point, each member is likely to have had to concede an aspect of his or her specific conviction on an issue, but will, it is hoped, have recognized the value of the final position taken. This is the nature of the democratic process to which we all claim allegiance. Clearly, no formulation of proposals can ever be considered perfect or final, however. Governance of human institutions is a dynamic process and both the principles upon which specific structures and processes rest and the forms of those structures and processes themselves must be periodically examined and assessed, to ensure their continued validity.

The Committee recognizes, also, that considerable additional work must be done to lay the groundwork for appropriate implementation of the recommendations presented above, if these are accepted. Attention needs to be paid to developing detailed guidelines, procedures and necessary documentation for the main governance bodies, regarding, for example, the kinds of supporting committee structures needed to ensure that the work of those bodies is effectively carried out, and the appropriate orientation and training of members that must be undertaken. In addition, the whole process of familiarizing the wider College community, the Ministry of Education, the members of Parliament and indeed the country at large with the implications of the changes entailed in this transition needs to be carefully managed. At the risk of stating the obvious, therefore, the Committee recommends that focused thought be given and resources allocated to the practical further measures that will need to be taken.

It is with these understandings, and in gratitude for having been afforded this unique opportunity to serve, that the Ad Hoc Committee on Governance now presents this Report of its work to the Chairman and members of the Council of The College of The Bahamas.

June 10, 2007

ANNEX

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Sub-Committee Reports

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Europe

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ANNEX I
THE COMMITTEE
Members of The Ad Hoc Advisory Committee on Governance

Chef Mario Adderley
Assistant Professor, Culinary Arts & Hospitality Management Institute
Ms. Judith Albury
Assistant Director, Human Resources Department
Ms. Virginia Ballance
Librarian, Grosvenor Close Campus
Dr. E. Etienne Bowleg
Associate Professor, School of Social Sciences
Dr. Rhonda Chipman-Johnson
Executive Vice President & Vice President Academic Affairs
Dr. Danny Davis
Assistant Professor, School of Science & Technology
Dr. Linda Davis
Vice President Research, Graduate Studies & International Affairs
Calvin Eversley, Esq.
Assistant Professor, School of Social Sciences
Mrs. Veronica Ferguson
Assistant Professor, School of Education, Northern Bahamas Campus
Mr. Julian Francis
Former Governor, Central Bank
Mr. Larry Gibson
COB Alumni Hall of Fame
Mrs. Janyne Hodder
President
Mrs. Bridgett Hogg
Chair, School of Science and Technology
Mrs. Jennifer Isaacs-Dotson
Assistant Professor, School of Education & President, UTEB
Dr. Marlene Jackson
Assistant Professor, School of Science & Technology
Mr. Colyn Major
Vice President, Student Affairs
Mrs. Rubie Nottage
Vice President & General Counsel
Dr. Olivia Saunders
Associate Professor, School of Business
Mr. Philip Simon
Executive Director, Bahamas Chamber of Commerce
Dr. Ian Strachan
Chair, School of English Studies
Ms. A'leithia Sweeting
President, COBUS
Mr. Marcellus Taylor
Ministry of Education
Dr. Ava Thompson
Assistant Professor, School of Social Sciences
Dr. Carlton Watson
Assistant Professor, School of Science & Technology

Annex II

SUB-COMMITTEES

Sub-Committees: Document Review

Africa

Dr. Etienne Bowleg
Dr. Ava Thompson
Mrs. Judith Albury

Asia

Mrs. Veronica Ferguson
Dr. Olivia Saunders
Mr. Philip Simon

Australasia

Mrs. Jaynyne Hodder
Dr. Ian Strachan
Ms. A'leithia Sweeting

Canada

Ms. Virginia Ballance
Dr. Danny Davis
Dr. Linda Davis

Europe

Mr. Julian Francis
Mrs. Bridget Hogg
Mr. Colyn Major

Latin America & The Caribbean

Dr. Rhonda Chipman-Johnson
Dr. Marlene Jackson
Mr. Marcellus Taylor

United Kingdom

Mrs. Rubie Nottage
Dr. Carlton Watson

United States

Chef Mario Adderley
Mrs. Jennifer Dotson
Mr. Calvin Eversley

Sub-Committees: Consultation Planning Team

Dr. Keva Bethel
Dr. Marlene Jackson
Mr. Terrence Fountain
Mr. Charles Major
Mrs. Remelda Moxey
Mrs. Rubie Nottage
Mr. Michael Rolle
Dr. Olivia Saunders
Mr. Marcellus Taylor
Dr. Joan Vanderpool

Annex III

THE CONSULTATIVE PROCESS

Part I – Individual Interviews

Current Members of Council

Franklyn Wilson	Council Chairman
Dr. Earl Cash	Council Member
Mrs. Patricia Collins	Assistant Director, Ministry of Education
Mrs. Jennifer Isaacs-Dotson	President, UTEB
Dr. Cheryl Rolle	Council Member
Mr. Donald Saunders	President, Alumni Association
Ms. A’leithia Sweeting	President, COBUS
Mr. Rodman Forbes	COB Staff Representative

Faculty & Administrators

Mr. Earl Alfred	Counsellor III, Counselling & Health Services Department
Mr. Denton Brown	Vice President, Administration
Dr. Earla Carey-Baines	Dean, Faculty of English & the Creative Arts
Ms. Cheryl Carey,	Director, Financial Aid
Dr. Rhonda Chipman-Johnson	Executive Vice President & Vice President, Academic Affairs
Mrs. Veronica Collie	Director, Admissions
Dr. Zorene Curry	Associate Professor, School of Nursing & Allied Health Professions
Mr. Peter Daniels	Associate Professor, & Former Chair & Dean, Business & Tourism Studies
Dr. Linda Davis	Vice President, Research, Graduate Studies & International Affairs
Mrs. Christine Diment	Chair, School of Communication & The Creative Arts
Mrs. Janet Donnelly	Associate Professor, School of English Studies & Vice President, (UTEB)
Mrs. Gloria Gomez	Chair, School of Education
Mrs. Bridget Hogg	Chair, School of Science & Technology
Dr. Pandora Johnson	Vice President, Outreach
Ms. Willamae Johnson	Director, Library & Media Services
Dr Thaddeus Macdonald	Dean, Faculty of Education & Social Sciences
Mr. Colyn Major	Vice President, Student Affairs
Dr. Christina Nwosa	Director, Continuing Education & Extension Services
Mrs. Patricia Meicholas	Vice President, Communication
Mrs. Rubie Nottage	Vice President & General Counsel
Dr. Kirkley Sands	Chair, School of Social Sciences
Dr. Ian Strachan	Chair, School of English Studies
Dr. Kathleen Sullivan-Sealy	Dean, Natural & Applied Sciences

Annex III

THE CONSULTATIVE PROCESS

Part 2 – Stakeholder Group Meeting – *Local Community*

COPY OF LETTER OF INVITATION TO PARTICIPATE

Office of the President Emerita

To: Community Stakeholders
From: The Ad Hoc Advisory Committee on Governance

Subject: Invitation to Participate in Consultation Meetings

At the end of August, 2006, the College Council established an Ad Hoc Committee to advise Council on “matters of academic governance including the wisdom of establishing a University Senate”.

Since September, 2006, the work of the Committee has included the study of models of university governance in various parts of the world. Equally important has been a review of existing organs of governance within The College of The Bahamas, to determine perceived strengths and weaknesses that must be built upon or improved in any new governance structure we might wish to recommend. This review has involved individual meetings with members of COB faculty, staff and Council members.

Further to our studies and individual meetings, we now seek to extend our deliberations through group meetings. The purpose of these meetings will be to determine the perceptions of key groups of stakeholders concerning the role that a national University ought to play in our society, and how it should be governed. To this end, an invitation is extended to you to attend a group meeting of stakeholders comprising COB alumni, former members of Council and the general public, which is scheduled to take place at the **Michael H. Eldon Complex, Thompson Boulevard, Lecture Rooms 4A and 4B on Friday, March 2, from 9:30 a.m. to 11:30 a.m.**

Please indicate your ability to attend this meeting as soon as possible, by making a telephone call or sending an e-mail message to the following contacts:

Telephone: 397-2617 or 397-2656

E-mail govadvisory@cob.edu.bs

We very much hope that you will find it possible to participate in this exercise, as your views are important to us and will be greatly appreciated.

Keva Bethel, Ph.D.
President Emerita
Chair, Ad Hoc Advisory Committee on Governance

cc President Janyne Hodder

ATTENDANCE

Past Members of Council

Mr. Peter Bethel
Mr. Darron Cash
Ms. Marjorie Davis
Dr. Davidson Hepburn
Mr. Ruiz Munnings
Mrs. Judy Munroe
Mrs. Arlene Nash-Ferguson
Mr. Michael Reckley
Mr. Hugh Sands
Mr. Robert Sands
Rev. Charles Saunders
Mr. Wendy Poitier-Albury

Alumni

Mrs. Brenda Bain
Ms. Royann Dean
Mrs. Simone Dillett-Michel
Mr. Charles Major
Mrs. Coral Miller

General Public

Mrs. Sheila Cox
Mr. Terrance Fountain
Mrs. Cynthia Neely
Mr. Berkeley King
Mrs. Leonie Smith
Mrs. Beverly Whitfield

Annex III

THE CONSULTATIVE PROCESS

Part 2 cont'd – Stakeholder Group Meeting – *Faculty & Staff*

COPY OF LETTER OF INVITATION TO PARTICIPATE*

Office of the President Emerita
February 26, 2007

To: Faculty and Staff
From: The Ad Hoc Advisory Committee on Governance

Subject: Invitation to Participate in Consultation Meetings

At the end of August, 2006, the College Council established an Ad Hoc Committee to advise Council on “matters of academic governance including the wisdom of establishing a University Senate”.

Since September, 2006, the work of the Committee has included the study of models of university governance in various parts of the world. Equally important has been a review of existing organs of governance within The College of The Bahamas, to determine perceived strengths and weaknesses that must be built upon or improved in any new governance structure we might wish to recommend. This review has involved individual meetings with members of COB faculty, staff and Council members.

