

***Considerations on the
Designation and
Nomenclature of
Higher Education
Institutions***



Erica Gillard

NOVEMBER 2004

*Council on Higher Education
Higher Education Quality Committee*

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and Nomenclature of Higher
Education Institutions***

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Conditions and Criteria under which Public and Private Higher
Education Institutions may be Recognised as Universities, Technikons, and
Other Designated Higher Education Institutions

and/or

Undergraduate and Postgraduate Degree-Offering and/or
-Awarding Institutions and Processes

and

Procedures for Recognition

Erica Gillard

November 2004

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FOREWORD

The Council on Higher Education (CHE) is an independent statutory body established by the *Higher Education Act of 1997*. The CHE's mission is to contribute to the development of a higher education system that is characterised by equity, quality, responsiveness, and effective and efficient provision and governance and management. The CHE makes this contribution by providing advice on higher education policy issues to the Minister of Education through the quality assurance activities of its Higher Education Quality Committee (HEQC), through monitoring and evaluation of aspects of higher education, and through various other activities.

This Research Report is the result of an investigation prompted by a request to the CHE in late 2002 from the Minister of Education for advice on the nomenclature of comprehensive institutions, wherein the Minister also indicated that 'the CHE could extend its advice to the nomenclature of higher education institutions more generally'. The Minister further indicated that he would 'appreciate the advice of the CHE on a related matter, that is the criteria to be used to assess the ability of a higher education institution to offer degrees and postgraduate qualifications'.

The CHE initiated an investigation to consider these issues and produce a Report that would

1. Assist the CHE to advise the Minister of Education on the conditions and criteria under which public and private higher education institutions may be recognised as
 - Universities or Technikons or Institutes of Technology, etc. and/or
 - Undergraduate and postgraduate degree-offering and/or -awarding institutions.
2. Assist the HEQC to formulate processes and procedures for recognition as one of the designated institutions.
3. Assist the HEQC to formulate policy and practice around the specific accreditation requirements that institutions need to meet in order to be permitted to offer and/or award undergraduate and postgraduate degree programmes.
4. Assist the CHE to advise the Minister on the nomenclature of higher education institutions more generally.

The investigation has been synthesised in this Research Report by Ms Erica Gillard, who served as the consultant on the investigation.

The investigation took as its points of departure the vision and goals for higher education expressed in the *White Paper* and the *National Plan* and the key values and principles that are intended to guide the process of transformation and development in higher education. Further details relating to the investigation are covered in the Introduction to this Report.

As always in an investigation of this nature and in the production of a research report, there are numerous actors to be thanked. The CHE extends its gratitude to the following:

- The members of the CHE Shape and Size Standing Committee that supervised the investigation.
- The members of the Council of the CHE, who approved the Policy Advice Report to the Minister of Education that flowed out of this investigation.
- The academic leaders and managers, noted in the 'Sources of Information' section of the report, who kindly made themselves available for interviews and whose thinking and ideas informed the work of the consultant.
- The local and international academic leaders, managers and academics who submitted documents to the CHE, expressed opinions on the issues at hand, and also expressed views on the nomenclature of comprehensive institutions.
- Ms Erica Gillard for taking on the investigation and facilitating the work of the CHE Shape and Size Standing Committee.
- The members of the CHE Secretariat who assisted in the production of this Report, and especially the Project Administrator of the investigation, Ms Chantal Dwyer, and at a later stage Mr Shane Stoffels.

Finally, the CHE is grateful to

- The Ford Foundation for a grant to support the CHE investigation and the publication of this Report.

The Research Report can also be viewed on the CHE website <http://www.che.ac.za>

The Appendix to the Report, which is indicated under 'Content', can be viewed and downloaded from the website.

Researchers seeking access to the original source materials that have gone into the production of this Research Report may request permission for access from the Chief Executive Officer, Council on Higher Education, PO Box 13354, The Tramshed 0126. E-mail to ceo@che.ac.za, Tel: (012) 392 9121, Fax: (012) 392 9110

Prof. Saleem Badat
Chief Executive Officer, CHE
Pretoria, July 2004

ABBREVIATIONS AND ACRONYMS

ACDAP	Advisory Committee on Degree-Awarding Powers
ACU	Association of Commonwealth Universities
AVCC	Australian Vice-Chancellor's Committee
CATE	College of Advanced Technical Education (precursor of technikon)
CESM	Classification of Educational Subject Matter
CHE	Council on Higher Education
CHEMS	Commonwealth Higher Education Management Service
CTP	Committee of Technikon Principals
EFTSU	Equivalent Full-Time Student Unit
ETQA	Education and Training Quality Assurer
FET	Further Education Training
HEQC	Higher Education Quality Committee
NPHE	National Plan for Higher Education
NQF	National Qualifications Framework
NWG	National Working Group
PQM	Programme and Qualifications Mix
QAA	Quality Assurance Agency for Higher Education (UK)
R&D	Research and Development
SAQA	South African Qualifications Authority
SAUVCA	South African Universities Vice-Chancellors Association
SET	Science, Engineering and Technology

INTRODUCTION

This Report details the work undertaken during an 18-month project intended to

- assist the CHE to advise the Minister of Education on conditions and criteria under which public and private higher education institutions may be recognised as a *university, technikon* or other designated term;
- assist the HEQC to formulate processes and procedures for institutional recognition as a designated higher education institution;
- assist the CHE to advise the Minister of Education on conditions and criteria under which higher education institutions may be recognised as undergraduate or postgraduate degree-offering and/or -awarding institutions;
- assist the HEQC to formulate policy and practice around specific accreditation requirements that institutions need to meet in order to be permitted to offer and/or award undergraduate and postgraduate degree programmes; and
- assist the CHE to advise the Minister on the nomenclature of higher education institutions more generally.

The report is divided into two major parts:

- **Part 1** deals with institutional recognition. It covers
 - the South African historical, legislative, policy and institutional context;
 - definitions and criteria for recognising *university, technikon* and other designated terms;
 - options, proposals and criteria for recognising designated terms in South Africa; and
 - processes and procedures for recognising and establishing new higher education institutions in South Africa.
- **Part 2** deals with degree-awarding recognition. It covers
 - the South African historical, legislative, policy and institutional context;
 - criteria for offering/awarding undergraduate and postgraduate qualifications; and
 - processes and procedures for approving the offering/awarding of qualifications.

A third part covers some additional proposals and recommendations about implementation.

An appendix reviews international legislation on the above topics.

Part 1: Institutional recognition: conditions and criteria for recognition as a *university, technikon* and other designated higher education institutions; processes and procedures for recognition

Section 1: South African historical, legislative, policy and institutional context

Section 1.1 explores the historical origins of two separate Acts for universities and technikons.

Section 1.2 explores current legislation.

Section 1.3 discusses how current policy for higher education follows a line from the National Commission on Higher Education to the *National Plan for Higher Education* (NPHE), which has several specific goals.

Section 1.4 discusses the Minister of Education's restructuring proposals. These include an intention to ensure institutional diversity through programme and mission differentiation. Apart from mergers, these restructuring proposals also create new types of institutions ('comprehensives') which are to offer both university- and technikon-type programmes. The CHE concluded that there was little justification for creating another type of institution and that these new hybrid institutions should be placed either one side or the other of the binary divide. The CHE concluded further that it was premature to finalise names of higher education institutions in such a time of transition and flux.

Section 2: Approaching the terms *university*, *technikon* and other designated terms

This section explores definitions for *university*, *technikon*, *university of technology* and *institute* and then criteria for their recognition.

Section 2.1 discusses different ways of defining *university*. An ideal type (represented by New Zealand legislation) wherein universities are concerned with advanced learning, have interdependent teaching and research, meet international standards, are a repository of knowledge and accept a role as critic and conscience of society is supported. A cautionary note is sounded about the difficulty of identifying universities in practice. Manuel Castells warns against being too exclusionary and says that universities should be solid and dynamic enough to withstand the tensions in performing contradictory functions.

Section 2.2 reviews criteria for recognition as a university, noting that each country's context is different. Qualitative and quantitative criteria are reviewed and evaluated with regard to their usefulness for South Africa.

Section 2.3 explores ways of defining *technikon* and institutions similar to technikons, and criteria for their recognition are explored in section 2.4. A more distinct role for technikons could be maintained in South Africa, at guideline level, if the definition referred to a specified preponderance of enrolments in certificates and diplomas, as well as in limited and specified Classification of Educational Subject Matter (CESM) areas, lower admission criteria than universities, and a more extensive focus on continuing and vocational education.

Section 2.5 discusses the Committee of Technikon Principals (CTP) proposal for the role of technikons to be strengthened and for them to be called *universities of technology*. It is proposed that criteria for their recognition would be the same as those for universities, with quantitative criteria heavily biased towards technology CESM areas.

Section 2.6 explores different uses for the term *institute*. The Report concludes that the number of uses should be limited and supports the Minister's intention to amend the *Higher Education Act* to protect this term with regard to National Institutes of Higher Education.

Section 3: Proposals and options for recognising *universities, technikons* and other designated terms for higher education institutions in South Africa

After discussion, section 3.1 proposes that the following characteristics, properties and principles underpin the criteria for recognition as designated higher education institutions.

Characteristics

- Multipurpose, academically and economically viable, involved in teaching, scholarship and research, appropriate to the institution's agreed mission, with appropriately qualified staff.

Properties

- Equity, sustainability and productivity.

Principles

- Support the defined policy goals for higher education, such as enhanced access and participation of previously disadvantaged social groups.
- Be consistent with legislative and other policy contexts.
- Take into account the historical development of higher education in South Africa.
- Support an overall improvement in quality.
- Be pragmatic, but avoid being set at the level of lowest common denominator, in order to help raise levels of quality.
- Link, as far as possible, to other criteria and processes already in place or to be put in place.
- Be reviewed after a defined period of time – this could be linked to the CHE Higher Education Quality Committee (HEQC) audit cycles so as to build on other processes.

Section 3.2 tackles the question of how to approach criteria for recognition in the context of a higher education system with a binary divide. Two options and their implications are explored.

Retention of a binary divide is consistent with the Ministry's current intentions. The Ministry would be advised to set out explicitly the institutional landscape it seeks to have in the longer term, to set out the goals for the system as a whole and to clarify and strengthen the distinctions between the present two types of institution. In terms of this vision, some current universities would become technikons if this is the intended area of growth in their programme and qualifications mix (PQM). The Ministry would have to be prepared to implement this vision, or the binary divide will become vulnerable. Clear strategies would have to be developed to prevent further academic drift; something which the creation of 'comprehensive' institutions makes more difficult.

If the binary divide is retained, both alternative names for technikon – *university of technology* and *institute of technology* – have weaknesses, especially because the term *technology* is not appropriate when reviewing the current PQMs of technikons in South Africa.

While dissolution of the binary divide is consistent with the Ministry's proposal to have looser institutional boundaries within a binary divide of distinctive programmes and qualifications, there are also dangers in removing the divide, especially because it is crucial to retain the current strengths of the technikon sector.

Section 3.3 evaluates the two options. It recognises that it is likely to become increasingly difficult to maintain the binary divide for several reasons, including the creation of comprehensive institutions, which will make 'academic drift' difficult to define, and thus difficult to control; the *New Academic Policy*, which does not make a clear distinction between vocational and general qualifications; the similar governance structure of universities and technikons (which was a key factor leading to the disbandment of the binary divide in the UK); and the political feasibility of whether the redesignation of a university as a technikon in the future will be accepted.

While recognising the dangers in removing the binary divide, there are now three key steering mechanisms in place to counterbalance the dangers. These are planning processes and procedures put in place by the Department of Education, quality assurance systems being developed by the CHE/HEQC, and the introduction of the new funding formula, which can support policy priorities as required and steer the system in appropriate ways.

On balance, the report concludes that the Ministry should consider designating all higher education institutions that meet certain stipulated criteria as universities. Different types of *universities* will evolve over time, with inter- and intra-institutional differentiation; technikon-type programmes can be retained and promoted over the system as a whole. The relationship between the state and institutions becomes key.

The Report proposes the following with regard to designated terms for higher education institutions in South Africa:

- If they meet the stipulated criteria, public higher education institutions currently called *university* or *technikon* should be called *university*.
- If they meet the stipulated criteria, private higher education institutions should be permitted to be called *university*, after successful review of their application.
- In order to be designated a higher education institution, a minimum of 75% of its qualification offerings should be higher education qualifications (at NQF level 5 and above).
- Strong steering from the Department of Education and effective monitoring from the CHE will be required to avoid undesirable academic drift of a nature that is not in the interests of economic and social needs.
- No current institution should be called a *university of technology*, although serious consideration could be given to the possibility of developing one or more of any of the current South African higher education institutions as a true university of technology.
- After a period of settling down, consideration should be given to allowing universities to identify themselves by second-order titles; to prevent inappropriate descriptors, these should be approved by the Minister of Education, with or without the advice of the CHE; regulations to monitor and prevent the use of inappropriate titles should be developed.
- Serious consideration should be given to renaming the Durban Institute of Technology.
- The Ministry's intention to introduce regulations to define and protect the term *institute* as a new organisational form is welcomed.

After proposals for the use of *institute* in section 3.4, section 3.5 discusses criteria for recognition as a university in South Africa. The Report proposes that criteria for recognition should combine qualitative as well as quantitative criteria and specify the purposes of a university, its specific characteristics, features and structures and minimum size and shape criteria, including the range of programmes it offers and degrees it awards and the activities it performs.

Options for the level at which quantitative criteria are set are discussed. The disestablishment of institutions at this stage does not seem appropriate, given the Minister's restructuring proposals and given that there is no university college level which would make downgrading any institutions which do not meet the criteria possible. Taking the goals of the NPHE into consideration, the Report proposes that quantitative criteria should be set at the level of the smallest public higher education institution. In this way, the system can have time to settle down before more stringent criteria are considered. With this option, quality assurance becomes crucial.