Further to our studies and individual meetings, we now seek to extend our deliberations through group meetings. The purpose of these meetings will be to determine the perceptions of key groups of stakeholders concerning the role that a national University ought to play in our society, and how it should be governed. To this end, an invitation is extended to you to attend a group meeting of stakeholders comprising COB faculty and staff which is scheduled to take place at the **Michael H. Eldon Complex, Thompson Boulevard, Lecture Rooms 4A and 4B on Friday March 9, 2007. The session begins at 2:00 p.m. and ends at 4:00 p.m.**

This meeting can accommodate a maximum of 50 participants. Please indicate your ability to attend as soon as possible and no later than Monday March 5th, 2007 by making a telephone call or sending an e-mail message to the following contacts:

Telephone: 397-2617 or 397-2656
E-mail govadvisory@cob.edu.bs

We very much hope that you will find it possible to participate in this exercise, as your views are important to us and will be greatly appreciated.

Keva Bethel, Ph.D.
President Emerita
Chair, Ad Hoc Advisory Committee on Governance

cc President Janyne Hodder

ATTENDANCE

Faculty & Staff

Mrs. Margo Blackwell
Dr. Earla Carey-Baines
Mrs. Veronica Collie
Mrs. Marjorie Cheetham
Mrs. Claire Charlow-Patton
Dr. Zorene Curry
Ms. Ruth Gardiner
Ms. Lia Head
Mrs. Janice Miller
Mrs. Patricia Miller-Brown
Dr. Marica Mundle
Mrs. Janice Munninigs
Dr. Janet Patterson
Mrs. Susan Plumridge
Mrs. Raveenia Roberts-Hanna
Dr. Sophia Rolle
Dr. Kirkley Sands
Mrs. Sonya Wisdom

*This letter of invitation to faculty and staff stakeholders was sent via the Internet. In addition, to facilitate communication a special E-mail address govadvisory@cob.edu.bs was established.

Annex III

THE CONSULTATIVE PROCESS

Part 2 cont'd – Stakeholder Group Meeting – *Students*

Approximately 46 COB students participated in the Stakeholder Group Interview that was held on Thursday, March 29th 2007, 4:00 p.m. to 6:00 p.m. in the Student Union Building on the College of The Bahamas Oakes Field Campus.

Students were invited to attend the student stakeholders' group interview, through professors of selected courses that were in session at that particular time. A successful effort was made to ensure a group of participants that was representative of the broad demographics inherent in the student body. The group therefore included a fair balance in terms of age, gender, and areas and levels studies.

Faculty members from the Schools of Social Sciences, English Studies and Nursing and Applied Health Professions encouraged some of their classes to participate. Some members of the COBUS executive also participated.

Stakeholder Group Meetings – *Agenda*

ACTIVITY	TIME P.M.
REGISTRATION, SEATING AND COMPLETION OF INDIVIDUAL QUESTION	5 MINUTES
WELCOME – CHAIR, AD HOC ADVISORY CO ON GOVERNANCE	5 MINUTES
SESSION # I FOCUSED SESSION – SMALL GROUP DISCUSSIONS	45 MINUTES
REGROUP INTO PLENARY	2 MINUTES
BRIEF PRESENTATION OF SMALL GROUP REPORTS	5 MINUTES
SESSION # II : STRUCTURED LARGE GROUP/PLENARY	
A) THE WORK OF THE AD HOC ADVISORY COMMITTEE	7 MINUTES
B) PARTICIPANTS: QUESTIONS/COMMENTS	40 MINUTES
C) CONCLUSION	5 MINUTES
END OF MEETING - CONVERSATION & NETWORKING	5 MINUTES

Annex IV

DOCUMENTS CONSULTED

University Legislation

Bylaws of the Board of Regents University of Nebraska 2007

McGill Senate Handbook 2006-2007

Royal Charter University of Birmingham 1900

Royal Charter and Statutes of Sussex University 1948

South Africa Higher Education Act 101 OF 1997

Statutes of McGill University Enacted by the Board of Governors on May 1, 1972, and amended by the Board of Governors to November 3, 2005.

The Bylaws of the Trustees of Boston College 1972

The College of The Bahamas Legislation 1974 & 1995

University of Canberra Act 1989

University of East Anglia

Univeristy of Edinburgh

University of Ghana Statutes 2004

University of Guelph

University of the South Pacific Legislation

University of Toronto Act 1971

University of Toronto Governance Statutes & Regulations (x 18)

Annex IV

DOCUMENTS CONSULTED

Other Publications and Documents

Categorized by type and by region, publications and other documents relevant to the deliberations of the Committee during the period September 2006 to May 2007 are listed below.

Governance Reviews

Alleyne,, George et al (2006) Report of the Chancellor's Task Force on University Governance the University of the West Indies

Oxford University White Paper on University Governance Retrieved from: www.ox.ac.uk/gazette/2005-6/supps/whitepaper.pdf

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Brendan, Nelson (2003) Our Universities Backing Australia's Future Retrieved from: http://www.backingaustraliasfuture.gov.au/policy_paper/1.htm#1_3

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Mok, K. (2005). Fostering Entrepreneurship: Changing Role of Government and Higher Education Governance in Hong Kong. *Research Policy* 34: 537–554.

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Annex IV

DOCUMENTS CONSULTED

Reference & External Documents using the Blackboard ¹

	Senate Powers Recommendations Part II SENATE Powers May2.doc (40.5 Kb) Draft Recommendations - University of The Bahamas Senate Powers
	Draft Recommendations MEMBERSHIP Draft recomms Membership UGC and UBSMay4.doc (44.827 Kb) Draft Recommendations for Review at May 7, MEMBERSHIP - UGC & UBS
	Documents tabled at Aril 24th mtg2 Comparisons Cob BU McGill U of T (119.5 Kb)
	Documents tabled at April 24th Meeting Comparisons Africa Aust Eur UK (191 Kb)
	ASIA - Regional Summary by Veronica Ferguson VFerguson Summary - ASIA (40.5 Kb) Veronica Ferguson's draft summary of the full report of her review of university governance in ASIA.
	LATIN AMERICA & THE CARIBBEAN Sub committee Report Report of the Subco for Latin America and The Caribbean.doc (47 Kb) Sub committee Report of univ governance in Latin America and the Caribbean by Rhonda Chipman-Johnson, Marlene Jackson, and Marcellus Taylor
	Ad Hoc Advisory Committee Chair Interim Report Interim Report (42 Kb) Interim Report - Presented by Ad Hoc Advisory Committee Chair , Dr. Keva Bethel
	Synopsis Presentation - Dec 15, 2006 Synopsis of Review (49 Kb) Powerpoint Presentation entitled “Synopsis of Review and Discussion : Ad Hoc Advisory Committee September to December 2006” presented & discussed at Ad Hoc Advisory Co Mtg, December 15th 2006.
	HED Legislation - Bahamas College of The Bahamas Act, 1995 (146 Kb)
	HED Legislation - South Africa South Africa HED Act 1997 (193.5 Kb) Draft Recommendations for Review at May 7, Retreat - Powers UGC

¹ Blackboard Academic Suite TM (Bb)



COB-Fac Admin-Gov Structures 1

[Some COB Structures Involving Faculty Input](#) (46.5 Kb)



COB Non-Faculty Development Committee

[Non-faculty development committee](#) (25.5 Kb)



Middle Mgmt Advisory Committee

[COB Middle Management Advisory Committee Sept 06](#) (27 Kb)



Guelph University (Ontario Canada) Act

[University of Guelph uofgact.pdf](#) (76.232 Kb)



OECD/IMHE-HEFCE Financial Management and Governance of HED Institutions Report

Reports of the OECD/IMHE-HEFCE project on financial management and governance of higher education institutions Australia, England, Germany, Ireland, Japan, Netherlands, Sweden and USA

http://www.oecd.org/document/56/0,2340,en_2649_34525_33644024_1_1_1_1,00.htm



[AUS Governance Protocols](#)

For National Governance Protocols for the Commonwealth of Australia please review **Attachment A** of the Government Policy Document **"Our Universities: Backing Australia's Future"** 2003 pdf



[UWI Governance Report 2006](#)

A UWI task force report
The University of The West Indies February 2006



[The ByLaws of The Trustees of Boston College and University Statutes](#)



[McGill University Statutes](#)



[McGill University Senate Handbook](#)



[The University of Toronto Governing Council](#)



[Oxford University Recent Changes to Governance](#)

N.B site includes link to: Oxford University White Paper on University Governance
www.ox.ac.uk/gazette/2005-6/supps/whitepaper.pdf

Annex V ²

Part I – University Governance: Nomenclature, Principal Officers

NOMENCLATURE

Institution and authorities

- The name of the institution shall be the University of The Bahamas (UB).
- The University's instruments of authority shall be its Charter Act and such supporting statutes regulations or ordinances as may be necessary for the better carrying out of the provisions of that Act.
- Governance of the University shall be vested in the University Governing Council (UGC) and the Senate.

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Principal Officers of the University shall be the Chancellor and Vice-Chancellor

(1) The Chancellor

- This shall be an honorary position with associated roles and responsibilities that would be largely ceremonial in nature.
- The Chancellor shall hold *ex officio* membership on the UGC and may serve as the Chair of that body.
- The individual chosen to occupy this role should be a distinguished Bahamian national of outstanding achievement and reputation, who could serve as a highly respected champion of the University's cause.

(2) The Vice-Chancellor

- The Vice-Chancellor shall be President and the Chief Executive Officer of the University
- The Vice-Chancellor shall be responsible for providing leadership and general supervision of the work of the University, for carrying out the directions of the major governing bodies and shall be responsible to the UGC for the promotion and maintenance of the efficiency and good order of the University
- The Vice-Chancellor shall be appointed by the UGC after consultation with the Senate. The Vice-Chancellor shall hold office for such period and upon such terms and conditions as the UGC may from time to time determine
- The Vice-Chancellor shall, *ex officio*, be a member of the UGC, of Senate and of any other Board or committee established by either of those bodies and shall not be Chair of the UGC but will be Chair of the UBS.

(3) The Pro-Vice-Chancellors

The Vice-Chancellor shall be assisted by Pro Vice-Chancellors

- The Pro-Vice-Chancellors shall hold responsibility for such areas of operation within the University as the Vice-Chancellor may determine
- Pro-Vice-Chancellors may serve as Provosts of outlying campuses of the University.
- When the Vice-Chancellor by reason of incapacity is unable to perform the functions of the office of Vice-Chancellor or where there is a vacancy of that office the UGC shall appoint one of the Pro Vice Chancellors to perform the functions of the Vice Chancellor for such time and upon such terms as it may determine.
- Pro-Vice-Chancellors shall be appointed in accordance with such procedure as may be determined by the UGC in consultation with the Senate and shall hold office for such period and upon such terms and conditions as the UGC may from time to time determine

² This Annex includes details recommended for consideration in the drafting of legislation and/or institutional policy with regard to governance structure, powers, membership and processes. These details were garnered from a very broad range of university and/or higher education legislation across several jurisdictions, world-wide. As such they represent the Committee's selection of an array of possible clauses or articles that reflect thoughtful deliberations regarding the establishment of the University of The Bahamas. No effort was made to replace the expertise of legal draftspersons in the development of such legislation.

Annex V

Part II – University Governance: Council Powers, Membership and Processes

POWERS OF THE UNIVERSITY GOVERNING COUNCIL (UGC)

Without limiting the generality of its powers, the Governing Council shall have power to

- xxvi. Appoint Principal Officers of the University: Chancellor, Vice-Chancellor and Pro-Vice-Chancellors upon recommendation of a joint committee of Council and Senate and after consultation with the Minister of Education.
- xxvii. Enact and amend the Statutes of the University, particularly concerning the appointment, promotion, tenure and duties of the Officers, the administrative officials, and the faculty of the University.
- xxviii. Enact and amend rules and regulations for the orderly government of the University, including procedures or the enforcement of the same.
- xxix. Authorize the appointment of a Dean of any School, College or Faculty.
- xxx. Approve the Faculty Union Industrial Agreement.
- xxxi. Review and take appropriate action respecting the budget.
- xxxii. Authorize any changes in tuition, room, board or fees.
- xxxiii. Authorize the sale and purchase or lease of land or buildings.
- xxxiv. Authorize and promote major fund-raising activities.
- xxxv. Authorize acceptance of gifts to the University.
- xxxvi. Authorize the incurring of debts, securing mortgage and pledge of real and personal property.
- xxxvii. Constitute standing or *ad hoc* committees concerning financial matters.
- xxxviii. Authorize the construction of new buildings and major renovations of existing buildings.
- xxxix. Receive and approve the Annual Report of the University.
 - xl. Authorize each year externally audited financial reports.
 - xli. Submit, each year, a copy of the audited financial Reports to the Minister of Education.
 - xl.ii. Authorize all major changes in the educational policies and programmes.
 - xl.iii. Provide for the encouragement and support of research.
- xliv. Review, amend, refer back, control or disallow any act of the Senate required under the Statutes, the Ordinances or the Regulations to be reported to the University Governing Council, and to give directions thereon to the Senate; provided that any such act of the Senate which is amended by the UGC shall be referred again to the Senate for consideration and report before such act (so amended) is put into effect. [*Alternative wording suggested for the above: “Review the work of the University and, subject to the powers and duties of the Senate, take such action as may appear to be necessary to advance the interests of the University, maintain its efficiency, encourage teaching, the pursuit of learning and the conduct of research...”*]
- xl. Establish, after report from the Senate, such Schools of Studies and other units of academic organization as may be deemed necessary from time to time; to prescribe their constitution and functions, and to modify or revise the same.

- xlvi. Approve the granting of all degrees in course and of all honorary degrees on recommendation of a joint committee of Council and Senate.
- xlvii. Enact and amend the Statutes of the University, particularly concerning the appointment, promotion, tenure and duties of the Officers, the administrative officials, and the faculty of the University ***[It has been suggested that this clause be deleted since these terms are negotiated through the Collective Bargaining process. However, it would seem appropriate that the framework for such negotiated terms be enshrined in the Statutes].***
- xlviii. Constitute, in consultation with Senate, such standing or ad hoc committees concerning academic affairs and student, faculty and staff welfare as may be deemed necessary.
- xlx. Establish such other standing committees of Council as may be necessary for the better discharge of the powers of Council.
 - l. Delegate its functions under the Act (other than its power to make Statutes) to a member of Council, or a committee that includes a member of Council, or a member of the staff of the University.

*Examples of such sub-committees might be: Finance; Audit, and Nominating Committees

NOTE: It has been suggested that the Powers of the University Governing Council should also include the recommendation of two members of Council to serve as members of the Senate. This position is put forward with a view to ensuring that there would be an integral link between the UGC and the Senate. The implications of this proposal and of the reciprocal measure proposed for the Senate are discussed under the Sections that address, respectively, the members of the Council and the Senate.

MEMBERSHIP AND PROCEDURES OF THE UGC

- There shall be no fewer than 17 members of the UGC
- The UGC shall comprise internal and external members.
- External stakeholders shall constitute the majority of members.
- Internal members shall include the Chancellor and Vice-Chancellor (President) *ex officio*, faculty, student, staff, and alumni representatives.
- External stakeholders include representatives of the Government and members of the wider Bahamian community from throughout the archipelago.
- There shall be *ex officio* members; appointed members and elected members.
- Ex Officio Members include the Chancellor and the Vice-Chancellor.
- Appointed Members include
 - (i) A senior officer of the Ministry of Education who shall be authorized to speak and act on behalf the Minister.
 - (ii) A senior officer of the Ministry of Finance who shall be authorized to speak and act on behalf of the Minister
 - (iii) Four individuals drawn from key sectors of the Bahamian society e.g. the business, financial services, tourism, education or scientific communities.
- Elected Members include
 - (i) Three persons drawn from communities outside of New Providence; one resident in the Northern Bahamas, one resident in the Central Bahamas, and one resident in the Southern Bahamas who shall be elected by members of in accordance with an ordinance to be made by the UGC: provided that no person who is a full-time member of the staff of the University, as defined by Ordinance, or a registered student of the University shall be eligible to be elected under this paragraph.
 - (ii) Two persons, being members of the faculty: one to be elected by the faculty at large in such manner as UGC shall determine and the other elected to represent the faculty union in such manner as provided for in the Union's constitution.

(iii) Two persons, each of whom shall be at the time of his election a registered student of the University (one undergraduate and one graduate) to be elected by the Students Associations in such manner as the UGC shall determine

(iv) One person who is a graduate of the University and who shall be at the time of his election a member of the Alumni Association of the University to be elected by the Alumni Association in such manner as the UGC shall determine.

(v) One person, (who shall be at the time of his election a staff member of the University) to be elected by the staff at large in such manner as the UGC shall determine.

Co-opted Members The Council may from time to time co-opt individuals with special and relevant expertise who are not members of Council to serve on sub-committees of Council or such other standing or *ad hoc* committees that Council may from time to time establish.

- Appointment of Members of the UGC The members of the University Governing Council shall be formally appointed by the Governor-General of The Bahamas .
- Appointment of the Chairman One of the members shall be appointed by the Governor-General to be the Chairman of the Council.
- “*Ex officio* members” of Council shall be appointed by virtue of their office within the University.
- “Appointed members” shall be selected by the Minister responsible for Education who may receive nominations from a joint committee of the UGC and the Senate. In the making of such appointments, due regard shall be paid to ensuring that there is a balanced representation of skills, expertise and gender among the members of the UGC. Particularly, care must be taken to ensure that members have skills in finance, management, law or education and that they have an appreciation of the needs of the community, as well as the values and principles of the University, including its independence and academic freedom, and its core activities of teaching, research and service.
- “Elected members” shall be elected by the groups that they represent in accordance with such procedure as may be determined by those groups and as are approved by the UGC.
- The term of office of members of the Council, other than *ex officio* members, shall commence or shall be deemed to have commenced on the first day of July of the year in which they are appointed or elected.
- *Ex officio* members shall hold office for so long as they continue to occupy the positions by virtue of which they became members.
- Members of the UGC appointed as “appointed members” or elected as representatives of communities outside of New Providence shall hold office for a term of three years and shall be eligible for reappointment or re-election for one additional consecutive term.
- A member of the UGC may be appointed for a term shorter than three years to provide for greater continuity through the staggered terms of service.
- A member elected as a representative of faculty, staff, students or alumni of the University shall hold office for a term of two years, unless during that period he or she shall cease to be a member of the group he or she was elected to represent.
- The Chair may be elected from among the UGC members for such period as may be determined by the UGC. This service may be in addition to the normal time of service for a UGC member.
- If not elected from among the members of the Council, the Chair shall be appointed by the Governor-General for such period as may be determined by the Governor- General. This service may be in addition to the normal term of office for a member of the UGC.
- member of the UGC appointed or elected ceases to hold office if he ceases to be eligible under the clause under which he was appointed or elected
- Qualifications:
 - 1) In deciding to appoint a person to the UGC, the “appointer” (i.e. the Governor General or the UGC) must have regard to the desirability of ensuring there is a balance of skills, expertise and gender among members of the UGC.
 - 2) The “appointer” must try to ensure that the members appointed - (a) have skills in finance, management, commerce, law or teaching to contribute to the effective working of the UGC; and (b) have an appreciation of the values of a higher education provider, its core activities of teaching and research, its independence and academic freedom and the community’s needs.
 - 3) Without limiting Sub section (2) UGC appointment processes should ensure that —
 - (a) at least 2 members appointed must have a high level of relevant financial expertise; and

(b) at least 1 member appointed must have a high level of relevant commercial expertise.

4) The “appointer” must not appoint to the UGC - (a) a member of— The Bahamas Parliament, Senate or Local Government Council ; or (b) a member of the academic staff or general staff of the university; or (c) a student of the university.

5) A person is not qualified to become or remain a member of the UGC if the person—

(a) is under 18 years old*; or (b) is disqualified from managing corporations under laws concerning the disqualification from managing corporations); or (c) is convicted, in The Bahamas, of an offence punishable by imprisonment for at least 1 year; or (d) is convicted outside The Bahamas in the Caribbean or elsewhere, of an offence that, if it had been committed in The Bahamas, would be punishable by imprisonment for at least 1 year.

6) Disqualification under subsection (5) (c) or (d) ends on the later of the following:

(a) 5 years after the date of the person’s conviction; (b) 5 years after the date of the person’s release from prison. *Note. Every student is eligible for election to the Governing UGC whether or not he has attained the age of eighteen years.