The Report proposes the criteria for recognition as a *university* should cover the following elements:

- A focus on teaching, scholarly activities and research, appropriate to the mission of the institution.

This will result in a differentiated system of higher education with a continuum of activities in each university. For some universities this will mean that they should meet international standards of teaching and research, including applied and technological research, conducted by academics who are active in advancing knowledge. For other universities this will mean research interests appropriate to their location and niche.

There should be a range of programmes offered, including continuing and career-focused education and these technikon-type programmes should receive priority in PQMs so as to increase this focus in the system as a whole.

For all universities, research and teaching should reinforce each other.

A university should act as a repository of knowledge and expertise, and play a role as critic and conscience of society.

- An appropriate focus on community development/service/outreach related to the teaching and research functions of the university.
- Academic leadership located in a senate or equivalent body.
- Capacity, governance and resources to meet stated goals.
- Minimum size of approximately 4 000 FTE enrolments with the majority of enrolments in higher education bands, spread across SET, Management and Humanities subject areas (with a minimum of 20% of the total enrolments in each of those subject areas).
- A research and postgraduate output appropriate to the approved niche of the university.
- Admission criteria normally matriculation exemption (or equivalent, as per ongoing policy development) for degree-level programmes and school-leaving certificate (or equivalent, as per ongoing policy development) for certificate and diploma programmes.
- Congruence and consistence with national interests and policy imperatives and goals, including access and support for historically disadvantaged students.

The above criteria should be interpreted by an experienced and respected team of specialist evaluators in a holistic and flexible way, and not be applied in a rigid and mechanistic way.

Section 4: Processes and procedures for recognition as a designated higher education institution

Section 4.1 discusses international examples. The current CHE process and procedures for reviewing applications for accreditation as a private provider to offer specified qualifications draw from international best practice and can be applied, with some modifications, to applications to become a university.

Section 4.2 evaluates processes and procedures for recognition as a designated higher education institution. It proposes that, given the review of international best practice and the procedures and processes already in place at CHE, the following should be the process for establishing a new higher education institution:

- The Minister requests advice from the CHE.
- The applicant completes an application according to stipulated guidelines and submits it to the CHE.
- The application is reviewed by officials of the CHE.
- An expert panel is appointed to evaluate the application against agreed-upon criteria and site visits.
- The panel reports to the CHE, whether through a standing committee, which is established to consider applications for recognition as a university, or not (depending on the number of applications expected).
- The CHE makes a recommendation to the Minister.
- The Ministry considers the recommendation against its own criteria, for example, national budget and overall goals for higher education.
- A proposal is published for public comment.
- Any appeals against a recommendation are made to the Minister.
- If the decision is to recognise the applicant as a university, the Minister establishes a new university.

With respect to existing technikons, their establishment as universities should be automatic.

Proposals for the establishment of *institutes* fall outside the brief of this Research Report.

Part 2: Degree-awarding recognition: conditions and criteria under which higher education institutions may be recognised as undergraduate and/or post-graduate degree-offering and/or -awarding institutions

Section 1: Historical, legislative, policy and institutional context

In South Africa, there was initially a distinction between degree-awarding and degree-offering institutions. By the time public higher education institutions were established by Acts of Parliament, they awarded their own degrees and regulation was provided by Senates.

Following the NCHE, in order to offer, as well as to award, higher education qualifications

- public higher education institutions have to apply for funding approval from the Department of Education to offer programmes;
- public and private higher education providers have to register qualifications on the NQF with the South African Qualifications Authority (SAQA); and
- public and private higher education providers need accreditation from the CHE for new programmes.

Section 2: Criteria for offering/awarding undergraduate and postgraduate qualifications

Section 2.1 reviews criteria from selected countries, including current CHE practice, for offering and awarding undergraduate and postgraduate qualifications.

Section 2.2 proposes criteria to be allowed to offer undergraduate or postgraduate programmes in South Africa as follows:

- The current CHE criteria to evaluate whether a provider might award and/or offer undergraduate and postgraduate programmes should continue, with regular evaluation.
- The criteria used by the Department of Education to evaluate whether a public higher education institution can offer specific programmes, particularly postgraduate, could usefully become more explicit, especially with respect to the evaluation of capacity to offer a programme.

Section 3: Processes for approving the offering/awarding of undergraduate and postgraduate qualifications

Section 3.1 reviews processes for approving the offering/awarding of undergraduate and postgraduate qualifications.

Section 3.2 proposes as follows:

- The current procedures and processes instituted by the CHE in discharging its responsibilities with respect to whether a provider may offer and/or award undergraduate and postgraduate programmes should continue, with regular evaluation.

Part 3: Additional proposals

The Report proposes that matters covered in the Report receive thorough discussion at stakeholder level.

Once the Minister has made firm recommendations, criteria can be drafted by the Department of Education and guidelines by the CHE, both of which should be sent out for comment.

The CHE should also investigate the exact mechanisms used by a country such as Australia, whose protocols seem appropriate for South Africa.

***INSTITUTIONAL RECOGNITION: CONDITIONS AND
CRITERIA FOR RECOGNITION AS A UNIVERSITY,
TECHNIKON, AND OTHER DESIGNATED HIGHER
EDUCATION INSTITUTION; PROCESSES AND
PROCEDURES FOR RECOGNITION***

SOUTH AFRICAN HISTORICAL, LEGISLATIVE, POLICY AND INSTITUTIONAL CONTEXT

1.1 HISTORICAL CONTEXT¹

South Africa's system of higher education emerged from a relatively simple framework. It became progressively more complex with the development of an industrial capitalist system, the rise of Afrikaner nationalism and apartheid and is now potentially being streamlined by the attempts of the current Minister of Education and his Ministry.

The first university – the University of the Cape of Good Hope (UCGH) – was established in 1873, with a Royal Charter to grant degrees. Before this, the University of London had acted as an external examining university for candidates in the Cape Colony. By the time the Union of South Africa was formed in 1910, the UCGH was the examining university for several University Colleges. A merger of colleges in the Cape to form the University of the South had been mooted, but this was resisted by rising Afrikaner nationalism. The *University Act* of 1916, therefore, gave full university status to the University of Cape Town and the University of Stellenbosch. The UCGH became the University of South Africa (UNISA), an examining university with all other university colleges still affiliated to it, and moved to Pretoria.

After World War II, several other university colleges gained full university status, and more universities were created. UNISA was restructured as a distance learning university after 1946 because of the decline of the college system. After 1948, however, the *Extension of Universities Act* of 1959 resulted in the creation of what were originally called 'tribal colleges' for different 'ethnic groups', located in rural areas. These university colleges fell under the Minister of Bantu Education and, initially, under the academic trusteeship of UNISA, mirroring the earlier situation in the Cape Colony. University colleges were also created in urban centres for 'Indian' and 'Coloured' groups. More 'white' universities were also created in this period, for example the University of Port Elizabeth and Rand Afrikaans University.

A second phase of the implementation of apartheid ideology within higher education, from the late 1970s, created universities in the newly created self-governing 'homelands'.

Technikons emerged through a different route. Technical classes had existed before Union at 'technical institutes'. Some of the advanced training was absorbed into the engineering faculties of university colleges, whereas lower level training of technicians continued to follow a non-university path. After the 1923 *Higher Education Act*, Technical Institutes became Technical Colleges, with a focus on training up to matriculation level. After World War II, Technical Colleges (especially in the urban centres) began expanding post-

¹ This section draws extensively from Cooper and Subotzky, 2001: 3-10.

matriculation qualifications, with some colleges developing three-year post-matriculation National Diplomas for technicians by 1958. By 1967, an Act of Parliament created four urban Colleges of Advanced Technical Education (CATEs), with three-year National Diplomas being the core qualifications. They were renamed *technikons* in 1977. Technical Colleges, which fell under provincial governments, retained courses up to matriculation level. In a process parallel to that in the university sector, further technikons were created, to reflect growing needs as well as apartheid ideology.

Reflecting the binary divide, public higher education institutions fell under two separate Acts: universities under the *Universities Act* of 1955 (Act No. 61 of 1955) and technikons under the *Technikons Act* of 1993 (Act No. 125 of 1993).

Thus, public higher education institutions in South Africa emerged from a situation where all were affiliated, as university colleges, to one examining university, to the current situation where all have been established by Acts of Parliament and now fall under the *Higher Education Act* 101 of 1997, which replaced the two Acts referred to above.

Private higher education began to develop significantly larger enrolments at this stage and, for the first time, was also covered by the *Higher Education Act* 101 of 1997.

1.2 LEGISLATIVE CONTEXT

As the previous section explained, public higher education institutions were created by Acts of Parliament (there was no conception of private providers at this stage). The Acts, which immediately preceded our current *Higher Education Act* of 1997, were the *Universities Act* of 1955 and the *Technikons Act* of 1993. The *Universities Act* of 1955 defined a university, for example, as meaning ‘a university established by Act of Parliament’ (Definitions, 1(xii)). Under these Acts, it was an offence to describe an institution as a *university* or a *technikon* unless the institution was registered under those Acts. Protection of these terms seems more tenuous in the new *Higher Education Act*.²

According to the *Higher Education Act* 101 of 1997, a higher education institution means ‘any institution that provides higher education on a full-time, part-time or distance basis and which is – (a) established or deemed to be established as a public higher education institution under this Act; (b) declared as a public higher education institution under this Act; or (c) registered or conditionally registered as a private higher education institution under this Act’ (Chapter 1, definitions). Section 72 deems that the current situation will continue; i.e. by inference an existing public university or technikon will continue as a university or technikon.

² In Chapter 8 (66), of the Higher Education Act, there is no specific penalty for falsely using the term *technikon* or *university*.

With regard to public higher education institutions, no distinction is drawn between technikons and universities. In terms of the Act, they are defined as ‘established, deemed to be established, or declared as a technikon/university under this Act’ (Chapter 1, definitions). There is no difference in the governance structures of technikons and universities and they will be treated equally under the proposed new funding formula. In establishing a public higher education institution, the Minister must determine the ‘type and name of the institution’ (Chapter 3: 20), but there is no further discussion on this point. A public higher education institution must be called one of three names: *university*, *technikon* or *college*. The Minister currently does not have the option to call an institution anything else; for example *institute*. Thus, at the moment, because they appear in the *Higher Education Act*, only two names currently require protection: *university*, which should include variants such as *university of technology*, and *technikon*.

A change of name of a public higher education institution requires the approval of the Minister and the amendment of the relevant private Act of Parliament.

The *Higher Education Act* (Chapter 7) states that a private provider may be registered if the registrar has reason to believe that the applicant

- a) is financially capable of satisfying its obligations to prospective students;
- b) with regard to all of its higher education programmes -
 - i. will maintain acceptable standards that are not inferior to standards at a comparable public higher education institution;
 - ii. will comply with the requirements of the appropriate quality assurance body accredited by SAQA in terms of the *South African Qualifications Authority Act*, 1995 (Act No. 58 of 1995); and
 - iii. complies with any other reasonable requirement determined by the registrar.³

The South African *Constitution* and the *Higher Education Act* allow for private providers to offer degrees and the CHE must provide the quality assurance framework for regulating this situation. The *Higher Education Act* does not stipulate a minimum number of higher education qualifications to be offered before a provider can be called a higher education institution, although the Minister could draft an amendment to the Act to require this to be so. There is, as yet, no provision for a private provider to become a fully-fledged university or technikon, though the reference above to being ‘comparable’ to a public higher education institution may set the terms for that eventuality.

³ Throughout this report, direct quotations have been indented.

1.3 POLICY CONTEXT

The historical and legislative contexts suggest the policy context. Initially, higher education in the Cape was subsumed under the colonial power. With Union, the developing needs of industrial capital, rising Afrikaner nationalism and then apartheid, the situation evolved to the establishment of fully-fledged universities out of University Colleges. They were established by Acts of Parliament and offered a wide range of academic programmes.

Different phases of the apartheid era created a plethora of public higher education institutions, divided along racial and institutional lines, reflecting the policy of the time.

The current policy context for higher education follows a line from the National Commission on Higher Education (NCHE) to the *Green Paper on Higher Education Transformation*, the *White Paper*, the *Higher Education Act of 1997* and the *National Plan for Higher Education*. The principal aim in all these documents was to address the racial differentiation and discrimination which had created a divided and fragmented system wherein

- resources were inequitably and inefficiently allocated;
- governance structures were undemocratic;
- access was highly skewed on racial lines;
- there was a lack of coordination, common goals or systematic planning; and
- there was an inability to respond to the economic and social needs of the majority of the population. (Department of Education, *Green Paper*, 1996: 10)

The *National Plan for Higher Education* (NPHE) published in February 2001 provides the overall policy context for this Report. The Minister's goals and strategic objectives for transforming and restructuring the higher education landscape are summarised in *Government Gazette* (no. 23549).⁴ The goals are

- i. to increase access and to produce graduates with the skills and competencies necessary to meet the human resource needs of the country;
- ii. to promote equity of access and outcomes and redress past inequalities through ensuring that student and staff profiles reflect the demographic composition of South African society;
- iii. to ensure diversity in the institutional landscape of the higher education system through a mission and programme differentiation to meet national and regional skills and knowledge needs;

⁴ There is a subtle change in strategy in the final goal where the NPHE said simply that the goal was to 'build new institutional and organisational forms and new institutional identities through regional collaboration between institutions' (2001: 15). The version in the *Government Gazette* emphasises restructuring rather than regional collaboration.