- Duties of Members:

1. Members of the Governing Council shall act with diligence, honesty and with good faith in the best interests of the University. Specifically, in exercising the functions of a member of the UGC, a UGC member must

(a) act always in the best interests of the University as a whole; and act honestly and for a proper purpose; and exercise reasonable care and diligence.

(b) Also, a member of the UGC must avoid conflicts of interest; and must disclose to the UGC, any conflict between the member’s interests and the University’s interests; and must not improperly use the member’s position, or information obtained because of the member’s position, to - (i) gain an advantage for the member or someone else; or (ii) cause detriment to the University or someone else. The duty under subsection (1) (a) must be observed in priority to any duty a member may owe to those electing or appointing the member.

The UGC may, by resolution passed by 2/3 of the members of the UGC for the time being, remove a UGC member from office if the member fails to comply with a duty under subsection (1) or (2).

- Confidentiality and Disclosure of Interests

1. Undertaking - After appointment and prior to the term commencing, each UGC Member or Committee Member shall sign an Undertaking regarding Confidentiality and Conflict of Interest in a form approved by the UGC.

2. Confidentiality - All proceedings of any UGC or Committee meeting which is closed shall be confidential such that any person attending any such meeting shall not disclose any information related to any matter discussed or decision made at such a meeting to anyone who was not properly present at such meeting.

3) A member of the UGC who has an interest in a matter being considered or about to be considered by the UGC must, as soon as possible after the relevant facts have come to the member’s knowledge, disclose the nature of the interest at a meeting of the UGC.

4) A disclosure under subsection (3) must be recorded in the minutes of the meeting of the UGC and the member must not, unless the UGC otherwise decides - (a) be present during any deliberation of the UGC in relation to that matter; or (b) take part in any decision of the UGC in relation to that matter.

5) For the purpose of making a decision under subsection (2), a member of the UGC who has an interest in the matter concerned must not - (a) be present during any deliberation of the UGC for the purpose of making the decision; or (b) take part in making the decision.

6) Notwithstanding Subsection (b) above, if a UGC Member or a Committee Member is an employee of the University or if a member of such UGC Member's or Committee Member's immediate family is an employee of the University, such UGC Member or Committee Member (at a UGC meeting or Committee meeting, as the case may be) shall not participate in the consideration of nor vote regarding any matter related to the terms of employment, remuneration, benefits, rights or privileges available to employees of the University. The term "immediate family" means any spouse, parent, sibling or child (including by adoption).

- Indemnification and Insurance
 - 1 a) Except where otherwise prohibited by law, each UGC Member and Committee Member (each an "Indemnified Person"), and their heirs, executors, and administrators, and estate and effects, respectively, are hereby indemnified and saved harmless out of the funds of the University, from and against: (i) all costs, charges and expenses whatsoever (including amounts paid to settle an action or to satisfy a judgment) that such Indemnified Person sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against such Indemnified Person, for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by such Indemnified Person, in or about the execution of the duties of such Indemnified Person's office; and (ii) all other costs, charges and expenses that such Indemnified Person sustains or incurs in or about or in relation to the affairs thereof, except such cost, charges or expenses as are occasioned by the willful neglect or default of such Indemnified Person
 - b) Notwithstanding the foregoing, each Indemnified Person shall only be indemnified in such cases where such Indemnified Person had reasonable grounds for believing that the act, deed, matter or thing made, done or permitted by such Indemnified Person was lawful and in the best interests of the University. If an Indemnified Person incurs any costs, charges or expenses as provided above because of the act, receipt, neglect or default of any other UGC Member or Committee Member, or officer or employee of the University, such Indemnified Person shall be indemnified as provided above.
 - c) The University may purchase and maintain insurance for the UGC Members and Committee Members (each an "Indemnified Person") against any liability incurred by such UGC Members and Committee Members, in such capacities, except where the liability relates to the person's failure to act honestly and in good faith with a view to the best interests of the University.
 - d) The preceding provisions regarding indemnification and insurance are subject to any limitations contained in any applicable statute or regulation.
- Meetings of the UGC:
 1. Regular Meetings - The UGC shall meet at least once every 3 months and at such other times as may be necessary or expedient for transaction of its business and such meetings shall be held at such places and times and on such days as the UGC may determine.
The UGC Chair shall preside at all meetings of the UGC at which he/she is present and, in the case of the Chair's absence from any meeting the members present and constituting a quorum shall elect a Chair from among their number to preside at that meeting
 2. Special Meetings - Special meetings may be called to address an issue of immediate concern and may be held at any time at the call of the Chair, or in case of the Chair's inability for any reason to perform the Chair's functions, at the call of the Deputy Chair, or in case of the Deputy Chair's inability for any reason to perform the Vice-Chair's (Deputy Chair's) functions, at the call of the President/ Vice-Chancellor and any three (3) UGC Members.
 3. Open and Closed Meetings - UGC meetings shall be open to the public except for matters which may be deemed to be confidential including without limiting the generality of the foregoing, matters relating to labour relations, personnel, nominations of UGC Members or Committee Members, real estate, and confidential government policies. Minutes of those UGC meetings which are open to the public shall be available for inspection by the public, by appointment with the Secretary, at the office of the Secretary during regular business hours.
 4. Notice of Regular Meetings - Notice in writing of the time and place of any regular UGC meetings shall be sent to each UGC Member at least (7) days prior to the day appointed for the meeting. Notice may be sent by campus mail services, courier, email, facsimile or pre-paid regular mail. The accidental failure to give notice of a UGC meeting to any UGC Member or any accidental irregularity in connection with the giving of notice of a UGC meeting shall not invalidate the proceedings at the relevant meeting.
 5. Place of Meetings - All UGC meetings shall normally be held on the University's main campus.
 6. Attendance - UGC Members may attend meetings in person or by telephone, electronic or other communication facilities, as permit all individuals participating in the meeting to communicate.
 7. Matters for Inclusion in the Agenda - All matters for inclusion in the agenda for Regular UGC meetings must be delivered to the Secretary at least three (3) days prior to the day of the meeting at which they are to be presented. Inclusion of matters in the agenda is at the discretion of the Chair. No other matter, other than that of privilege or petition, shall be dealt with at any regular UGC meeting,

unless the introduction of such matter is approved by a majority of all UGC Members present at such meeting.

8. Voting - a) All questions at a UGC meeting shall be decided by a majority of the votes of UGC Members present and eligible to vote; (b) The Chair may vote on all motions and in addition to an original vote the Chairman or other person presiding at a meeting shall have a casting vote in any case in which the voting is equal; (c) No UGC Member may use a proxy or be represented by a proxy-holder.

d) A resolution or By-law signed by all of the UGC Members is as valid and effective as if passed or made at a UGC meeting duly called, constituted and held for that purpose

9. Evidence of Resolution - Whenever a vote has been taken upon a question, a declaration by the Chair that a resolution has been carried or lost by a particular majority is determinative and an entry to that effect in the Council's minutes is conclusive evidence of that fact without proof of the number or proportion of votes recorded in favour of or against the motion.

10. Record of the Proceedings - A record of the proceedings of all UGC meetings shall be kept in a book provided for that purpose and the minutes of every such meeting shall be submitted at the next UGC meeting, and after adoption by the UGC, the minutes shall be signed by the Chair and Secretary. Minutes of UGC meetings held in Open Session shall be available for inspection by appointment with the Secretary, at the office of the Secretary during regular business hours. Minutes of Council (UGC) meetings held in Closed Session shall be available only to those authorized. Minutes in proper form of each meeting of the UGC shall be kept by the Secretary of the Council (UGC) and copy of the minutes of every meeting shall be submitted to the University Archive as soon as possible thereafter.

11. A quorum of the Council (UGC) shall be the minimum number constituting a majority of the total numbers of the Council (UGC).

- Delegation of the powers of the UGC:

1. The UGC may delegate its functions under this Act to— (a) a member of the UGC; or (b) a committee that includes a member of the UGC; or (c) a member of the staff of the university. Note For the making of delegations and the exercise of delegated functions, see the Legislation Act, as appropriate..

2. However, the UGC must not delegate its power to make statutes.

3. A function delegated to a committee mentioned in subsection (1) (b) must be exercised by a majority of the members of the committee acting together.

Committees with powers delegated by the UGC

1. The UGC has the power to appoint Standing Committees and Special Committees and to delegate to any such Committee any of its powers.

2. Standing Committees

a) There shall be an Executive Committee (Ed note - May not be necessary in a small Council) (this same concern will govern the number of standing committees that would be feasible)

b) There shall be other Standing Committees as established from time to time:

Examples of the kinds of standing committees found in some universities include but are not limited to those that handle matters pertaining to i) Finance ii) Membership and Governance; iii) Pensions and Benefits Committee; iv) Physical Resources and Property; v) the Senior Compensation and Negotiations; viii) Endowment Funding; etc; (c) The Terms of Reference for each Standing Committee shall be established by resolution of the UGC.

3. Membership of Standing Committees

a) The membership for each Standing Committee shall be established by resolution of the UGC, in accordance with the Terms of Reference for each Committee. *All Standing Committee Members shall hold such office at the pleasure of the UGC. The Chair and the President shall each be members of all Standing Committees (except that only the Chair [and not the President] shall be a member of the Audit Committee);* (b) Vacancies occurring in the membership of a Standing Committee shall be filled by the UGC at its earliest convenience. Notwithstanding any vacancy on a Committee, the Committee may exercise all or any of its powers, as long as a quorum is maintained.

4. Special Committees - Special Committees may be appointed from time to time as the UGC may determine. The membership of and Terms of Reference for each Special Committee shall be established by resolution of the UGC.