- iv. to build high-level research capacity, including sustaining current research strength, as well as to promote research linked to national development needs; and
- v. to build new institutional identities and organisational forms through restructuring the institutional landscape of the higher education system, thus transcending the fragmentation, inequalities and inefficiencies of the apartheid past and to enable the establishment of South African institutions consistent with the vision and values of a non-racial, non-sexist and democratic society. (*Government Gazette*, 2002: 7)

Selected, more specific goals of the policy context, which appear relevant to this Report, are to

- increase enrolments in career-oriented programmes in all fields of study (NPHE, 2001: 33);
- increase enrolments in Business and Commerce and SET relative to those in Humanities (NPHE, 2001: 33);
- ‘strengthen the provision of technikon programmes’, and ‘result in an increase in the existing stock of technikon programmes, which would be offered both in the proposed comprehensive institutions, but also in a number of universities in regions where there are no existing technikons...’ (Minister’s proposals for restructuring in *Government Gazette* no. 23549, 2002: 26);
- maintain the binary divide ‘at least in the short- to medium-term, ... but with looser boundaries as suggested in the *White Paper*’ (*Government Gazette* no. 23549, 2002: 26); and
- invert the qualifications pyramid. For example, when the National Working Group (NWG) discussed the merger of Port Elizabeth Technikon and the University of Port Elizabeth, it said ‘... it is important to ensure that the merger should not lead to academic drift. The extra teaching capacity and opportunities should, on the contrary, mainly be used to extend technikon-type programmes. The majority of the programmes should be three-year undergraduate diplomas and professional undergraduate bachelor degrees.’ (NWG, 2001: 22). This goal, however, has a long-standing precedent, starting with the National Commission on Higher Education.

Any recommendations from this project should be evaluated against the above policy context.

1.4 INSTITUTIONAL SHAPE OF THE HIGHER EDUCATION SYSTEM IN SOUTH AFRICA

The institutional shape of the system of higher education at the end of the apartheid era consisted of

- 21 universities (including one distance education university);
- 15 technikons (including one distance education technikon); and
- about 140 single-discipline, vocational colleges (education, nursing and agriculture). (NCHE, 1996: 29)

Significant enrolments in private higher education providers were also being established at this stage.

The question of the future shape of the higher education system was addressed comprehensively by the CHE Shape and Size of Higher Education Task Team Report *Towards a New Higher Education Landscape; Meeting the Equity, Quality and Social Development Imperatives of South Africa in the 21st Century* (2000). The CHE concluded that South Africa needed the following types of higher education institutions with a range of mandates within a differentiated and diverse system of higher education:

- Predominantly undergraduate institutions, with limited postgraduate involvement.
- Comprehensive institutions with both postgraduate enrolments and research.
- A limited number of multi-purpose research-focused institutions.
- Distance education.
- Private education.

The Ministry responded to the CHE proposals in its publication of the *National Plan for Higher Education* (NPHE). It did not support CHE proposals that ‘differentiation and diversity should be achieved through structural differentiation between the different institutional types based on a distinction between teaching and research institutions’ (NPHE, 2001: 54). Instead, the NPHE proposed to ‘ensure institutional diversity through mission and programme differentiation based on the type and range of qualifications offered’ (NPHE 2001: 54). The Minister gave notice that he intended to retain the binary divide in the short- to medium-term.

With regard to the college sector, there had been progress on the proposal, mooted by the NCHE, that colleges be incorporated into universities and technikons (1996: 152, 154). Incorporation of education colleges has been achieved. Discussion with the Ministries of Agriculture and Health was promised in the Minister’s restructuring proposals (*Government Gazette*, 2002: 20).

Thus, following the NPHE, the South African system of public higher education formally had only two types of institutions – universities and technikons – with no structural distinction, and only some limitation (through funding approval) on offerings,⁵ between them. By encouraging institutions to concentrate on areas of strength, a predominantly undergraduate institution might still receive approval to pursue postgraduate enrolments and research in specified areas. Differentiation was to occur through steering mechanisms – specifically funding approval to offer a particular PQM.

The NPHE also gave attention to regulating the proliferation of distance education programmes in contact institutions. These were often offered in partnership with private providers, so affected potential enrolments in the private sector.

In this relatively clear-cut context, the situation has been complicated by two further initiatives. Firstly, the Minister announced his final restructuring proposals after receiving a report from the NWG (*Government Gazette*, No. 23549, 21 June 2002). As well as reducing the number of higher education institutions in SA, these proposals also introduced a hybrid institution (called a ‘comprehensive’ institution) offering both university- and technikon-type qualifications and two National Institutes for Higher Education in Mpumalanga and the Northern Cape.

According to the Minister’s restructuring proposals, there are to be

- 11 Universities, 2 of which would be expected to develop career-focused technikon-type programmes to address regional needs;
- 6 Technikons;⁶
- 4 Comprehensive Institutions, 3 of which would be established through the merger of a technikon and a university and 1 through the redevelopment and refocusing of an existing university; and
- 2 National Institutes for Higher Education. (*Government Gazette*, No. 23549, 21 June 2002)

Three elements in these restructuring proposals are worth further discussion.

Firstly, while some have seen the Minister’s proposals as an attack on the technikon sector, this is not evident when viewing the policy environment as a whole. Formal government policy (cited in the section on Policy Context) supports a growth in technikon programmes overall as well as in some specified CESM areas. The report of the NWG (2001) emphasised the importance of retaining the strengths of the technikon sector. The results of the first PQM exercise emphasised the importance of protecting technikon programmes in several ways.

⁵ The first PQM exercise after the NPHE tried to prevent academic drift both ways by, for example, removing certificates and diplomas from university programme mixes and by preventing drift across CESM areas. Limitation of postgraduate qualifications was related, however, to DoE perception of capacity and applied equally to universities as well as technikons.

⁶ With one already calling itself an Institute of Technology.

In addition, public support for technikon programmes has grown substantially over the last decade.

Secondly, in its advice to the Minister on the nomenclature of the proposed comprehensive higher education institutions (CHE, 30 November 2002), the CHE concluded that there was little justification in creating yet another institutional name and that the newly merged institutions should be placed either one side or the other of the binary divide. Reasons for this advice were that comprehensives would not have common currency, they would add to the confusion of a system in transition and there would not be enough to distinguish them from either universities or technikons.

The CHE advised that

- it was important for the newly merged institutions to forge new identities and for their shape to be stabilised in negotiations about their PQMs – ‘the names of institutions must be addressed in the context of negotiating distinct missions and foci for all public higher education institutions expressed in the form of an approved grid of programmes to be funded’;⁷
- all the newly merged institutions should be called *universities* (with the exception noted below);
- it did not recommend that ‘the names of the other universities, which are encouraged to develop technikon-type programmes in order to meet regional needs, should change from university at this stage. This may, however, be appropriate in the future when their PQM has changed’. Such a change of name from *university* could also apply to other ‘newly merged institutions’; and
- if the Ministry ‘accepts the proposal that the University of Transkei merge with the Eastern Cape and Border Technikons, and if the Ministry retains the intention to focus the academic activities at the Umtata campus of the University of Transkei on technikon-type programmes, this new institution should be called a technikon’.

Thus, it was not seen as a foregone conclusion that all the newly merged ‘comprehensive’ institutions would become universities.

Thirdly, the National Institutes for Higher Education are not intended as new institutions. Rather, they are intended to serve ‘as the administrative and governance hub for ensuring the coherent provision of higher education programmes largely through programme collaboration between the higher education institutions currently operating in the two provinces’ (NPHE, 2000: 85).

⁷ The implication of this was that if the binary divide were to be retained, then some of the ‘comprehensive’ institutions could become technikons if this were the stronger part (or intended strength) of their newly negotiated programme and qualification mixes.

Nonetheless, the above initiatives reflect a system in transition where the institutional shape is far from stable. Added to the various elements of flux was an argument from the technikon sector for a name change from *technikon* to *university of technology* (see discussion later). This was not simply a change of name; the Committee for Technikon Principals (CTP) argued for the different role played by technikons to continue and to be strengthened.

Within this fluid context, the CHE advised the Minister that it thought it was premature to finalise names of higher education institutions (and, by implication, the shape of the higher education system)⁸ until there had been more progress on the following:

- Missions of newly merged institutions have to be defined and negotiated with the Ministry.
- The first PQM exercise has started a process of stabilising programme provision according to the capacity and mission of each institution. Steering mechanisms available to the Department of Education, carefully applied, will help to develop diversity and differentiation in the system. Names of higher education institutions will have to be located in this context.
- The relationship between the Further Education and Training and Higher Education sectors has to be clarified.
- The *New Academic Policy*, particularly as it relates to vocational qualifications, has to be finalised.
- More debate within and outside the higher education sector has to take place. Apart from CTP documents about the name *technikon* there has not been a great deal of debate about nomenclature. (CHE, 12 November, 2002: 2-4)

Noting the complexity of the policy environment, this report works within the context of there being two types of public higher education institution in South Africa – universities and technikons. The Report asks critical questions about the future of a binary divide in terms of a longer-term vision for the South African system of higher education.

The next section examines potential criteria for recognition in greater detail. It assumes that all public as well as applicant private providers should meet characteristics identified by the CHE.

⁸ The CHE had not, in fact, been asked by the Minister for advice on the types of institutions required in the higher education system. There still, however, appeared to be informal support within the sector for the establishment of predominantly undergraduate institutions which would not aspire to becoming research institutions and would fulfil an important role with respect to access and increasing the overall level of qualifications within the population. In other countries, this type of institution is most commonly called a 'university college', and has a history in South Africa as well. An overlap with the Further Education and Training (FET) sector could also have been considered. Towards the end of the project, the CHE considered, but rejected, this possibility as being too similar to the original Shape and Size Report recommendations.

APPROACHING THE TERMS UNIVERSITY, TECHNIKON AND OTHER DESIGNATED TERMS

This section will review, firstly, definitions for *university*, *technikon*, *university of technology* and *institute* and then, secondly, criteria for their recognition. With this conceptual background, different options for South Africa will be discussed before making recommendations.

2.1 WAYS OF DEFINING UNIVERSITY

A commissioned Policy Report for the CHE on the conditions and criteria under which higher education institutions⁹ should be permitted to use the term *university* summarised three approaches to defining universities or technikons (stating that in some contexts there was no distinction between the two) (Sayed, 2001: 15-16).

- *Category One Definition:* A university/technikon is specified by its **purposes**. In other words, the definition is functional in that the function of the institution gives it its definition. Such definitions, for example, define a university/technikon in relation to knowledge production.
- *Category Two Definition:* A university/technikon is defined by **its specific characteristics, features, and structures**. Thus, a university/technikon is an institution which has a properly constituted governing body, a Senate, Council, etc.
- *Category Three Definition:* A university/technikon is defined in relation to **what it should have**. Thus, a university/technikon is an institution which has a particular range of programmes up to the graduate level, etc.

Most countries use a combination of the above types of definition in their criteria. In South Africa, public higher education institutions have the same governance structures. Thus, Category One and three definitions are important in proposing criteria for recognising public higher education institutions, but all three are important when also addressing the private sector.

With respect to a Category One definition on the purpose of a university, the simplest definition of a university is that it is an institution that awards degrees. The most common type of definition goes beyond this, however, and describes a combination of teaching, research and community service as the core function of a university.

⁹ For the purposes of this Report, a working definition of South African higher education is that it comprises public higher education institutions and private providers registered with the Department of Education offering qualifications principally and predominantly at NQF level 5 and above.

In its ideal type, a Category One definition of the term *university* has a proud tradition: universities push the boundaries of knowledge; they develop critical, analytical skills in their students; they provide a critical viewpoint for society which strengthens democracy. Legislation in New Zealand represents this type of tradition. (Australia's National Protocols for Higher Education Processes are similar.) According to the New Zealand Education Amendment Act 1990, universities have all the following characteristics:

- i. They are primarily concerned with more advanced learning, the principal aim being to develop intellectual independence.
- ii. Their research and teaching are closely interdependent and most of their teaching is done by people who are active in advancing knowledge.
- iii. They meet international standards of research and teaching.
- iv. They are a repository of knowledge and expertise.
- v. They accept a role as critic and conscience of society.

This type of definition reminds us that it is important to defend the term *university*, and that fulfilment of the above goals is important for the public good.

When measured against reality, however, the ideal type becomes more difficult to identify. For example, even in a strongly research-oriented university, where large numbers of the academic staff are productive in recognised ways, only a small proportion of these academics really push the boundaries of knowledge. Internationally, in any case, a great deal of new knowledge is produced outside universities. At the other end of the spectrum, some existing universities simply churn out graduates – not always very efficiently – and provide very little critical engagement with broader society. In some, the major form of engagement is the income-generating activities of academics in the private sector. There are also virtual universities which make identification of criteria even more difficult.

Manuel Castells usefully puts the term *university* into perspective. He says that universities perform four major functions (Castells, 2001: 206-212):

1. Historically, they have played a major role as ideological apparatuses. As such, they are subject to 'the conflicts and contradictions of society and therefore they will tend to express – and even to amplify – the ideological struggles present in all societies' (2001: 206).
2. Universities have always been mechanisms to select dominant elites. In this long tradition, Castells notes that science-oriented universities are a very recent phenomenon (notwithstanding the fact that the practice of science has been a component of universities for centuries).

3. Universities play a role in the generation of new knowledge. Castells notes, however, that this ‘remains a statistical exception among universities, even in the United States where only about 200 of the 3500 universities and colleges can be considered as knowledge producers at various levels’ (2001: 209).
4. The professional university focuses on training the bureaucracy.

Castells concludes that the balance between these functions changes. Because ‘universities are social systems and historically produced institutions, all their functions take place simultaneously within the same structure, although with different emphases. It is not possible to have a pure or quasi-pure model of universities’ (2001: 211).

If one takes Castells’ views seriously, which seems appropriate, one should not be too exclusionary in the application of the term *university*. Castells sees the challenge as follows:

The real issue is ... to create institutions solid enough and dynamic enough to stand the tensions that will necessarily trigger the simultaneous performance of somewhat contradictory functions. The ability to manage such contradictions, while emphasising the role of universities in the generation of knowledge and the training of labour in the context of the new requirements of the development process, will condition to a large extent the capacity of new countries and regions to become part of the dynamic system of the new world economy. (2001: 212)

Because of the difficulty of pinning down the more qualitative elements of what constitutes a university, used in the Category One definition, many countries have used quantitative criteria (either on their own or in combination with other criteria) to describe universities. These are Category Three definitions. Many countries, including the UK, set minimum sizes of enrolments for an institution to warrant the name *university*. There is often a requirement that enrolments should cover a spread of specified subject areas. This type of definition also usually includes minimum postgraduate enrolments and research involvement.

With respect to Category Two definitions, the governance of universities is important because it implies, in the South African case, that Senate (academic peers) has ultimate decision-making responsibility for academic matters. This might not be the case with a private provider, which also might not have many full-time and/or many senior academic staff.

All three types of definition would seem important for the South African context, which contains both public and private higher education providers and for South African higher education goals. For the purposes of this report, it seems important to retain the ideal view of a university, tempered with more pragmatic approaches. This will be discussed in the next section on criteria for recognition. The critical issue is how to meet Castells’ challenge to ‘create institutions solid enough and dynamic enough to stand the tensions that will necessarily trigger the simultaneous performance of some contradictory functions’ (2001: 212).

2.2 REVIEW OF CRITERIA FOR RECOGNITION AS A UNIVERSITY

2.2.1 Introduction

Most countries protect both the title *university* (and other titles for higher education institutions) as well as the right to offer undergraduate or postgraduate degrees. Sometimes these two processes run together, as in the United Kingdom (see later), but at other times they are separated, for example when private providers are given the right to offer degrees but not to call themselves universities.

The contexts in which particular criteria are used for recognition, however, are as important as they are varied. The issues for each country determine the way criteria are approached. The difficulty or ease with which titles may be conferred will depend on goals such as whether, for example, the country is attempting to encourage or discourage the establishment of private higher education institutions; whether incentives or sanctions are being provided to merge or not to merge institutions; whether targets are being established for funding purposes. (See Appendix A for a full discussion.) Some examples of how different contexts influence criteria follow.¹⁰

The criteria for membership of the Australian Vice-Chancellor's Committee (AVCC) were particularly stringent when several Institutes of Technology were applying for membership. The criteria excluded some members of the AVCC, however, and they were later relaxed. In another context, Malaysia linked its criteria to economic goals. Firstly, the establishment of private universities was encouraged in order to prevent currency leaving with students who went to study at overseas universities. Secondly, a maximum of only 20% of the equity of private universities may be held by foreigners, and even this level of foreign involvement has to be justified. Romania's criteria for recognition as a university emphasise the need for academic staff to be senior staff who should also be employed full-time. This was to counteract the proliferation of private universities staffed by academics who were employed by public universities but also worked part-time at these private universities.

In reviewing other countries' criteria, it is clear that the most important task is to define our own context. Thereafter, appropriate examples can be borrowed and modified to address our needs. In essence, the goals from the National Plan for Higher Education described in an earlier section must set the context.

The following sections review qualitative and quantitative criteria used internationally to recognise universities. These are evaluated as to their appropriateness for South African goals and context.

¹⁰ The review of international examples has been selective, depending on what was regarded as potentially useful for South Africa. (See International Review at Appendix A.)

2.2.2 Review of qualitative criteria for recognition as a university

Considering examples from elsewhere in the world, countries are reasonably consistent in the criteria they use, although the number of criteria listed varies. New Zealand and Australia are similar, with a strong emphasis on intellectual activities and research. Given South African national goals, these seem appropriate to emulate.

Australian universities are required to demonstrate the following features, which include a focus on governance (Protocol 1: Criteria):

- Authorisation by law to award higher education qualifications across a range of fields and to set standards for those qualifications which are equivalent to Australian and international standards.
- Teaching and learning that engage with advanced knowledge and inquiry.
- A culture of sustained scholarship extending from that which informs inquiry and basic teaching and learning to the creation of new knowledge through research, and original creative endeavour.
- Commitment of teachers, researchers, course designers and assessors to free inquiry and the systematic advancement of knowledge.
- Governance, procedural rules, organisation, admission policies, financial arrangement and quality assurance processes, which are underpinned by the values and goals outlined above, and which are sufficient to ensure the integrity of the institution's academic programmes.
- Sufficient financial and other resources to enable the institution's programme to be delivered and sustained into the future.

The emphasis on research and other scholarly aspects seems appropriate for the South African context and goals of the NPHE. Further examples from New Zealand are explored to provide guidance, as these criteria are difficult to define.

The New Zealand Qualifications Authority has established guidelines for the interpretation of the characteristics of a university (see earlier section, repeated for convenience in the footnote)¹¹ so that they can advise the Minister for Education on the establishment of a university. Because they emphasise the important qualitative characteristics of a university, two of these characteristics are summarised here.

¹¹ According to the New Zealand Education Amendment Act 1990, universities have all the following characteristics:

- i. They are primarily concerned with more advanced learning, the principal aim being to develop intellectual independence.
- ii. Their research and teaching are closely interdependent and most of their teaching is done by people who are active in advancing knowledge.
- iii. They meet international standards of research and teaching.
- iv. They are a repository of knowledge and expertise.
- v. They accept a role as critic and conscience of society.

Characteristic (ii), concerned with research, is explored in great detail in the guidelines. After defining research, the guidelines note that it is found in several contexts, which are not mutually exclusive. These include the following types of research: basic or fundamental, strategic, applied, scholarship, creative work, consultancy and professional practice. The guidelines note that the Qualifications Authority ‘does not regard research activity mainly concerned with keeping abreast with new developments in subjects as “research”. It is assumed that providers will, as a matter of course, ensure that all teachers of degree programmes have sufficient time to keep abreast of new developments both in their subject areas and in methods of teaching and assessment’. The guidelines then go on to list what a university will normally have in place in order to conduct and support research: institutional policies and practices, human resource policies and practices, physical resources, reporting of activities, peer review, etc.

Characteristic (iii), the requirement to meet international standards of teaching and research, is explored in similar detail. Guidelines are that a university should have external grants and institutional funds to support research, active programmes of staff development, quality assurance systems, international staff and student transfers, etc. Although one guideline states that academic staff should have ‘suitable qualifications and high professional standing in the community and with their peers’, this is not defined beyond saying that ‘postgraduate qualifications or the equivalent must be held by all staff teaching at postgraduate level and by many staff teaching at undergraduate level’.

The New Zealand example suggests that criteria for a focus on research can be established and similar guidelines developed for South Africa.

Criteria referring to governance usually explore whether a potential university will have the resources and stability to perform its functions. This is important in any context – for different elements of the system as a whole as well as for the protection of students. Thus, for example, Australian universities are required to demonstrate features that include

- governance, procedural rules, organisation, admission policies, financial arrangement and quality assurance processes, which are underpinned by (defined) values and goals ... and which are sufficient to ensure the integrity of the institution’s academic programmes; and
- sufficient financial and other resources to enable the institution’s programme to be delivered and sustained into the future. (Protocol 1: Criteria, 2000)

Criteria relating to governance also often emphasise academic leadership as being an important aspect of a university. This also seems important for South Africa, since its goals are to improve the quality of higher education overall and to build research capacity.

Several countries relate approval to establish new universities to national needs and priorities, thus providing appropriate examples for South Africa to emulate, especially given

the strong steering role assumed by the Minister of Education. Two examples are Kenya and Sweden.

Kenya's consideration of whether to establish a new university has explicit links to national goals and the protection of the public university sector. Permission to establish a new university will be granted when the Commission for Higher Education (a buffer body which advises government) is satisfied that

- the institution will not 'in any way reproduce or otherwise duplicate those of an existing or prospective university';
- the resources are available or likely to be available;
- there are realistic plans to achieve stated aims and objectives;
- the university is likely to attain and maintain standards set by the Commission; and
- the 'establishment of the university is in the interests of university education in Kenya'.
(Kenyaweb.com 2002)

Sweden approves the establishment of new universities to operate at different levels. Three levels of accreditation are proposed by the National Agency for Higher Education which advises government. These are

- granting of university status to a university college;
- the right to award up to Master's degree level; and
- the right to award Doctorates.

The ranking is linked to other forms of evaluation:

- Quality audits focusing on the organisational set-up, intended to result in quality improvements.
- Quality assessments focused on programmes.

There is also an emphasis on whether the establishment of a new university will be in the national interest, so there is interaction between the government and the quality audits performed by the National Agency for Higher Education.

The Swedish Ministry of Education and Science provided the following information (personal communication, 21 February 2003). As with the New Zealand example, the application is evaluated qualitatively, with interpretive definitions. According to the Government proposal 1996/97:1, part 16, the following criteria have to be met if a college applies for university status.

The university college needs to

- have undergraduate and graduate education and research with well established and high scientific quality;
- have an adequate extent of all undergraduate and graduate education and education in some subject areas;
- have an adequate extent of all research and research in some subject areas;
- have good infrastructural conditions (library etc.) to give undergraduate and graduate education and research;
- have good international contacts in undergraduate and graduate education and research; and
- meet the requirements to independently create posts as professors and to offer doctoral degrees.

Before the decision, the National Agency for Higher Education will undertake a quality assessment and conduct appraisals of the right to confer doctoral degrees within the research area of concern. Even if the quality criteria are fulfilled, the Government may choose not to decide upon the request due to the national finance situation.

Guidelines from the Swedish National Agency for Higher Education were not available in English, but correspondence with the Agency about conditions under which a university college could be graded as a university explained the criteria as follows:

The criteria leading the expert panel are about the university college's ability to guarantee a stable research education of good international standard. The doctoral student perspective is of great importance and the fact that a research education lasts for four to eight years. It is then important that the university college can guarantee a long-term perspective on research education, not depending on too few professors and risking great problems if one or two leave the university college. The university college should have at least one defined and well integrated subject area or some related areas with professors and at least about ten active researchers that have built up research and education. The expert panel also looks at external research funding and staff publications. There are no fixed quantitative criteria, but of course the expert panel also looks at quantitative aspects when they are evaluating quality. But they are in the habit of saying to university rectors that it is not enough to count professors, it's also a question of quality, e.g. how long they have been professors and their relation to research, research education and so on. (Personal communication, 5 February 2003)

While South Africa is not proposing structural differentiation between institutions, the Swedish example illustrates the authority taken by the government in the establishment of new universities. Sweden also illustrates a situation where evaluations are interpretive and taken in context.

2.2.3 *Review of quantitative criteria for recognition as a university*

The last important set of criteria which has to be considered for the South African context is that relating to size and shape. Several countries have size criteria and this is where hard choices must be made. A range of examples follows.

The Association of Universities and Colleges of Canada has the following conditions for enrolment of public and private not-for-profit universities. The conditions emphasise a particular type of governance and have a relatively low minimum enrolment in degree programmes:

- The university must have its own independent board or governing body.
- It must have as its 'primary mission' the provision of university degree programs, which 'must be characterized by breadth and depth in the traditional areas of the liberal arts and/or sciences, will be of a professional nature (such as medicine, law, teacher education, engineering) with a major liberal arts or science component'.
- It must be a free-standing institution.
- In the two preceding years, it must have had an enrolment of at least 500 full-time equivalent students enrolled in the degree programs.
- Academic staff must be provided with the time and institutional support to engage in 'scholarship, academic inquiry and research'.
- It must conform to the principles of academic freedom and responsibility. (Association of Universities and Colleges of Canada, 2002: website)

New Zealand indicates that a proportion of enrolments should be above a stated minimum. Its guidelines for characteristic (i) (that a university should primarily be concerned with more advanced learning) indicate the following enrolment profile. The university 'would normally' meet a requirement of

- 60% of total enrolments (measured in equivalent full-time students – EFTS) leading to qualifications at level 6 and above;
- 50% of total enrolments (measured in EFTS) in degree programmes; and
- 5% of total degree enrolments at postgraduate degree level (in a range of disciplines 'appropriate to the character of the institution'.

The UK quantitative criteria are relatively high (these are under consideration for revision). The Department for Education and Employment stipulates that:

an institution wishing to apply for approval to use the title *university* should normally have

- at least 300 full-time equivalent higher education students in five of the subject areas listed for this purpose below;¹²
- a higher education enrolment of at least 4 000 full-time equivalent students;
- at least 3 000 full-time equivalent students on degree level courses; and
- at least 60 current research degree registrations and more than 30 Doctor of Philosophy (or direct equivalent) conferments. (Department for Education and Employment, 2002: 8)

A consultative document proposes alterations to the first and the last of the criteria above. It is proposed that university title be granted on the basis of taught degree-awarding powers and that the requirement that institutions must have students in five subject areas be removed (which will allow institutions specialising in one subject area to become universities) (Department for Education and Skills, 16 September 2003). Revised criteria still have to be finalised.

The original criteria for joining the Australian Vice-Chancellor's Committee (AVCC) were even more stringent than the current UK criteria. There were twelve criteria for a university and these were strongly focused on research elements. The performance indicators for these criteria (listed by Massaro, 2002: 4-5) were as follows:

- i. A significant student load (of the order of 500 full-time equivalents – EFTSU) in each of at least three broad fields of study.
- ii. A minimum of 3% of its student load to be postgraduate research students.
- iii. Staff expected to have obtained a minimum number per annum of one competitive grant per 20 full-time equivalent members of staff of lecturer and above.
- iv. Staff expected to have an average of 0.5 refereed publications per annum per full-time equivalent academic staff member.
- v. At least 25% of all full-time and part-time academic staff to have a relevant PhD and research experience.

¹² Subject categories: Clinical and Pre-clinical subjects; Subjects and Professions Allied to Medicine; Science; Engineering and Technology; Built Environment; Mathematical Sciences, Information Technology and Computing; Business and Management; Social Sciences; Humanities; Art, Design and the Performing Arts; Education, Initial Teacher Training and Qualified Teacher Status.

There were higher performance indicators for a well-established university:

- i. An enrolment greater than 500 EFTSU across four or five broad fields of study.
- ii. More than 7% postgraduate enrolments.
- iii. An average of three research grants per 20 full-time equivalent staff at the level of lecturer and above per annum.
- iv. Two to five refereed publications per annum per full-time equivalent academic staff.
- v. Between 60% and 80% academic staff with a PhD and research experience.