5. Closed Meetings of Standing Committees - Attendance at Committee meetings is limited to committee members and appropriate resource people.
6. Notice of Meetings of Standing Committees - Notice in writing of the time and place of meetings of a Committee shall be sent to each Committee Member at least three (3) days prior to the day appointed for the meeting. Notice may be sent by campus mail services, courier, E-mail, facsimile or pre-paid regular mail. The accidental failure to give notice of a Committee meeting to any Committee Member or any accidental irregularity in connection with the giving of notice of a Committee meeting shall not invalidate the proceedings at the relevant meeting.
7. Place of Meetings of Standing Committees -All Committee meetings shall normally be held on the University's main campus.
8. Attendance of Standing Committees - Committee Members may attend meetings in person or by telephone, electronic or other communication facilities, as permit all individuals participating in the meeting to communicate.
9. Quorum of Standing Committees - Subject to exceptions provided for in a resolution of the UGC or in a Committee's Terms of Reference, quorum for each Committee shall be two-fifths (2/5) of the membership of such Committee.
10. Voting - (a) All questions at a Committee meeting shall be decided by a majority of the votes of the Committee Members present. The Committee's Chair may vote on all motions and if regarding any motion there is a tie, that motion is deemed to be defeated. The Committee's Chair does not have a second or casting vote. (b) No Committee Member may use a proxy or be represented by a proxy-holder. c) A resolution signed by all of the Committee Members is as valid and effective as if passed at a Committee meeting duly called, constituted and held for that purpose.
11. Record of the Proceedings - A record of the proceedings of each Committee meeting shall be kept and the minutes of every such meeting shall be submitted at the next meeting of that Committee. Minutes of each Committee's meetings shall be available for inspection by any individual who is a Committee Member of that Committee and appropriate resource persons, by appointment with the Secretary, at the office of the Secretary during regular business hours.

- Reimbursement of Expenses:
Each UGC Member and Committee Member may be reimbursed for all reasonable expenses (including reasonable travel expenses) incurred in connection with the performance of such Member's duties.

Annex V

Part III – University of The Bahamas Senate: Powers, Membership and Processes

POWERS OF THE UNIVERSITY OF THE BAHAMAS SENATE (UBS)

The Senate shall be the academic authority of the University of The Bahamas and shall, subject to the powers, duties and functions referred to the UGC by the Charter and these Statutes, take such measures and act in such manner as shall appear to it best calculated to promote the teaching, consultancy, research and other academic work of the University. The Senate shall, subject to the Charter and these Statutes, in addition to all other powers vested in it, have the following powers, duties and functions:

- (i) To regulate and ensure the quality of all teaching programmes and courses of study and the conditions under which persons may qualify of the various Degrees, Diplomas, Certificates and other distinctions and awards, of the University: provided that Regulations relating to any programme or course of study shall be referred to the UGC for comment and that any comment or recommendation that the UGC may make shall receive consideration by the Senate.
- (ii) To recommend to the UGC the institution of Degrees, Diplomas, Certificates and other distinctions and awards.
- (iii) To regulate and establish criteria for the admission of persons and categories of persons to the University for the purpose of pursuing any programmes or courses of study and to regulate and control their continuance in those programmes or courses of study.
- (iv) To approve policies and procedures and regulate the conduct of examinations, tests or other methods of assessment that are necessary under requirements prescribed by the Senate for the granting of Degrees, Diplomas, Certificates and other distinctions and awards, whether internal or external.
- (v) To accept examinations passed and periods of study spent at other Universities or other institutions or bodies as equivalent to such examinations and periods of study in the University as the Senate may determine and to revoke such acceptance at any time.
- (vi) To accept courses of study in any other institution or body, which in the opinion of the Senate possesses the means of affording the proper instruction for such courses, as equivalent to such programmes or courses of study in the University as the Senate may determine.
- (vii) To recommend the granting of Degrees, Diplomas, Certificates and other distinctions and awards to persons who have pursued a course of study approved by the Senate and have qualified for such grant in terms of requirements prescribed by the Senate.
- (viii) To recommend academic distinctions including Honorary Degrees: provided that an Honorary Degree shall not be granted to any person except on the recommendation of a Joint Committee of the Senate and the UGC to be established by the Senate.
- (ix) To determine what formalities and requirements shall attach to the conferment of Degrees, Diplomas, Certificates and other distinctions and awards.
- (x) To regulate the use of academic dress in the University.
- (xi) To recommend to the UGC the terms and conditions under which any institution or body may affiliate to the University, the terms and conditions of any association or cooperation between the

University and any institution or body, or the terms of any agreement for the incorporation in the University of any institution or body.

(xii) To recommend to the UGC the institution or acceptance of awards such as Fellowships, Scholarships, Bursaries, Studentships, Prizes and other aids to study and research.

(xiii) To approve recommendations for the operation and development of the University Libraries.

(xiv) To approve recommendations for the operation and development of extramural e.g., outreach, continuing education and extension activities of the University.

(xv) Periodically review the academic organization and development of the University, with special reference to the effectiveness of the work of the University in relation to its objects including that of providing at appropriate levels education and training responsible to the well-being and needs of the communities of The Bahamas archipelago; and arising from such review, to take any action within its competence, including reporting and making recommendations to the UGC. The time period between such reviews should not exceed 5 years.

(xvi) Whether or not consequent upon the periodic review of the academic organization and development of the University, to recommend to the UGC the establishment or discontinuance of any School, institution or body for the University, and the creation, suspension or abolition of any faculty post, cognizant of the role of specialized groups including unions and collective bargaining units.

(xvii) From time to time, to review and make recommendations on the roles and duties of all faculty cognizant of the role of specialized groups including unions and collective bargaining units.

(xviii) To make recommendations to the UGC on any matter pertinent to the University and its affairs.

(xix) To recommend to the UGC appropriate provision for the personal development and well-being of the students.

(xx) To take such steps as it thinks appropriate to advise and assist the Students Association and other organizations of the students.

(xxi) To regulate the discipline of the students of the University in accordance with Ordinances to be made by the UGC after consultation with the Senate.

(xxii) Subject to an appeal to the UGC, to expel any student guilty of grave misconduct after giving him an opportunity to appear personally and to be heard by a committee of the Senate to be established under the Ordinances made under paragraph (1)(xxi) of this Statute.

(xxiii) To propose to the UGC new Statutes or Ordinances which it shall be the duty of the UGC to consider.

(xxiv) To express an opinion on any matter pertinent to the University and its affairs.

(xxv) *To appoint members of the Senate to be members of the UGC [if it is deemed desirable to have specific Senate representation on the UGC].*

(xxvi) Generally to exercise all such powers, duties and functions as are or may be conferred on the Senate by the Charter and these Statutes, including the power to make Regulations in the exercise of the powers, duties and functions herein before expressly set out in this Statute and of all other powers, duties and functions of the Senate.

MEMBERSHIP AND PROCEDURES OF THE UBS

- The number of members of the University of The Bahamas Senate shall not exceed 40.
- There shall be *ex officio*, appointed and elected members.
- Apportionment of Representation: Each School shall have faculty representation proportionate to the number of its full-time faculty members. Faculty representatives shall constitute at least fifty-five percent (55%) of the total membership of the Senate
- *Ex officio* members shall constitute twenty-seven and one-half percent (27.5%). They shall serve by virtue of their position in the University and shall include the Vice Chancellor, selected Pro-Vice Chancellor, Deans of the Faculties, the Executive Director of CHMI, the University Librarian, and the Registrar
- Student members, staff members and appointed members shall each account for five percent (5%) and the alumni shall account for two and one half percent (2.5%) of the total membership of the Senate.
- Appointed members include: Two [2] persons from institutions and bodies affiliated to or otherwise associated or cooperating with the University as shall from time to time be determined and recommended by the Senate, and appointed by the University Governing Council. It is recommended that one of these individuals be a senior technical officer of the Ministry of Education.
- Elected members include:
 - (a) Full-time Faculty from the Schools of Business - 2, Communications and Creative Arts - 2, Education - 2, English Studies - 2, Nursing and Allied Health Professions -1, Science and Technology - 4, Social Sciences -2, and the Law Programme - 1; and 2 representatives of the Northern Bahamas Campus (from any School).
 - (b) Part-time faculty - 2 (one to be drawn from a Family Island Centre).
 - (c) UTEB representatives – 2.
 - (d) Staff - 2 (one to come from outside of New Providence).
 - (e) Students - 2 (one undergraduate and one graduate).
 - (f) Alumni -1
- Selection, Election and Appointment of Members
 - 1 “*Ex officio*” members” shall serve by virtue of their position within the University.
 - 2 “Appointed members” shall be appointed in such manner and based on such criteria as
- Length of Term:
 1. The term of office of members of the Senate, other than *ex-officio* members, shall commence or shall be deemed to have commenced on the first day of July in the year in which they are appointed, elected.
 - a) *Ex-officio* members of the Senate shall hold office for so long as they continue to occupy the positions by virtue of which they became members.
 - b) Faculty members of the Senate appointed shall hold office for a term of three years.
 - c) Student members of the Senate elected hold office for a term of two years. Student members of the Senate elected under paragraph shall cease to be a member if he ceases to be a student otherwise than by becoming eligible for the grant of a Degree, Certificate or other distinction or award of the University.
 2. When members cease to be

A member of the UBS appointed or eligible elected ceases to hold office if he ceases to be eligible under the clause under which he was appointed or elected.
 3. Reappointment and re-election

Any member appointed or elected is eligible for reappointment or re-election so long as he does not serve continuously for more than six years, but on the expiration of one year after having served continuously for six years, he again becomes eligible for appointment or election.
 4. Vacation of office (In the interest of the efficient and effective use of the powers of the Senate consistency in attendance and participation of members is key, therefore arrangements need to clear. What are the regulations regarding vacancy of office of Senate members when they cease to be members upon reappointment and re-election and vacancies?)

Where a vacancy occurs for any reason among the members of the UBS and the UBS determines that the vacancy should be filled, the vacancy shall be filled by a person appointed or elected by the authority that appointed or elected the member whose office became vacant, and the person so appointed or elected shall hold office for the remainder of the term of the member whose office became vacant.