By 1997, it was clear that these performance indicators were unrealistic, not only for new applying universities but also for several existing universities. As a consequence, in 2002 the AVCC removed the performance indicators and published more general criteria for an institution to be recognised as a university.

The Carnegie Classification scheme uses even more exclusive criteria, although these are not used to confer recognition or membership on universities or to exclude them, only to classify them. This scheme was originally published in 1973 and has been updated regularly since then. It classifies North American universities and colleges according to their missions and achievements against those missions. It has the following classifications:

- **Doctoral/research universities**

These institutions offer a wide range of baccalaureate programmes and are committed to graduate education through the doctoral degree. There are two types:

- Extensive institutions award 50 or more doctoral degrees per year across at least 15 disciplines.
- Intensive institutions award at least ten doctoral degrees per year across three or more disciplines or at least 20 doctoral degrees per year overall.

- **Master's colleges and universities**

These institutions offer a wide range of baccalaureate programmes and are committed to graduate education through the master's degree. There are two sub-classifications:

- I. These award 40 or more master's degrees per year across three or more disciplines.
- II. These award 20 or more master's degrees per year.

- **Baccalaureate colleges**

- Baccalaureate colleges – liberal arts: These institutions are primarily undergraduate colleges with major emphasis on baccalaureate programmes. During the period studied, they awarded at least half of their baccalaureate degrees in liberal arts fields.
- Baccalaureate colleges – general: These are also primarily undergraduate colleges with major emphasis on baccalaureate programmes. During the period studied, they awarded less than half of their baccalaureate degrees in liberal arts fields.
- Baccalaureate/Associate’s colleges: These are undergraduate institutions where the majority of awards are below the baccalaureate level (associate’s degrees and certificates). During the period studied, bachelor's degrees accounted for at least 10% of undergraduate awards.

- **Associate’s colleges**

These institutions offer associate’s degrees and certificates where less than 10% of all undergraduate awards are at the baccalaureate level.

While the previous examples are all from elsewhere in the world, there are also South African precedents for the use of quantitative criteria to distinguish between institutions. The CHE Report *Towards a New Higher Education Landscape* (2000: 39-43) proposed the following criteria for three different types of higher education institutions in South Africa:

- **Multi-purpose, predominantly undergraduate, institutions**

These institutions should have at least 4 000 FTEs spread over three broad fields of study: Humanities and the Social Sciences, Commerce, and Science and Technology. Institutions wishing to have a strong technological learning orientation should have a minimum of 25% of their enrolments in SET programmes.

- **Extensive master’s and selective doctoral institutions**

These institutions should have at least 6 000 FTEs with enrolments spread over the three broad fields of study in the following way: 25% in the Humanities and Social Sciences, 10% in Commerce, and 15% in SET. Institutions with a technological bias should have at least 35% of their student enrolments in SET programmes. With respect to the research-related goals, a minimum of 5% of FTE enrolments should be at the master’s and doctoral level while at least 20% of academic staff should have doctorates. Average annual research output per academic staff member should be not less than 0.20 units, in terms of the Department of Education’s research output system.

- **Comprehensive postgraduate and research institutions**

These institutions should consist of at least 8 000 FTEs spread over the three broad areas of study in the following way: a minimum of 15% enrolments in Humanities and the Social Sciences, 10% in Commerce, and 25% in SET. Again, institutions wishing to focus on technological learning programmes would need to have 50% of their enrolments in SET. With respect to the research orientation, a minimum of 10% of FTEs enrolments should be at the master's and doctoral levels. At least 40% of academic staff should have appropriate doctorates and the average annual research output per academic staff member should be not less than 0.5 units in terms of the Department of Education's research output system.

As discussed before, while the Minister rejected these distinctions, the principle of distinguishing between institutions on the basis of quantitative criteria has been used in other contexts in South Africa.

The Report of the National Working Group (NWG) on *Restructuring the Higher Education System in South Africa* developed relatively rigorous features, indicators and benchmarks for South African universities and technikons (2001: 61-63). These were intended to provide 'a framework for assessing quantitatively the equity, sustainability and productivity properties that in the NWG's view should characterise healthy and well-functioning higher education institutions' (NWG, 2001: 12). Three are particularly relevant for this discussion.

The first is that an institution's 'total enrolment should be large enough to ensure that it has reasonable spreads of students across a range of fields of study' (NWG, 2001: 61). For this, the NWG proposed an unweighted enrolment total of 8 000 students.

The second, with respect to shape, is that it 'should be a comprehensive institution which has a balanced enrolment shape across the broad fields of SET, Business and Management, and the Humanities'. The benchmarks for this were as follows:

- For universities – at least 50% of FTE enrolments in SET and Business/Management; with at least 20% in SET and 20% in the Humanities.
- For technikons – at least 70% of FTE enrolments in SET and Business/Management.

The third, with respect to master's and doctoral graduates, is that the benchmarks for universities were at least one weighted master's plus doctoral graduate per permanent academic staff member per annum. For technikons, this was to be at least 0.5 weighted master's plus doctoral graduates per full-time academic staff member per annum (NWG, 2001: 63).

Thus it can be seen that the South African system of higher education has been working with various forms of quantitative criteria for categorising higher education institutions. Although the NWG benchmarks have generated criticism, both about calculation and about the levels at which they were set, the principle of using quantitative criteria does not seem to have been rejected. The use of quantitative criteria also seems important for several other reasons, including a stated goal of the Ministry to reduce the number of higher education institutions.

With the current merger exercise still in process, the final size and shape of institutions in the new system of higher education in South Africa have not yet emerged. Several of the really small institutions (such as Eastern Cape Technikon and Border Technikon) have been merged, but there are still institutions which will remain relatively small (such as Rhodes University, the University of Fort Hare, the University of Zululand, the University of Venda and Mangosutho Technikon).

International experience shows that countries tend to draw back from quantitative criteria for establishing higher education institutions that are set too high. In this context, it is questionable whether criteria set at the relatively high NWG proposed levels would be useful for the South African system. In addition, while quantitative criteria offer a clearer framework for expectations, they can also become counterproductive if used rigidly and mechanically. The New Zealand Qualifications Authority offers a solution, which is appropriate for a holistic view of higher education. This Authority makes an important statement about how it will use the guidelines. (All quotations in this section are from New Zealand Qualifications Authority, 2002: no page numbers.)

The guidelines are to be applied on a case-by-case basis for applicant organisations wishing to be recognised as a university. The guidelines are not intended to be applied as rigid and inflexible benchmarks. The Qualifications Authority considers that each applicant organisation's character and features should be assessed on its own merits and that the guidelines will be used to assist in making interpretive decisions.

The interpretive use of these guidelines is further emphasised in the following footnote:

The term 'normally' is intended to emphasise that the guidelines should be used to make interpretive decisions rather than be strictly applied. It is not intended to denote the percentages of students enrolled in existing New Zealand universities.

These provisos, used with realistic quantitative criteria, could provide the solution. South African goals to improve access and quality across the system would not be subverted.

2.3 WAYS OF DEFINING *TECHNIKON*

While the term *technikon* is specific to South Africa, there are similar types of institutions elsewhere in the world.

The New Zealand legislation makes a clear distinction between *universities* and *polytechnics*. According to their Education Amendment Act 1990

- a polytechnic is characterised by a wide diversity of continuing education, including vocational training, that contributes to the maintenance, advancement, and dissemination of knowledge and expertise and promotes community learning, and by research, particularly applied and technological research, that aids development; and
- a university is characterised by a wide diversity of teaching and research, especially at a higher level, that maintains, advances, disseminates, and assists the application of knowledge, develops intellectual independence, and promotes community learning.

Report 116 on the Qualifications Structure for Universities in South Africa (March 1995) made the following distinction between universities and technikons:

- ‘Universities concentrate on the teaching and research of the basic or fundamental principles of science’, *inter alia* with a view to the provision of high-level personpower’. They saw ‘the promotion and diffusion of basic or strictly academic knowledge as essential’ (1995: 11).
- ‘Technikons concentrate on the application of scientific principles of practical problems and on technology’. ‘...the essence of technikons lies in their involvement in the development, implementation and practical application of technology’ (1995: 11).

This distinction drew on the Main Report of the Commission of Enquiry into Universities (van Wyk de Fries report, 1974) which divided society into ‘spheres of relationships that are independent of one another and have unique characteristics’ (Report 116, 1995: 11).¹³

From 1993, technikons were given the right to award uniquely named degrees. By 1995, Report 116 noted that the distinction between universities and technikons did not hold. Universities offered technological qualifications; technikons had expanded their focus from engineering and other technological subjects to include Business and Commerce (where there had been, and continues to be, a rapid increase in enrolments) and even Humanities areas.

¹³ In 1974, technikons were known as Colleges of Advanced Technical Education.

The major and probably most important formal distinction between technikons and universities across the world is the focus on vocational qualifications, although this is not unique to technikons. Universities have had programmes such as Law or Engineering for a long time; many more vocationally oriented programmes have been introduced into even strongly discipline-based research universities in response to student and industry demand.

The proposed *New Academic Policy* makes a distinction between general and career-focused qualifications, but does not draw a hard line between the two. This distinction might, therefore, be more difficult to draw over time in South Africa. Distinctions between universities and technikons are not absolutely clear, therefore. However, in practical terms, despite the fact that there has been academic drift both ways, there are four major differences between technikons and universities in South Africa. These differences are not, however, legislated.

First, the bulk of technikon enrolments are still grouped in particular CESM areas rather than across all CESM areas.

Second, most technikon qualifications incorporate experiential learning, whereas only a few university qualifications have this explicit focus. Technikon qualifications also tend to lead to very specific qualifications rather than generic degrees.

Third, most technikons' enrolments remain focused on undergraduate certificates and diplomas. The focus is consistent with policy to invert the qualifications pyramid, but this is a historical factor which is being eroded by the ability and desire of technikons to offer degrees. Scrutiny of the recent PQM documents reveals a general aspiration to increase the emphasis on BTech qualifications and beyond, which reflects a similar international tendency to aspire to higher qualification levels.

Fourth, admissions criteria differ, with the past Technikon Act setting a senior certificate as the minimum entry requirement as against a matriculation exemption as the threshold for degree studies in the *Universities Act*.

2.4 REVIEW OF CRITERIA FOR RECOGNITION AS A *TECHNIKON*

The South African definition of *technikon* emphasises the practical application of technology. The New Zealand definition also emphasises applied and technological research, as do most definitions of technikon-type institutions. Where the New Zealand legislation differs, however, is in its emphasis on ‘continuing education, including vocational training’. The South African definition does not have this focus, although it could, with a specific reference to certificates and diplomas, in line with broader policy goals.

As a criterion for recognition, ‘the practical application of technology’ is not as clear-cut as it may at first seem, especially when so many universities also have a similar focus in some areas. The previous section, on defining *technikon*, noted that there were four main practical differences between universities and technikons in South Africa. Can any of these be used in setting criteria?

Enrolment in particular and limited numbers of CESM areas could be used, although this might be too fine a level of detail for setting broad criteria, as would the focus on experiential learning. Similarly, a preponderance of enrolments in certificates and diplomas could also be used at a quantitative level. This is, however, likely to be challenged by technikons. Current policy has no legitimate reason for limiting postgraduate enrolments in a formal sense (other than a practical question in the PQM exercise about whether there is sufficient capacity to offer the postgraduate qualification – which applies equally to universities and technikons). Admission criteria can be set at whatever level is required. Thus the distinctions could be formalised.

The similarity between the governance structures of universities and technikons in South Africa is also significant. In the UK, the binary system became difficult to maintain when the governance of polytechnics changed. When polytechnics were removed from the local authority sector (after a period of conflict and dissatisfaction on both sides), their independent legal status facilitated the acquisition of university titles in 1992. (See Review of *International Legislation*, 2003: 18-19.)

It is questionable whether there is a sufficient difference between universities and technikons in the South African definition to maintain the distinction, especially since technikons were awarded the right to offer BTech and postgraduate degrees. A more distinct role for technikons could be maintained if the South African definition (probably at guideline level) were to refer specifically to

- a specified preponderance of enrolments in certificates and diplomas;
- lower admissions criteria than universities;
- continuing and vocational education as a focus more extensive than that of universities; and
- the shape of technikon programmes in limited and specified CESM areas.

2.5 CTP PROPOSAL FOR *UNIVERSITY OF TECHNOLOGY* AND CRITERIA FOR RECOGNITION AS A *UNIVERSITY OF TECHNOLOGY*

The technikon sector has proposed that technikons should be called *universities of technology*. They believe that

- technikons will achieve the recognition and credibility they deserve;
- it will assist institutions to retain top quality teaching and research staff;
- it will improve access to funding, especially with respect to research grants and funding of postgraduate programmes in high-cost categories;
- a *university of technology* will have stronger appeal as an institution of first choice for local students;
- *universities of technology* will be recognised by national and international professional educational associations, organisations and agencies; and
- *universities of technology* will be in a better position to respond to the need for technically infused programmes at undergraduate and postgraduate levels. (CTP, 2001: 8-9)

This cannot be seen simply as a name change and the CTP argues for the different role played by technikons to continue and to be strengthened.

The CTP document argues that universities of technology, focusing on innovation and development, would form a strong partner alongside the more traditional research-oriented institutions (February 2001). The broad spread of programmes currently offered by most technikons would be retained because it is argued that it is important that a focus on Science and Technology be underpinned by Commerce and Business, as well as by the Social Sciences. The following characteristics of a university of technology are given:

- A strong corporate orientation/focus.
- Service to industry and the community.
- Own characteristic roles and values.
- Relevance of programmes.
- Responsiveness to, and fulfilment of, the needs of industry, community and society.
- Appointment of experts acknowledged by industry (not necessarily by academics).
- Strong attention to niche areas.
- Emphasis on scholarship, innovation and research and development (R&D).
- Transfer of technology.
- Preparation of a new generation of knowledge workers (e.g. work ethics, ability to work in multicultural teams, students-for-life, etc.). (CTP 2001: 7-8)

The combination of proposed mission and new name is exciting and highlights a developmental path. In analysing the proposal, however, it seems necessary to separate the issue of nomenclature from the proposed changes to mission. As far as the updated mission is concerned, this path could be followed without changing the name.

Both terms – *university* and *technology* – have currency in the public mind. In particular, the term *technology* might be misleading when looking at many current technikons in South Africa, despite the argument of the CTP above.

If the establishment of universities of technology were regarded as a serious option for South Africa, then criteria for recognition would have to be the same as those for universities, with quantitative criteria heavily biased towards technology CESM areas.

2.6 WAYS OF DEFINING INSTITUTE AND CRITERIA FOR RECOGNITION AS AN INSTITUTE

The term *institute* has begun to be used in South Africa in two different ways at an institutional level.

In the first use, the Minister has proclaimed his intention to create two National Institutes of Higher Education to meet the needs of Mpumalanga and the Northern Cape. They are not new institutions, but are intended to provide a collaborative framework for public higher education institutions already operating in the two provinces. The second use is contained in the same set of proposals for transforming and restructuring the institutional landscape for higher education, wherein ML Sultan Technikon and Technikon Natal have merged to form a newly named Durban Institute of Technology.

The term *institute* is used internationally for higher education institutions, but it does not have the same currency as *university*. It is usually associated with a particular institution, such as Massachusetts Institute of Technology (MIT). The term *institute* is also used in a wide variety of other ways, ranging from Research Institutes in universities to public, private and NGO bodies of various types (such as the South African Institute of Race Relations).

With such very different usages, even in higher education, it is difficult to find a unique definition of *institute*, that would distinguish it from *university* or *technikon*. Consequently, criteria for use of the term are also difficult to identify. It is important that the number of usages of any term be limited and that, in this case, *institute* be defined and protected. The Minister has, however, given notice that he will be amending the *Higher Education Act* to define the functions of National Institutes of Higher Education.

PROPOSALS AND OPTIONS FOR RECOGNITION AS A UNIVERSITY, TECHNIKON AND OTHER DESIGNATED TERMS IN SOUTH AFRICA

3.1 IDENTIFYING KEY CHARACTERISTICS AND PROPERTIES FOR HIGHER EDUCATION INSTITUTIONS IN THE SOUTH AFRICAN CONTEXT AND PRINCIPLES FOR RECOGNITION AS A DESIGNATED HIGHER EDUCATION INSTITUTION

The previous sections reviewed definitions and criteria for different institutional types in terms of their usefulness for South Africa. Before discussing options, some considerations in the overall context of the NPHE follow.

The key characteristics of public higher education institutions proposed in the *Shape and Size of Higher Education Task Team Report* (2000: 37-38) remain relevant. Drawing on this report, the CHE recommended that institutions should be

1. multipurpose, i.e. broad-based, covering several programme fields and levels of study, since the 'knowledge economy and complex societal problems require interdisciplinary and multidisciplinary knowledge production and graduates that possess a range of competencies and skills' (2000: 37);
2. academically and economically viable. 'The principal aim (of higher education institutions) is to develop increasing levels of intellectual maturity in learners to enable them to contribute to the creation of new knowledge and to new applications of knowledge. To meet this and other higher educational goals, as well as for reasons of economic viability, institutions should have a minimum operational basis' (2000: 37); and
3. involved in teaching, scholarship and research, appropriate to the institution's agreed mission, with appropriately qualified staff.

The NWG developed similar 'properties' which it believed 'are critical to ensuring the "fitness for purpose" of the higher education system. These are equity, sustainability and productivity. A restructured higher education system should be socially just and equitable in its distribution of resources and opportunities, it should meet the requirements of long-term sustainability and it should enhance the productivity of the system through effectively and efficiently meeting the teaching, skills development and research needs of the country' (*Government Gazette* No. 23549: 56).

The NWG view of sustainability, in particular, is relevant for this Report. Factors deemed important to the sustainability of the system included financial viability and stability of institutions, increased student enrolments, ‘a critical mass of academic, administrative and management capacity at its disposal’, the elimination of ‘unnecessary overlap and duplication ... and economies of scale and scope promoted, through forms of intra- and inter-institutional rationalisation, coordination and cooperation, in order to bring down unit costs and make the system more efficient’, the reduction of the number of institutions, and ‘rigorous academic standards’ in order to help South African higher education become more globally competitive (*Government Gazette* No. 23549, 103).

Both perspectives above are consistent with the draft new funding formula, which notes that ‘the primary purpose of higher education is to teach, research and play a pivotal role in the improvement of the social and economic conditions of the country. Hence government will fund institutions for training students, conducting research and assisting with the development needs of society and the economy’ (Ministry of Education, 15 November 2002: section 2).

During the course of this project, in discussions about criteria, the CHE proposed that the following **principles** should guide the setting of criteria for recognising higher education institutions. The **principles** are that criteria should

- **support the defined policy goals for higher education, such as enhanced access and participation of previously disadvantaged social groups;**
- **be consistent with legislative and other policy contexts;**
- **take into account the historical development of higher education in South Africa;**
- **support an overall improvement in quality;**
- **be pragmatic, but avoid being set at the level of lowest common denominator, in order to help raise levels of quality;**
- **link, as far as possible, to other criteria and processes already in place or to be put in place; and**
- **be reviewed after a defined period of time – this could be linked to the CHE Higher Education Quality Committee (HEQC) audit cycles so as to build on other processes.**

It is proposed that all the characteristics, properties and principles set out in this section should underpin the criteria for recognition as designated higher education institutions.

Characteristics

Multipurpose, academically and economically viable, involved in teaching, scholarship and research, appropriate to the institution’s agreed mission, with appropriately qualified staff.

Properties

Equity, sustainability and productivity.

3.2 CRITERIA FOR RECOGNITION AS A DESIGNATED HIGHER EDUCATION INSTITUTION IN THE CONTEXT OF A BINARY DIVIDE

The next important question is how to approach criteria for recognition as a designated higher education institution in the context of a higher education system with a binary divide.

Given the national context and goals for higher education, the same criteria as for universities should hold broadly for technikons in South Africa. These are: a focus on scholarly activities and research, minimum size and shape requirements, governance criteria, and consistence with national interests for establishing new higher education institutions. Following this, technikons are important institutions in terms of specific key national goals for higher education. It is especially crucial to maintain and strengthen

- the focus on career-directed qualifications with their links to industry and experiential learning. In terms of stated higher education goals, more enrolments are required in these areas.
- the focus on diplomas and certificates.¹⁴
- lower admissions criteria than are currently applicable at universities; this is important for access to and equity in higher education.

Notwithstanding the above strengths, the technikon sector has been dissatisfied with the name *technikon*, unique to South Africa, for some time. Among other disadvantages, they argue that it comes from the apartheid past, is perceived to be of lower status and is difficult to locate internationally. Despite this, over the past few years, technikon enrolments have grown to constitute a growing and healthy proportion of the higher education system and graduates are perceived to find employment. Thus claims of secondary status no longer appear to hold.

The Minister has noted his intention to retain the binary divide in the short- to medium-term. Notwithstanding this intention, and, because of the issues surrounding binary systems internationally, some discussion follows as to whether it should be retained in the longer term as this affects recommendations about recognition and nomenclature.

Leaving aside questions about the name for the moment, the key question is whether policy goals, especially the specific ones listed above, to which technikons make a special contribution, can be better achieved through retaining a distinctive sector or whether a binary system is less relevant in the face of the different steering mechanisms that are available to the Department of Education.

¹⁴ Although the experience of the first PQM and niche exercise demonstrates that technikons are challenging this in practice.

3.2.1 *Option One: Retention of binary divide*

The first option is that the binary divide be maintained, and a clear distinction retained between universities and technikons, and two distinct names (whether one is *technikon* or not).

This option is consistent with the Ministry's current intentions and is easier to implement. In this case, it would be necessary for the Ministry to set out more explicitly the kind of institutional landscape it seeks to have in the longer term, and the goals for the system as a whole, and to clarify and perhaps strengthen the distinctions between the present two types of institutions.

Thus, if an institution currently called a *university* is supposed to develop a predominance of technikon-type programmes over the long term, then the institution would need to be given notice that its name would change to *technikon* over a defined period and the PQM would have to be steered in this direction. The term *technikon* could also be defined more specifically, as suggested earlier.

In this scenario, the Ministry would have to be prepared to implement this vision, or the binary divide will become vulnerable. Moreover, clear strategies would have to be developed to prevent further academic drift, something that the creation of comprehensive institutions offering both types of qualifications historically offered at either a university or a technikon could make more difficult.

The renaming of technikons as *universities of technology* does not seem appropriate in this context, firstly because in a binary divide the term *university* is unique, and secondly because a review of the PQMs of technikons in South Africa shows the term *technology* is not appropriate.

Generally, the spread of programmes at technikons includes a strong presence in commerce and management and a wide range of other programmes such as performing arts and those directed towards the tourism and hospitality industries. In fact, no current university or technikon in South Africa has an overwhelming focus on 'technology'-type programmes. If this becomes a serious choice for technikons, it might be appropriate to set quantitative criteria that focus on more technological CESM areas (as the NWG did). In this case, most current technikons would have to strengthen those areas.

On balance, if the binary divide is retained, an automatic renaming of technikons as *universities of technology* does not seem appropriate as this is not an accurate description of their current teaching and learning and research activities. The term *institute of technology* is also misleading because of the reasons above, with respect to technology. The term *institute* also has to gain public currency and is soon to be protected. If a binary system is retained, and if the technikon sector is still not satisfied with its name, it is not clear that either *university of technology* or *institute of technology* is appropriate.

Thus, there appear to be weaknesses in the logic of the potential alternative names for technikons. Retention of the binary divide, however, with some strengthening of distinct elements of technikons, could be the way to retain and further strengthen the crucial role played by technikons in meeting higher education policy goals.

The CTP is likely to be unhappy if the name change to *university of technology* is not supported, but the name does not appear appropriate. Given the strengthening of the technikon sector in practice, it would seem that there is much more public acceptance and support for the name *technikon* in any case. If necessary, further debate can take place about an alternative name, such as *vocational education*, which seems more appropriate.

Notwithstanding the above recommendation, the possibility of establishing true universities of technology could be an important initiative in South Africa. Universities of technology could be vehicles for extending and deepening the development of technological knowledge, teaching and learning and research in relation to broader national goals. Rather than renaming technikons *universities of technology*, however, it might be more appropriate to develop over time some of the current universities and technikons into true universities of technology.

3.2.2 Option Two: Dissolution of binary divide

The second option is that, while a clear distinction between university-type and technikon-type qualifications and programmes remains, universities and technikons cease to be distinct institutional types.

This option is consistent with the Ministry's proposal to have looser institutional boundaries within a binary divide of distinctive programmes and qualifications. There are, however, dangers in removing the binary divide. These include:

- Academic drift and weakening of other current strengths of the technikon sector.
- The possibility that some public higher education institutions may not meet all of the criteria to qualify as a university.
- The inability of many of the technikons to compete on equal terms with many of the universities. For example, at present, across the system as a whole, technikon staff tend not to be as highly qualified as university staff, nor to pursue research to the same extent (although this has an historical basis and is beginning to change).
- The possible loss of students, as potential students might prefer to apply to one of the older established universities rather than to one of the new ones i.e. technikons could lose their distinctive niches.

The dissolution of the binary divide would constitute a challenge to the Ministry's ability to steer higher education and to prevent academic drift. It will be necessary for the Ministry to consider from time to time the kind of balance that is necessary between university-type and technikon-type qualifications and programmes and to use planning and PQM exercises to ensure that economic and social needs are served effectively.

As a consequence of this choice, the following would have to be revised:

- Statutory admissions criteria
- The existence of SAUVCA and the CTP (already in progress)
- Incidental legislation such as the *Health Professionals' Act* (which refers to deans of universities).¹⁵

3.3 PROPOSALS FOR THE FUTURE OF A BINARY DIVIDE IN SOUTH AFRICAN HIGHER EDUCATION AND IMPLICATIONS FOR RECOGNITION AS A DESIGNATED HIGHER EDUCATION INSTITUTION

In evaluating the two options, there are several considerations. For example, at undergraduate levels the distinction between universities and technikons is more blurred than it should be in terms of present policy, despite the existence of different names; this distinction is sometimes an artificial construct. Once technikons became degree-awarding institutions the distinction became more difficult to maintain. Apart from not always being as clear-cut as assumed, the binary divide is also being challenged – from both sides – by institutions in their PQM proposals.

It is also likely to become increasingly difficult to maintain the binary divide in the long-term, for the following reasons:

- The creation of institutions that will offer both technikon- and university-type qualifications, whose nature is more difficult to define and therefore to control academic drift.
- The proposed *New Academic Policy*, which does not make a clear distinction between vocational and general qualifications.
- The similar governance structures of universities and technikons. This was one of the key factors which led to the closing of the binary divide in the UK.
- The political feasibility of whether the redesignation of a university as a technikon in the future will be accepted.

¹⁵ There would even have to be a constitutional amendment to the section where the Judicial Services Commission distinguishes between universities and technikons in its reference to Deans of Law.

While recognising the dangers inherent in removing the binary divide, there are three key steering mechanisms now in place which can help to offset these dangers. These are:

- Planning processes and procedures put in place by the Department of Education. These allow agreement to be reached on an appropriate mission and niche for each institution as represented by its PQM. The Department of Education has the ability to direct the system of higher education in accordance with the goals of the *National Plan* through these processes.
- Quality assurance systems being developed by the CHE/HEQC, which can reinforce national policy directives as well as prevent a ‘dumbing down’ of the system. The Department of Education can also continue to set benchmarks to be monitored through three-year rolling plans which can help to improve the quality of the system as a whole.
- The introduction of the new funding formula which can support policy priorities as required and steer the system in appropriate ways.