- Duties of UBS Members:
 1. In exercising the functions of a member of the Senate, a Senate member must - (a) act always in the best interests of the University as a whole; and (b) act honestly and for a proper purpose; and (c) exercise reasonable care and diligence in - (i) attending meetings;(ii) preparing themselves for meetings;(iii) participating in meetings; (iv)) representing the interest of the categories of persons they represent; (v) reporting to categories of persons they represent.
 2. Also, a member of the Senate - (a) must avoid conflicts of interest; (b) must disclose to the Senate, in accordance with section 14 and the statutes, any conflict between the member's interests and the university's interests; and (c) must not improperly use the member's position, or information obtained because of the member's position, to - (i) gain an advantage for the member or someone else; or (ii) cause detriment to the University or someone else.
 3. The duty under subsection (1) must be observed in priority to any duty a member may owe to those electing or appointing the member.
 4. The Senate may, by resolution passed by 2/3 of the members of the Senate, remove a Senate member from office if the member fails to comply with a duty under subsection (1) or (2).
- Disclosure of Interests:
 1. A member of the Senate who has an interest in a matter being considered or about to be considered by the Senate must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Senate.
 2. A disclosure under subsection (1) must be recorded in the minutes of the meeting of the Senate and the member must not, unless the Senate otherwise decides - (a) be present during any deliberation of the Senate in relation to that matter; or (b) take part in any decision of the Senate in relation to that matter.
 3. For the purpose of making a decision under subsection (2), a member of the Senate who has an interest in the matter concerned must not - (a) be present during any deliberation of the Senate for the purpose of making the decision; or (b) take part in making the decision.
- Meetings of the UBS:
 1. The UBS shall meet at least once every 3 months and at such other times as may be necessary or expedient for transaction of its business and such meetings shall be held at such places and times and on such days as the UBS may determine.
 2. The Vice- Chancellor shall preside at all meetings of the UBS at which he/she is present and, in the case of his absence from any meeting, the Deputy Vice- Chancellor shall preside.
 3. The Secretary-General shall serve as the Secretary to the Senate (UBS)
 4. A quorum of the UBS shall be the minimum number constituting a majority of the total numbers of the UBS as long as a majority of the faculty is represented in said quorum.
- Voting:
 1. The decisions of the UBS shall be by a majority of votes, and in addition to an original vote the Chair or other person presiding at a meeting shall have a casting vote in any case in which the voting is equal.
 2. Minutes in proper form of each meeting of the UBS shall be kept by the Secretary of the UBS and copy of the minutes of every meeting shall be submitted to the University Archive as soon as possible thereafter.
- Committees of the UBS:

In consultation with and by resolution of the UGC, the UBS has the power to appoint Standing Committees and Special Committees and to delegate to any such Committee any of its powers.

 - 1 Standing Committees

- a) There shall be a Senate Executive Committee
- b) There shall be other Standing Committees as established from time to time:
 - i) the Academic Committee; ii) the Faculty Boards; iii) the Finance, Physical Resources and Property Committee; iv) the Student Affairs Committee and v) such other Committees as are designated as Standing Committees by resolution of the UBS.
- c) The Terms of Reference for each Standing Committee shall be established by resolution of the UBS.

2. Membership of Standing Committees

- a) The membership for each Standing Committee shall be established by resolution of the UBS, in accordance with the Terms of Reference for each Committee. All Standing Committee Members shall hold such office at the pleasure of the UBS. The Chair shall be a member of all Standing Committees.
- b) Vacancies occurring in the membership of a Standing Committee shall be filled by the UBS at its earliest convenience. Notwithstanding any vacancy on a Committee, the Committee may exercise all or any of its powers, as long as a quorum is maintained.

3. Special Committees

In consultation with the UGC, Special Committees of Senate may be appointed from time to time as the UBS may determine. The membership of and Terms of Reference for each Special Committee shall be established by resolution of the UGC.

- Meetings of UBS Committees:

1. Closed Meetings - Attendance at Committee meetings is limited to committee members and appropriate resource people.
2. Notice of Meetings - Notice in writing of the time and place of meetings of a Committee shall be sent to each Committee Member at least three (3) days prior to the day appointed for the meeting. Notice may be sent by campus mail services, courier, e-mail, facsimile or pre-paid regular mail. The accidental failure to give notice of a Committee meeting to any Committee Member or any accidental irregularity in connection with the giving of notice of a Committee meeting shall not invalidate the proceedings at the relevant meeting.
3. Place of Meetings - All Committee meetings shall normally be held on the University's main campus.
4. Attendance - Committee Members may attend meetings in person or by telephone, electronic or other communication facilities, as permit all individuals participating in the meeting to communicate.
5. Quorum - Subject to exceptions provided for in a resolution of the UBS or in a Committee's Terms of Reference, quorum for each Committee shall be two-fifths (2/5) of the membership of such Committee.
6. Voting - a) All questions at a Committee meeting shall be decided by a majority of the votes of the Committee Members present. The Committee's Chair may vote on all motions and if regarding any motion there is a tie, that motion is deemed to be defeated. The Committee's Chair does not have a second or casting vote; (b) No Committee Member may use a proxy or be represented by a proxy-holder; (c) A resolution signed by all of the Committee Members is as valid and effective as if passed at a Committee meeting duly called, constituted and held for that purpose.
7. Record of the Proceedings - A record of the proceedings of each Committee meeting shall be kept and the minutes of every such meeting shall be submitted at the next meeting of that Committee. Minutes of each Committee's meetings shall be available for inspection by any individual who is a Committee Member of that Committee and appropriate resource persons, by appointment with the Secretary, at the Office of the Secretary during regular business hours.

- Reimbursement of Expenses:

Each UBS Member and UBS Committee Member may be reimbursed for all reasonable expenses (including reasonable travel expenses) incurred in connection with the performance of such Member's duties.

Annex VI

Sub-Committee Reports

A Brief Examination of the Governance Structures in Several Key Universities in Asia

The researcher tried to get a clear understanding of the structures that govern these universities and how they function.

Veronica Ferguson January 2007

Summary of Findings

This brief review looks at the governance structures in several key universities in Asia, specifically China, Japan, Hong Kong, Indonesia, India, Bangladesh, Singapore and Pakistan. In all of these countries at least two national Universities were examined.

In most of the Universities investigated, a Bi- cameral system of governance existed; one for fiscal governance and the other for academic governance. Many of these Universities specifically, China, Hong Kong and Singapore, autonomy was sought after and these Universities grew and tried to meet the demands of the 21st century student, it's faculty and the global mandates of today.

In some of the University structures, the President was either appointed by the Board of Trustees alone or by the Board in consultation with the Minister of Education. The President headed the corporation but answered to the Council or Board of Governors.

It is important to note that the President serves on almost all of the organs of governance to ensure the vision and mission of the University is carried out.

Those Universities having a senate, made them extremely large in number to ensure that a voice was represented from all factors, a large spectrum of society. The Senate in most cases promoted and regulated the academic affairs of the University as well as the welfare and discipline of the student. Despite the large numbers some senates met as many as five to six (5 – 6) times per year while others met once per year. However, it is interesting to note that to assist with the Senate's work, standing committees were formed and these standing committees met more often and did a lot of the ground work for the senate so that in many cases they had the facts to make decisions in a fair amount of time.

In an analysis of the Hong Kong Baptist University by its Review Committee in June 2006, it was suggested that to provide better assurance for the fulfillment of fiduciary duties (by the Council, Court etc) organs need to have an outlined code of practice for its members. It was apparent in several structures of governance that while Universities were asking for and working towards 'true autonomy' the local government Ministry still had major control and was very involved at the policy and decision making levels and in particular where financing is concerned. It was suggested that Universities become creative and raise funds through endowment options, corporate sponsors and properly established Alumni chapters.

In Globalization and Educational Restructuring: University Merging and Changing Governance in China, K.H. Mok (2005) makes a few very salient points in regards to

restructuring and changing governance. He explains several models at work and suggests that 'market governance' will become popular where internal competition and efficiency drive will be the determining forces to higher education policy and development.

It is of special interest to note that, despite all of the restructuring the overall responsibility for providing education still lies with the Central Government in China. Singapore is still trying to break free and become fully autonomous but financing is still a major issue. As a complement to fundraising and academic freedom several articles strongly suggests having faculty engage in research, consulting and joint ventures with business or corporate bodies outside of the Universities. In Hong Kong Baptist University's review it was also advised to appoint an Internal Audit Office. The Council proposed to work with the Internal Audit Office to set up a risk management structure at the University.

In all of the Universities many of the organs were very connected and depended on each other to function efficiently. For example, the Council and the Court played different but complementary roles in governing the University and spearheading its development. The Council, known to be the executive and supreme governing body of the University made strategic plans and policy decisions of the University and the Court, the advisory body of the University represents an important and valuable support base to the Council. The Senate – the academic body of the University has its membership and procedures, powers and duties constructed by the Council. The Council also constructs the same for the Faculty /School Boards and its members.

In conclusion it is imperative that we define clearly what our needs are at this time and project where we would like to be in ten years. It is clear that our current governance structure at the College of the Bahamas/ the University of the Bahamas is not adequate to fit our growing needs. As I looked from University to University in Asia, I noted the following:

1. The change in governance structures appeared to be over a period of time and is still a work in progress subject to timed reviews and evaluations.
2. The University became the community's University as every member of the community became a stakeholder.
3. The Universities tended to function within the context of the society and designed their governing structures to accommodate such.
4. The roles and layers of the governance structures tended to be very clearly defined.
5. Organs in the structure tended to be related and depended on each other.
6. Financing was always a key component to the whole puzzle.

Our governance structure at the soon to be University of the Bahamas should be based on the needs of our environment, the society, the nation at large, the student, and the faculty. It should meet the current needs but accommodate room for expansion in a global economy. It should provide for accountability and flexibility within a context of academic and administrative bloom. Our governance structure should not aspire to idealism but a system designed for imperfect people with a common, shared and vital mission to move University education forward for the good of our future generation in our nation economy.