In conclusion:

- The establishment of institutions offering both types of academic programmes (‘comprehensive’ institutions) means that the logic for retaining a binary divide is removed.
- For reasons listed above, it will become increasingly difficult to maintain a binary divide at the institutional level.
- While the creation of a differentiated and diverse system is an important policy goal, it does not follow that institutions must be differentiated by name (providing, of course, that there are minimum criteria for the use of the designation *university*).
- Attempts to change the names of institutions from *university* to *technikon* some time in the future will be politically difficult.
- The designation of technikons as *universities* should help to enhance the status of technikons and the qualifications they offer, as argued by the CTP.
- The designation of technikons as *universities* resolves the lack of international currency of the name *technikon*.

On balance, and given all the considerations above, the Ministry should consider the proposal that all higher education institutions that meet certain stipulated criteria be designated as *universities*. This should also include private providers. Because of the different foci of some private providers, at least 75% of such providers’ offerings should be higher education qualifications.

The criteria for recognition would need to be broad enough to cover both technikon- and university-type qualifications and programmes. This would result in a wide range of institutions with different missions and PQMs that are all called *universities*. This need not be a problem in a small system such as South Africa since:

- Learners and the public will be able to distinguish between institutions on the basis of missions, entrance requirements and between programmes and qualifications offered. Marketing and branding of new institutions becomes a crucial challenge.
- The Department of Education is charged with maintaining institutional diversity through planning, and approval of PQMs. It would have to be vigilant about preventing academic drift and promoting programmes with a vocational focus.
- The CHE is charged with assuring, monitoring and promoting quality. With respect to quality assurance, the CHE has emphasised 'fitness for purpose' in the context of mission differentiation of institutions within a national framework. This means that each institution will be judged against criteria for its particular type and there would not be anomalies such as a predominantly undergraduate teaching institution being judged against the same criteria as a research university. This could be an important way to maintain diversity without formal structural differentiation.¹⁶

In a situation where all institutions that meet the stipulated criteria are called *university*, the relationship between the state and institutions becomes key. It would be essential to encourage and steer towards differentiation and diversity within the system. The Department of Education would approve levels and spread of qualifications, according to policy goals, in the context of negotiated missions and niches. This allows the possibility of current universities offering certificates and diplomas in areas of strength, which can support an inversion of the qualifications pyramid.¹⁷ Conversely, current technikons can continue to build their postgraduate offerings on the basis of need and strength.

As a system, however, it will be essential to avoid academic drift upwards. Here, both the Department of Education and the CHE have important roles to play through respective programme approval and accreditation responsibilities respectively. It will also be important to bolster the Ministry's ability to hold the line in approving PQMs in the face of institutional challenges.¹⁸

¹⁶ Although a formal classification scheme of institutions for quality assurance purposes becomes a viable option.

¹⁷ This would be different from the current situation where the Department of Education, in approving universities' PQMs, is attempting to prevent them from offering certificates and diplomas, on the grounds that these qualifications belong in technikons – a position that will become more difficult to maintain with the existence of 'comprehensive' institutions.

¹⁸ This is contrary to arguments currently made by institutions against the nature of central planning, perceived to be a threat to institutional autonomy.

The consequence of the removal of the binary divide is that different types of universities will evolve over time. There will be

- universities which will offer mostly traditionally university-type qualifications;
- universities which will offer mostly traditionally technikon-type qualifications;
- universities which will offer both types of qualifications; and
- universities which will migrate from offering mostly university-type qualifications to offering a preponderance of technikon-type qualifications.

In the absence of a binary divide, there will be inter- and intra-institutional differentiation, with technikon-type programmes retained and promoted over the system as a whole.

Institutions that meet the criteria to call themselves *universities*, may seek to identify themselves by second-order titles such as *University for Rural Development* or *University for Vocational Training*, etc. The institutional descriptors should, however, be congruent and consistent with institutional missions and foci and should only be chosen once there has been mission clarification and greater differentiation between the PQMs and niches of institutions. Descriptors should be approved by the Minister of Education, with or without the advice of the CHE, to prevent inappropriate ones being chosen. Regulations to monitor and prevent the use of inappropriate titles should be developed.

3.4 PROPOSALS FOR THE USE OF *INSTITUTE*

A further consideration, whether within a binary system or not, is the use of the term *institute*. There are no clear criteria for the use of this term, which has developed separately from *university* and *technikon*, and the use of *institute of technology* as an alternative to *technikon* has been argued against above.

The Ministry is soon expected to amend the *Higher Education Act* to define the functions of National Institutes of Higher Education in Mpumalanga and the Northern Cape. This is a very different form of cooperation from any current type of higher education institution in South Africa and this use of the term appears to take precedence. Public understanding of this concept, however, will have to be built.¹⁹

The Ministry's imminent amendment of the *Higher Education Act* means that proposals for the use of *institute* fall outside the brief of this research report.

¹⁹ The implication of supporting this usage, however, means that the proposed Durban Institute of Technology might want to reconsider its choice of name, with respect to the use of both *institute* and *university*, if this becomes the Minister's choice. The use of *university* in conjunction with *technology* would not be an appropriate choice.

With respect to designated terms for higher education institutions in South Africa it is proposed that

- if they meet the stipulated criteria, public higher education institutions currently called *university* or *technikon* should be called *university*;
- if they meet the stipulated criteria, private higher education institutions should be permitted to be called *university*, after successful review of their application;
- in order to be designated a higher education institution, a minimum of 75% of its qualification offerings should be higher education qualifications (at NQF level 5 and above);
- strong steering from the Department of Education and effective monitoring from the CHE will be required to avoid undesirable academic drift of a nature that is not in the interests of economic and social needs;
- no current institution should be called a *university of technology*, although serious consideration could be given to the possibility of developing one or more of any of the current South African higher education institutions as a true University of Technology;
- after a period of settling down, consideration should be given to allowing universities to identify themselves by second-order titles; to prevent inappropriate descriptors, these titles should be approved by the Minister of Education, with or without the advice of the CHE; regulations to monitor and prevent the use of inappropriate titles should be developed;
- serious consideration should be given to renaming the Durban Institute of Technology; and
- the Ministry's intention to introduce regulations to define and protect the term *institute* as a new organisational form is welcomed.

3.5 CRITERIA FOR RECOGNITION AS A *UNIVERSITY*: OPTIONS AND PROPOSALS FOR SOUTH AFRICA

Choice of criteria for recognition as a university in South Africa must be measured against the goals for South African higher education set out in section 1.3 on the policy context for this project as well as key characteristics, properties and principles in section 3.1. A meeting of the CHE Shape and Size Committee emphasised, in addition, the importance of this project leading to an overall improvement in quality and for the interests of students to be protected in any establishment of new universities. Criteria should apply equally to private providers, given the need for them to be 'comparable' to public higher education institutions.

After the review of international examples of how universities are defined, it seemed most appropriate to support an ideal type of definition, which emphasises the progressive characteristics of universities, epitomised by the New Zealand legislation. Recognition must be given, however, to the perspective that universities are socially and historically produced institutions that perform multiple and changing functions and that the definition of university should not be too exclusionary.²⁰

Taking the goals for South African higher education and the current context into consideration, the following criteria for the recognition of a university seem appropriate for South Africa:

1. The criteria for recognition as a university should cover all elements of the three categories of definition discussed earlier in section 2.1 and should combine qualitative as well as quantitative criteria. **The criteria should specify the purposes of a university; its specific characteristics, features and structures; and minimum size and shape criteria**, including the range of programmes it offers and awards and activities that it performs. There would be no need to distinguish between residential or distance education at this level of categorisation.
2. In specifying the **purposes** of a university, a focus on teaching, scholarly activities and research, with the addition of community involvement, is consistent with South African goals.

Although other countries also have this emphasis, the criteria used by New Zealand are useful and appropriate for our context. According to the *New Zealand Education Amendment Act* of 1990, universities have all the following characteristics:

- They are primarily concerned with more advanced learning, the principal aim being to develop intellectual independence.
- Their research and teaching are closely interdependent and most of their teaching is done by people who are active in advancing knowledge.
- They meet international standards of research and teaching.
- They are a repository of knowledge and expertise.
- They accept a role as critic and conscience of society.

Still using the *New Zealand Education Amendment Act* of 1990, their definition of the characteristics of a polytechnic should also be incorporated into the definition of a university:

A polytechnic is characterised by a wide diversity of continuing education, including vocational training, that contributes to the maintenance, advancement, and dissemination of knowledge and expertise and promotes community learning, and by research, particularly applied and technological research that aids development.

²⁰ As noted in an earlier section, Castells sees the challenge as follows:

The real issue is ... to create institutions solid enough and dynamic enough to stand the tensions that will necessarily trigger the simultaneous performance of somewhat contradictory functions. The ability to manage such contradictions, while emphasising the role of universities in the generation of knowledge and the training of labour in the context of the new requirements of the development process, will condition to a large extent the capacity of new countries and regions to become part of the dynamic system of the new world economy. (2001: 212)

Using such a framework will have to be with the recognition that some public higher education institutions will not be able to meet all the criteria immediately. A developmental trajectory of this kind, however, will be important for the system as a whole. In the short-term, the criteria are attainable across the system as a whole and it will be essential that the Department of Education and CHE promote the attainment of these criteria for each institution within a differentiated system over time.

3. With respect to the **specific characteristics, features and structures** of a university, academic leadership, located in a senate or equivalent body seems crucial, given broader goals (especially the need to build research capacity nationally). It is also important that the university has the capacity – financial, human and infrastructural - to fulfil its stated goals. Thus, for example, we could use an Australian example wherein universities are required to demonstrate features that include

- governance, procedural rules, organisation, admission policies, financial arrangement and quality assurance processes, which are underpinned by (defined) values and goals ... and which are sufficient to ensure the integrity of the institution's academic programmes; and
- sufficient financial and other resources to enable the institution's programme to be delivered and sustained into the future. (Protocol 1: Criteria, 2000)

Quantitative criteria are also important in the South African context, despite the emphasis on qualitative criteria above. There are several reasons why the setting of minimum size and shape criteria is appropriate. The Ministry of Education has a stated goal to decrease the number of higher education institutions and to create stronger, more equitable, effective, sustainable and higher quality institutions. It would not, therefore, be appropriate to allow a plethora of private universities, much smaller than their public counterparts and with different characteristics, to be established, as has happened in some countries, especially eastern European countries.

In addition, the key characteristics of public higher education identified by the 2000 CHE *Shape and Size Report*, the goals of the 2001 National Plan for Higher Education and the 2002 NWG recommendations for restructuring the system of higher education in South Africa all posit minimum shape and/or size criteria.

The CHE Report proposed that institutions should be multi-purpose, academically and economically viable, and involved in scholarship and research. Multi-purpose requires a spread of offerings. A focus on efficient use of resources requires a breadth of subject offerings to cross-subsidise each other. A focus on research requires sufficient numbers of postgraduate students supervised by appropriately qualified staff. Similarly, the NWG argument for sustainability also requires a minimum size. This focus does not mean that private higher education providers should not offer specialised programmes in a narrow range of subject areas. It does mean, however, that granting the title *university* would not be appropriate.

While quantitative criteria are important for the above reasons, both Castells' argument against the possibility of having 'pure' or even 'quasi-pure' universities and the Minister's intention to have a wide diversity of public higher education institutions mean that quantitative criteria cannot be too exclusionary, nor can they be set too high, especially because access is also an important goal of the South African higher education system. The Minister has, furthermore, accepted that any public higher education institution should be able to offer up to doctoral studies if it has strength in that particular area, which seems to imply that quantitative criteria with regard to research cannot be set too high at an institutional level. A further argument against setting criteria too high is that relatively small universities in other countries are able to perform functions well (and a small university such as Rhodes also performs well against benchmarks).

In deciding at what level to set quantitative criteria, options are as follows:

- Accept that some of the current public higher education institutions will lose their status as a university. This is, however, difficult to implement. Either these institutions would have to be disestablished, which does not seem appropriate in the aftermath of the Minister's restructuring proposals, or downgraded. There is, however, no university college level in the South African system, making it difficult for downgrading to happen.
- Require only new applicants for university status to meet the criteria.
- Accept all current public higher education institutions as established universities and wait for the system to settle down after restructuring before reconsidering more stringent quantitative criteria. In the meantime, set quantitative criteria at the level of the smallest public higher education institution. Quality assurance becomes crucial in this option. Under these circumstances, the HEQC will have to ensure that institutions meet accreditation criteria over time, if these are set at levels which exclude some institutions. The Department of Education must also have clear criteria for identifying when an institution has an 'area of strength' which will allow it to offer postgraduate qualifications.

The last option seems the most appropriate at this point, given the goals of the *National Plan* for the higher education system overall. The recommendations which follow at the end of this section suggest appropriate levels, which would not exclude any of the existing public universities or technikons at this time.

Setting quantitative criteria in this way does not mean that such criteria cannot be adjusted and made more rigorous in the future. Nor does it mean that the Department of Education should not set benchmarks to be monitored in three-year rolling plan exercises. The Minister may want to signal to institutions that they may be required to meet more stringent minimum criteria after, say, ten years.

Whatever quantitative criteria are established, it is advisable to interpret these criteria in a holistic and flexible rather than rigidly mechanical way. Thus, as the New Zealand Qualifications Authority (2002) stresses, the criteria should

be applied on a case-by-case basis for applicant organisations wishing to be recognised as a university. The guidelines are not intended to be applied as rigid and inflexible benchmarks. The Qualifications Authority considers that each applicant organisation's character and features should be assessed on its own merits and that the guidelines will be used to assist in making interpretive decisions.