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Sub-Committee Reports – Asia Cont'd

The Japanese Reforms to National Universities -1994

Presented by Dr. Olivia Saunders

Japanese Context

- OECD country
- More than a decade of recession
- Declining population and university enrolment
- 89 national universities – ¾ funding from national government; controlled by education ministry; less than ¼ of all students; 60% of all graduate students
- 72 public universities – run by local and regional governments
- 596 private universities – 75% of students

National Universities-context

- Paralyzed by bureaucracy
- Tightly controlled by education ministry
- Unimaginative curricula
- Few opportunities for innovative research
- Poor student preparation for work

- Poor international reputation
- President elected by and reported to faculty council of professors and associate professors.
- Administrators seconded from ministry of education
- Faculty as civil servant i.e. permanent employment
- Faculty stability with respect to salaries, research funding, students

The Reforms Aimed at

- Rationalizing governance
- Entrepreneurship
- Incorporation/privatisation

Objectives of Incorporation

- A. Increased autonomy of university
- B. President centered management
- C. Participation of external experts
- D. Outside evaluation of stated and approved goals

Autonomy

- Lump-sum budget allocation rather than line-item, based on medium term plans of each university according to ministry's goals
- Tuition and fees as a source of revenue
- Prescribed ability to raise tuition and fees
- More flexibility in recruitment, conditions of service, and salary structures

President centered

President makes final decision

President is supported by:

- 1) Board of directors – highest before the president
- 2) Administrative council – administration of the university
- 3) Education and research council

External Experts

- At least one executive must be from outside the university
- At least half of administrative council from outside the university
- Represent the administrative council on presidential selection committee

Evaluation

- National University Evaluation Committee of the ministry of education comprising non-national university members to assess achievements
- Also receives reports from the National Institution for Academic Degrees and University Evaluation re nature of education and research conducted.
- Faculty evaluation based on merit rather than age

Challenges

- Cultural inertia
- Koza system where dominant professors control research activities - iron hierarchy
- Evaluation of grants based on past successes

- No changes in funding mechanisms
- Pushes research too far towards profit-making
- Threatened academic freedom

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Annex VI Sub-Committee Reports

REPORT OF THE SUB-COMMITTEE ON LATIN AMERICAN AND CARIBBEAN UNIVERSITY GOVERNANCE

Presented by: Dr. Rhonda Chipman-Johnson, Dr. Marlene Jackson and Mr. Marcellus Taylor

Initially, this seemed a large area to cover; however, it quickly became clear that a good portion of the region could be eliminated from our study. Most of the Latin American universities were set up under military dictatorships and both the administrative structure and the roles individuals play are reflected in that. Many are undergoing review at the moment but the situation, under which they were established, negates their usefulness in looking at the future University of The Bahamas given the totally different context under which they were set up.

The French Caribbean territories, too, have a unique situation in that they have been set up under the same system as those in France (see European sub-committee report) and reflect the greater involvement of government including full financing of all students (something that is under review at the moment).

This elimination of institutions in certain other countries and islands brought us to the English-speaking Caribbean. Specifically, we looked at the University of Belize, the University of Guyana, University of Technology – Jamaica, the University of Trinidad and Tobago, and the University of the West Indies. (Note that there are universities located on some of the smaller islands of the English-Speaking Caribbean. However, in every instance, these institutions are actually US-based and are more reflective of the North American model.)

The University of Belize is undergoing some changes including a change in central campus. Central administration of the University is in the hands of the President, three Vice-Presidents, the Director of Development and the Director of Research. Under the University of Belize Act, 2000, the Board of Trustees is the highest authority at the University. Their powers are defined in the Act and are primarily policy-making in nature. The management of the University is in the hands of the President. The Act also gives the Minister of Education the authority to give directives to the Board of Trustees.³ The three Vice-Presidents are responsible for Academic, Finance and Student Affairs. Little additional information is available on the structure of the Board of Trustees, meetings etc.⁴

A UNESCO Report on Higher Education in Belize⁵ looks at the University of Belize and other post-secondary institutions within the country. In this report, it is noted that even though the titles vary, Board of Governors, Boards of Management, Board of Trustees, or Council, in all cases the makeup of the group is 50% collegiate and 50% non-collegiate. One hundred percent of the members of Boards of Governors and Boards of Management are appointed while 33% of Boards of Governors and 67% of Boards of Trustees are self-perpetuating (i.e., the board members themselves choose individuals to fill vacant positions).

³ http://www.ub.edu.bz/templeet.php/UB_root/President/structure.en.html

⁴ Aird, Eve. The Evolution of the Belizean University.
<http://www.cavehill.uwi.edu/bnccde/belize/conference/papers/Aird.html>

⁵ <http://www.iesalc.unesco.org/ve/programas/nacionales/belice/The%20Belize%20National%20Report%20on%20Higher%20Education.pdf>

The University of Trinidad and Tobago is a new university established to meet the needs of the country's industrial sector. It is a Charitable Trust established in 2004 with a unicameral governing system with a Board of Directors (8 members originally – presently 14)⁶. This Board of Directors represent local industry including the energy sector, manufacturing, business and finance, law, and human resources. There is a President and two Vice-Presidents (Academic and Corporate Services).⁷

The University Guyana has a Council with the following powers:

- To make the appointments authorised by the Statutes with the consent of the academic Board to institute, confirm, abolish or hold in abeyance any Professorship, Associate professorship or other academic office in the university.
- To confer after report from the Academic Board the title of Emeritus professor or Honorary Professor, Honorary Associate Professor or Fellow
- To govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University and for that purpose and for that purpose to appoint bankers and any other officers or agents whom it may deem expedient to appoint;
- To invest any monies belonging to the University including any unapplied income, in such stocks, funds, fully paid shares or securities as the Councils may from time to time think fit, whether authorized by the general law for the investment of trust monies or not, or in the purchase of property whether authorized by the general law for the investment of trust monies or not, or in the purchase of property whether movable or immovable, with the like power of varying such investments from time by time or re-investment or otherwise: Provided that the Council may in its discretion retain as long as it shall think fit any Investment given or bequeathed to the University although not falling within the description of investments authorised as aforesaid;
- To sell, buy, exchange, lease, grant or take on lease movable and immovable property on behalf of the University;
- To borrow money on behalf of the University, and for that purpose (if the Council thinks fit) to mortgage or charge all or part of the property of the University whether movable or immovable, unless the conditions of any will deed or gift or other similar instrument are thereby contravened, and to give such other security whether upon movable or immovable property or otherwise as the Council thinks fit;
- To receive from Academic Board estimates of expenditure required to carry out the work of the University and to seek to provide the requisite money in so far as the estimates are approved by the Council;
- To provide for the welfare of all persons in the employment of the University, and the spouses and dependents of such persons, including the payment of money, pensions or other payments, and to subscribe to benevolent and other funds for the benefit of such persons;
- To enter into, vary, carry out and terminate contracts on behalf of the University;
- To select a Seal, Arms and Mace for the University and to have the sole custody and use of the Seal;
- To promote and to make provision for research within the University;
- To determine the terms and conditions of service upon which Examiners and Visiting assessors shall be appointed by the Academic Board;
- To take into consideration and, if the Council deems it proper to do so, give effect to reports from the Academic Board on those matters upon which the academic board is authorised or required by the Statutes to make report;

⁶ <http://www.utt.edu.tt/utt/about/personneldetails.aspx?id=3358>

⁷ [http://www.succeed.ufl.edu/icee/Papers%5C224_ICEE%202004%20Paper%20with%20numbers_\(1\).pdf](http://www.succeed.ufl.edu/icee/Papers%5C224_ICEE%202004%20Paper%20with%20numbers_(1).pdf)

- To award Honorary Degrees on the proposal of the Academic Board;
- To dismiss any member of the staff other University pursuant to the procedure hereinafter prescribed.⁸

The members of this Council are made up of the following:

Pro-Chancellor of the University of Guyana	Vice-Chancellor of the University of Guyana
Nominee: Committee of Deans	Nominee: Academic Board
Nominee: Guild of Graduates	Nominee: Students' Society
Nominee: U.G.W.U.	Representative: Ministry of Education
Representative: Ministry of Finance	Nominee: Political Party in Office
Nominee: Minority Party	Nominee: Women's Interest
Nominee: Farmers' Interest	Nominee: Amerindians Interest
Nominee: Business Interest	Nominee: Guyana Trades Union Congress
Minister's Appointee: Field of Medicine	Minister's Appointee: Field of Medicine
Minister's Appointee: Field of Law	Nominee: Chancellor
Nominee: Chancellor ⁹	

At the University of Guyana the Vice-Chancellor is also the Principal of the University acting as both academic and administration head.

A bicameral system exists at the University of Technology, Jamaica. There is a University Council made of nominated representatives of government, public and private sectors and from the university itself. This body meets monthly and is primarily concerned with the financial health of the university with responsibility for estate and properties.¹⁰ Subcommittees of the Council include audit, finance, governance, plant and property. The second organ of governance is the Academic Board which also meets monthly and is chaired by the president. It also includes vice-presidents, directors, deans, university librarian, a student representative and an elected academic representative from each faculty. Its powers over academic activities are subject to the powers of the president and council. It sets policy, standards, research and evaluation. There are subcommittees related to academic policy, publication, research, educational services and post-graduate studies. Finally, there are joint committees that look at discipline including appeals, honorary awards, planning and development, human resources management, etc.¹¹

The following information on the University of the West Indies was acquired from the Report of the Chancellor's Task Force on the Governance of UWI. The university council is the only body that can make and amend Statutes, determine tuition and examination fees, and appoint a Chancellor, Vice-Chancellor and senior staff, amongst other things. According to the report there are 62 members including the Chancellor, Vice-Chancellor, the Campus Council chairs, Pro Vice-Chancellors, campus principals, registrar and representatives of the university academic community, alumni, governments of contributing countries, students, administration and staff. Additionally there are 10 persons from the lay public chosen by the Chancellor. This body meets once a year (the Task Force recommends that an Executive Committee of Council meet more

⁸ <http://www.uog.edu.gy/administration/council>

⁹ <http://www.uog.edu.gy/administration/council>

¹⁰ http://www.utech.edu.jm/Admin/OVP_%20AdminRegistrar/governance.htm

¹¹ http://www.utech.edu.jm/Admin/OVP_%20AdminRegistrar/governance.htm

regularly than this). In addition to the overall Council there are also Campus Councils to represent the needs of the different campuses of the University. The Senate is the third of the governing bodies but doesn't meet regularly and has delegated much of its authority to the Academic Board.

Universities in the Caribbean region are relatively young and experiencing considerable growing pains as reflected in changes occurring at the University of Belize and the report of the Task Force on UWI governance. What we can learn from them is that there needs to be clearly defined roles for each of the organs of governance and clearly defined numbers of meetings. There is little to be gained from a Council that meets yearly or a Senate that seldom meets.

Annex VI Sub-Committee Reports

A REVIEW OF GOVERNANCE IN EUROPEAN INSTITUTIONS

presented by the Ad Hoc Subcommittee on Europe
Mr. Colyn Major , Mr. Julian Francis, Mrs. Bridget Hogg

This subcommittee was charged with the responsibility of reviewing governance and related matters in the European context. The work excluded Scotland, Northern Ireland and England as these were covered by another group.

Background

The institutions studied ranged from state run public access institutions in Eastern Europe to privately owned and financed institutions in Western Europe, and a range of institutions along a continuum. Table 1 gives an overview of historical features of European institutions.

Table 1: Historical Features of European Institutions (pre- 1980)

Component	Status
Organization	Highly centralized control
Financial Accountability	Low level of accountability (internal .external)
Funding Sources	Combinations of private and state
Funding Levels	Decreasing state support
Access	Access ranged from elitist institutions in the west to state controlled / directed access in the east
Enrollment	Small to moderate
Risk Management	Not seen as a major administrative function
Research	Financial and policy support vary greatly
Stakeholders input	Limited consideration given to input from broader stakeholder groups
Quality Assurance	Older institutions had more established QA mechanisms, however newer ones, especially Eastern European ones, were lacking.

Current Trends in European Higher Education

Over the past several decades, many countries and their educational authorities have come to realise that educational reform is needed in order to meet the challenges of modern society. A number of trends have emerged as summarised below.

- ◆ Decentralisation of authority and delivery -Institutions need greater autonomy if they are to be able to readily respond to the needs of society.
- ◆ Increased inclusiveness in governance – This involved recognition that a key role of the institution is to grow. , lead and be informed by the community in which it exists. This requires input from those the institution seeks to serve, the stakeholders.
- ◆ Recognition of the need for financial accountability – As competition for funding becomes more intense, it is important that the university demonstrate that it is capable of properly managing its finances.

- ◆ Research – Increasingly, research is being seen not just as an academic pursuit, but also as an opportunity to raise funds for individuals, the institute and even the nation.
- ◆ Quality Control – Discussion has been high, with respect to quality control. It is recognised that the international reputation of an institution is affected by the effectiveness of its quality control mechanisms. This, in turn, has an impact on access to funding, particularly from Non Governmental Organizations and other international bodies.
- ◆ National and International Outreach – Recognising that society is becoming more global in outlook, institutions are increasingly seeking to interact and partner with others both regionally and internationally

In attempting to develop, institutions in Europe face considerable challenges. These include

- ◆ Changing relationships between government and institutions
- ◆ Historical resistance to the rigours of financial accountability
- ◆ Balancing the impact of external funding with possible limits to academic freedom
- ◆ Decreased state financial support
- ◆ Increased stakeholder demands for programmes to meet local/regional needs
- ◆ Increased enrollment, without resources for increased infrastructure
- ◆ Inadequate risk management strategies
- ◆ Varying quality assurance mechanisms
- ◆ Institutional resistance to change in spite of the stated goals

The challenge to improve higher education in the region has been taken up by the European University Association-EUA.¹² This is the main voice of the Higher Education Community in Europe. The EUA's mission is to promote the development of a coherent system of European higher education and research.

EUA activities include participation in policy debates, quality improvement projects at national and regional levels, advocacy on behalf of members to promote European higher education at the globally and publication of analyses of trends in European higher education

The Regional University Network-RUN¹³ on Governance and Management of Higher Education in South East Europe also identified similar challenges to the progressive development of tertiary education in Europe, and has proposed a number of strategies.

These include-

- ◆ Financial Planning – Universities must develop longer term strategic planning with respect to resources, especially financial
- ◆ Resource Management – This has implications for accountability. It also included better matching of enrollment, with physical, financial and human resource capacity.
- ◆ Inclusiveness – Universities need to stimulate greater inclusiveness so as to have the stakeholders work with them in achieving a shared vision
- ◆ Enhanced inter and intra departmental (or unit) multidirectional communication. This would keep stakeholders informed and provide for faster feedback and the exchange of knowledge and ideas.
- ◆ Quality Assurance Mechanisms – The international reputation of the institutes will be affected by the manner in which they protect the integrity of their programmes.

12 <http://www.eua.be>

13 http://www.cepes.ro/hed/policy/see/vienna_03.htm

Governance Structures

Whilst there was a range of structures amongst the varying countries, there were some common aspects as follows.

- ◆ Each institution has one person who served as the public face .
- ◆ This person sits as a member of the top management body of the institution.
- ◆ Institutional planning and overall management was effected by Boards of Directors, General Assemblies etc.
- ◆ Governance of academic and nonacademic matters was coordinated by two interacting boards/councils etc. These were themselves governed by a body upon which the state had some measure of control or input.
- ◆ The academic affairs were run by bodies consisting largely of internal stakeholders in the form of Academic Boards, University Senates etc.
- ◆ Union representation was not specifically mentioned in any of the reviewed governance structures.
- ◆ The state played a key role in setting national education policies.
- ◆ The state provided significant funding.
- ◆ State funding is on the decline and institutions are hard pressed to meet developmental goals whilst serving the ever increasing demand for greater enrollment.
- ◆ The state supported activities of universities etc. through legislation.
- ◆ Financial and other resource accountability was informal and disorganized in a number of cases.
- ◆ There was a lack of long range (10 years +) planning.
- ◆ Attempts have been made to provide for greater inclusiveness with respect to the broader stakeholder groups participation on governing bodies.

Of particular note in the overall review was the provision of an Evaluation Commission at the University of Trento , Italy.¹⁴ This section of the governance structure is responsible for aspects of quality assurance.

THE ROAD AHEAD- Governance at the University in the Bahamas

As the College of The Bahamas seeks to reinvent itself, becoming a University in the process, it must be mindful of a number of factors. Some of these have been highlighted in this group's study of higher education governance in the European context.

Local factors to consider

The Role of Government

Policies
Legislation
Funding
Academic Freedom

Roles of Stakeholders

Funding

¹⁴ http://www.unitn.it/en/ateneo/organi_gov/collegio_revisori.htm

Participants in decision making
Leadership
Teachers/learners
External environment importance
Institutional Instructional Goals -
 Education for employment & development to fill local needs
 Education to fit students for the global market
 Life long learning
 Cultural preservation
Research Purposes
 Research for pure knowledge
 Research to drive the institutional and national economy
Autonomy and Funding resolution challenges
Financial and programme accountability
Quality Assurance Mechanisms

GOVERNANCE AT THE COLLEGE OF THE BAHAMAS - Our group's input

Instruments of Authority - Government

Legislation- To define the selection/election of the overall governing body of the institution

Public policy- To guide the inclusiveness factors.

Higher Education Acts- To formally establish the institution and its role in national education

HEAD and ASSISTANT HEADS OF THE INSTITUTE- These persons would be selected after a process of review by selection/search committee, with recommendations, in the case of the president and executive vice president to be forwarded to the Board of Directors for final approval.

President- This term is understood and recognised by the populace as indicating a leader, with real power and responsibilities.

- risk management
- liaison with government
- international outreach
- labour contracts
- preside over baccalaureate activities
- sit on all institution wide boards and committees
- present the annual report to the Board of Directors

Executive Vice President – Serves as second in command to the President, and is directly responsible for Academic Affairs.

Vice Presidents – Support the work of the Presidents office, in conjunction with the EVP. The VPs would be charged with responsibilities for specified portions of the EVP and Presidents overall portfolios.

Key areas would include – Facilities, Finance, Human Resources, Student Services, Planning, Admissions & Recruitment, etc.

Directors/Deans – head up individual units such as faculties and institutes. These persons would oversee the day to day running of faculties and institutes.

GOVERNING BODY

The Board of Directors- With a Chairman

This would consist of representatives from clearly identified stakeholders groups. The Board would be charged with directing and providing for

- Administrative Structure of the institution
- Overall running
- Development planning
- Policy decisions
- Financial oversight, including the final vetting of the annual institutional budget
- Stakeholders – Faculty, President, Executive Vice President, Alumni
Staff, Student, Business community/Civil society, NGOs, Government,
- Physical plant development
- Final Decisions on Senior Administration staffing – President, Executive Vice Presidents
- Quality assurance Mechanisms
- Resource Management
- Integration of national needs with university output/maintain relevance of the institution to the community
- Fundraising

The Board would have the legal right to delegate its responsibilities to the President and other members of administration.

Chairman- lead the board of directors

This person would be the face and voice of the Board of Directors.

Academic Governing

University Senate – responsibility for decisions on development and administration of academic policies

Membership:

President, Executive Vice President, School Representatives, Deans, Student Representative, President Emeritis, External Stakeholders (may vary according to issues under consideration)

Functions:

- advise the Board with respect to policy development
- make proposals to the board with respect to academic policies of the university
- curriculum development
- academic staffing policies

- hiring decisions re; Dean and others....etc.
- tenure issues
- research promotion and management
- matriculation and graduation policy

A SAMPLE STRUCTURE- Academic Branch

BODY	HEAD	COMPOSITION	RESPONSIBILITIES
Board of Directors & associated Sub committees	Chairman	Stakeholder Representation faculty, staff, student, NGOs, Government, civil society, alumni, union	Overall Management Policy Approval , President and EV President selection, planning
University Senate & associated Sub committees	President	EVP, VPs, Deans, Alumnae, faculty , staff student,	Development and administration of academic policies , to inform the Board of decisions
Academic Board	Executive Vice President	Deans, Chairs, Directors, Student Rep.	Course, programme development, academic policy recommendations to the senate
Academic Subcommittees	Vice Presidents/Deans	School reps, student, staff	Administer selected academic policies
Faculties/Institutes & associated Sub committees	Deans/Directors	Chairs, Faculty, Staff, Cobus Representation, Union Reps	Apply academic policies and regulations, deliver courses/programmes, conduct research to inform teaching make recommendations to the Academic Board
Schools & associated Departments	Chairpersons	Faculty, Staff, Students, Union Reps	Day to day running/delivery of academic programmes through teaching and research

THE WAY FORWARD

As we progress towards university status, there are 5 vital points to be addressed:

1. The governance structure must be clearly outlined with respect to levels of authority and responsibility.
2. The structure must take into account the long-range goals of the institution, as a national centre of academic, cultural and technological excellence.
3. The structure must provide for inclusion of stakeholders at decision-making levels, and yet it must also provide for a timely processing of university tasks.
4. A culture of accountability, with respect to resource management, risk management and quality assurance should be kept at the forefront when designing the instruments and mechanisms of governance.
5. The institution must strive to develop multiple approaches to funding.
6. The university structure must promote research and education as engines for individual and national development.

References:

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