The interpretive use of these guidelines is further emphasised:

The term 'normally' is intended to emphasise that the guidelines should be used to make interpretive decisions rather than be strictly applied. It is not intended to denote the percentages of students enrolled in existing New Zealand universities.

The consequences of this approach are that experienced and respected teams of specialist evaluators are required to consider the evaluation of applicants for the status *university*. Their recommendations will have to be located in a full context of considerations as measured against all the criteria. It also means that quality assurance mechanisms must be in place for the system as a whole (which is consistent with HEQC plans).

5. The final criterion is that **national interests** should be taken into account in considering the establishment of a new university. Some other countries do this and it seems particularly warranted for South Africa, given the Department of Education's approach to shaping the system of higher education.
6. The list of criteria should not be too extensive, given limited capacity at institutional and other levels.

In order to implement these proposals, there would have to be:

- Broad agreement on the headings for criteria, including that they should be used in a holistic way, linked to the promotion of quality.
- Agreement on a strategy for how to deal with the setting of quantitative criteria. If these are set at a modest level to start with, they could be increased later, if appropriate. It may be necessary to establish a working group to develop options.
- The Ministry should preferably set the criteria and the CHE should then be requested to draw up guidelines to help applicants interpret the criteria. If requested, the CHE could draw up draft protocols, preferably modelled on Australia and New Zealand.

In summary, based on the needs of the South African context and an extensive review of international trends, the following recommendations with respect to criteria for recognition as a university are made:

It is proposed that the criteria for recognition as a university in South Africa should cover the following elements:

- **A focus on teaching, scholarly activities and research, appropriate to the mission of the institution.**

This will result in a differentiated system of higher education with a continuum of activities in each university. For some universities this will mean that they should meet international standards of teaching and research, including applied and technological research, conducted by academics who are active in advancing knowledge. For other universities this will mean research interests appropriate to their location and niche.

There should be a range of programmes offered, including continuing and career-focused education and these technikon-type programmes should receive priority in PQMs so as to increase this focus in the system as a whole.

For all universities it should mean that their research and teaching reinforce each other and that they act as repositories of knowledge and expertise, as well as play a role as critic and conscience of society.

- **An appropriate focus on community development / service / outreach related to the teaching and research functions of the university.**
- **Academic leadership located in a senate or equivalent body.**
- **Capacity, governance and resources to meet stated goals.**
- **Minimum size of approximately 4 000 FTE enrolments with the majority of enrolments in higher education bands, spread across SET, Management and Humanities subject areas (with a minimum of 20% of the total enrolments in each of those subject areas).**
- **A research and postgraduate output appropriate to the approved niche of the university.**
- **Admission criteria normally matriculation exemption (or equivalent, as per ongoing policy development) for degree-level programmes and school-leaving certificate (or equivalent, as per ongoing policy development) for certificate and diploma programmes.**
- **Congruence and consistence with national interests and policy imperatives and goals, including access and support for historically disadvantaged students.**

The above criteria should be interpreted by an experienced and respected team of specialist evaluators in a holistic and flexible way, and not be applied in a rigid and mechanistic way.

PROCESSES AND PROCEDURES FOR RECOGNITION AS A DESIGNATED HIGHER EDUCATION INSTITUTION

4.1 REVIEW OF PROCESSES AND PROCEDURES FOR RECOGNITION AS A DESIGNATED HIGHER EDUCATION INSTITUTION

Processes and procedures for obtaining recognition as a designated higher education institution are very similar across the world. In nearly all cases, recognition is through an Act of Parliament. There are three major types of regulation – directly by government, through a buffer body, or through an accrediting body. In some cases there are parallel processes wherein the government and the buffer body consider different criteria for, or implications of, establishing a new university.

Usually there is a buffer body which advises government. The submission of documentation is always required, usually in accordance with guidelines. Sometimes only the documentation is interrogated by an expert committee or by officials, but these cases usually leave the possibility open for more detailed investigation if this is thought to be necessary. Most countries have an expert committee which then visits the applicant for inspection. Australia allows an opportunity for public comment before a final decision is made. Some examples – Australia, the UK and Kenya – are explored below.

The Australian process for assessing applications to become a university (Protocol 1)²¹ is a good example of common practice. It has the following components:

- It should be transparent and equitable with equality between public and private universities.
- A fee will be charged.
- ‘The application should be subject to review by an independent, expert panel. The panel’s composition will include a majority of senior academic administrators with experience in the Australian university sector, including significant representation from outside the jurisdiction in which the application is made.’
- ‘The review process should involve evaluation against agreed national criteria, on the basis of written material and discussion with proponents of the institution, including academic staff and students, and must include an inspection of facilities where they exist. An evaluation of the financial capacity of the institution to deliver its proposed programmes, and to sustain them appropriately, is required.’
- There should be opportunity for public comment before the review report is finalised.

²¹ The quotations are taken from Australian Government (MCEETYA) 2002: National Protocols for Higher Education Approval Processes.

For proposed new universities, where there is no existing institution, and where assessment is based on a plan, ‘approval may be given to operate on a provisional basis for a period of up to five years’. There may be conditions for this provisional approval. Further operation is conditional on meeting criteria in full.

In the UK, universities are established by an Act of Parliament or by the Privy Council. Applications for degree-awarding powers or university title have to be made to the relevant Ministers. They will not normally be entertained unless the institution can demonstrate that over the preceding five years:

- There has not been a finding by a responsible quality assurance body that quality is unsatisfactory or that an improvement plan has to be produced, and
- No academic audit or institutional review has identified serious weaknesses of academic management.

The Privy Council seeks advice from the appropriate territorial Minister with higher education responsibilities, who in turn seeks advice from the Quality Assurance Agency for Higher Education (QAA). The relevant Funding Council will check the financial stability of all institutions seeking degree-awarding powers, as well as comment on their strategic planning of higher education provision. The QAA will comment on quality and standards.

In January 2003, the UK Government announced proposals to review the degree-awarding powers/university title criteria. ‘The UK Government has an interest in extending the scope of the criteria to make them more accessible to newer, non-traditional forms of higher education delivery’ (personal communication, Haslam, 2003). While earlier there was discussion of draft proposals in this regard, this CHE Research Report reflects the current process for applications in the UK.

The UK process is particularly thorough and consists of the following steps:²²

- Institutions applying for either degree-awarding powers and/or university status prepare a Critical Self-Analysis. This ‘should describe, analyse and comment clearly and frankly on the effectiveness of the means used by the institution to satisfy itself that it is able to meet the criteria relevant to the powers being sought’.
- The Analysis ‘should be accompanied by a list of the evidence used by the institution itself to test whether its processes are operating as intended, to enable it to know whether it is discharging effectively its responsibility for quality and standards relative to the powers being sought’.
- Institutions are encouraged to approach the QAA for informal discussions.
- One copy is submitted to the Privy Council.

²² The references are all from a QAA document of 2000, Applications for the Grant of Taught Degree-Awarding Powers, Research Degree-Awarding Powers and University Title: Institutional Guidance on Procedures.

- A further 20 copies go to the QAA once the relevant Education Department has approached it for advice.
- The QAA's Advisory Committee on Degree-Awarding Powers (ACDAP) considers
 - submitted documentation;
 - a preliminary report by ACDAP committee officers;
 - comments received from validating partner(s), if appropriate; and
 - initial advice from the relevant funding council.
- If, in the light of the above, the Committee determines that the application should be considered further, a Scrutiny Panel will be appointed to examine the application in detail. The Scrutiny Panel is chaired by a member of the ACDAP and consists of four to six people, some of whom will be heads or other senior members of higher education institutions and some of whom are likely to have professional experience relevant to the submission.
- The Scrutiny Panel may commission a preliminary visit to the applicant institution to explore matters arising from the initial submission. On the basis of this report, the Panel will decide to proceed with its scrutiny or ask the institution to undertake further work before proceeding with its application.
- If the scrutiny proceeds, the QAA will appoint a small team of assessors to collect evidence on the application.
- Scrutiny activities may include
 - reviewing formal documentation;
 - observing formal meetings; and
 - structured discussions with staff, students and external interest groupings.
- Subject to satisfactory progress, the process will culminate in a Scrutiny Panel visit.
- The report of the Scrutiny Panel is then considered by the ACDAP, submitted to the Board of the QAA and thence to the appropriate Education Department. The Minister concerned will decide whether the advice should be disclosed to the applicant, or published. The final decision is taken by the Privy Council.
- The Education Department may also seek views from the relevant funding council on the financial stability of an institution ('irrespective of whether the institution is in receipt of funding from that council').
- The applicant's validating partner/s will also be invited to 'offer their comments on the nature of the operational relationship that has been established and their judgment as to the suitability of the applying institution to be granted the powers they are seeking'.

Kenya has a more pared down process. Applications to operate as a university must include aims and objectives for the university which must be 'consistent with the needs of university education in Kenya', the form of governance, an outline of academic programmes, academic resources, and a timetable towards implementation. The Commission for Higher Education will then schedule a series of meetings with applicants in order to examine the documentation or evidence. If it is not satisfied with the documentation, it may order a detailed and independent evaluation of the resources expected to be made available.

The CHE, in the form of the HEQC, already has processes and procedures in place for accrediting private providers, who are registered with the Department of Education to offer higher education qualifications.²³ The Department of Education investigates the legal and financial capacity of the applicant to fulfil its mission. The CHE reviews whether the applicant has the capacity (in the form of appropriately qualified staff, resources, infrastructure, etc.) at each of its sites of delivery to fulfil its mission, offer and evaluate its specified programmes, admit learners likely to succeed and provide appropriate support so that they may succeed in their studies.

The process for reviewing applications to the CHE for accreditation as a private provider to offer specified qualifications is as follows:

- The applicant submits information, according to guidelines.
- CHE officials make a preliminary review of this application to ensure that all information has been submitted and that the applicant is likely to meet criteria for accreditation.
- Applications are sent to evaluators to review the documentation.
- Recommendations from evaluators are referred to the HEQC Accreditation Committee for Private Providers for final recommendation to the CHE.
- There is a right of appeal.

The CHE process and procedures draw from international best practice and can be applied, with some modifications, to applications to become a designated higher education institution.

4.2 PROPOSALS FOR PROCESSES AND PROCEDURES FOR RECOGNITION AS A DESIGNATED HIGHER EDUCATION INSTITUTION IN SOUTH AFRICA

In evaluating processes and procedures for recognising new higher education institutions, it is important that they should be transparent, consistent with established governance structures, able to be implemented and equitable with regard to public and private providers. From reviewing practice elsewhere in the world, the following elements seem important and should be applied in South Africa:

- An independent body should advise the Minister.
- The applicant should submit a written submission, according to guidelines.
- The independent body should appoint an independent panel to evaluate the application.
- The recommendation to establish a new higher education institution should be open to public comment.

²³ There are also SAQA requirements to meet, in that qualifications have to be registered on the NQF.

These recommendations are made for the following reasons.

The CHE already has the responsibility to act as the independent body which will advise the Minister. It can evaluate an application against criteria and advise the Minister accordingly. The Minister therefore retains some independence before proposing to establish a new university.

Written guidelines require clear and transparent criteria. Any South African guidelines that are developed should seek to strike a balance between detailed guidance and not being too extensive. The New Zealand guidelines, for example, do not appear to require quite the same amount of detail as the QAA in the UK.

The need for a written submission is enshrined in all practices of quality assurance and is incorporated into CHE and HEQC procedures. Written documentation from the applicant

- requires the discipline of addressing all the criteria;
- indicates that this is a serious application;
- is open to scrutiny; and
- allows the promotion of quality, if the guidelines are written in a developmental way.

The written application can be reviewed by officials who can also conduct initial consultations, if these are necessary.

A further important element of the process is that it should have an expert panel which reviews the written application. There are several reasons why this seems appropriate:

- The consideration of whether a new higher education institution should be established is a serious matter which should be given due weight.
- If recommendations to view the application in a holistic and qualitative, rather than mechanical, way are adopted, this is best implemented by a panel with the academic weight and experience to undertake this type of evaluation.
- The recommendations of a panel of senior and experienced people are likely to be respected.
- Different interests and backgrounds can be represented in a panel.

Given the investment in an expert panel, it also seems appropriate that an inspection of the proposed premises should be mandatory. This seems an efficient way to check all the various practical components of an application, which otherwise could take reams of paper to document. An inspection also allows the panel to talk to a range of identified people.

The final component of the process which seems appropriate for South Africa is that the recommendation to establish a new higher education institution should be open to public comment. This is consistent with other principles in the proposed process and with the ideal of transparency.

In this model, both the CHE and the Ministry would consider applications against their own criteria. Implementation of these recommendations would be consistent with current CHE practices used to accredit private providers, with some additions (such as mandatory site visits). Once there is agreement about criteria for recognition set by the government, guidelines for applications would have to be developed by the CHE.

The recommendations which follow below are for applications to establish new universities, consistent with earlier recommendations that all higher education institutions in South Africa should be named *universities*. With respect to existing technikons, if the Minister accepts this advice, the renaming should be automatic, although with the recognition that this will necessitate many newly named universities being placed on a development trajectory.

With respect to processes and procedures for recognising and establishing a new higher education institution in South Africa, it is proposed that, given the review of international best practice and the procedures and processes already in place at the CHE, the following should be considered:

- **The Minister requests advice from the CHE.**
- **The applicant completes an application according to stipulated guidelines and submits it to the CHE.**
- **The application is reviewed by officials of the CHE.**
- **An expert panel is appointed to evaluate the application against agreed-upon criteria and site visits.**
- **The panel reports to the CHE, whether through a standing committee or not (depending on the number of applications expected), which is established to consider applications for recognition as a university.**
- **The CHE makes a recommendation to the Minister.**
- **The Ministry considers the recommendation against its own criteria; for example, national budget and overall goals for higher education.**
- **A proposal is published for public comment.**
- **Any appeals against a recommendation are made to the Minister.**
- **If the decision is to recognise the applicant as a university, the Minister establishes a new university.**

With respect to existing technikons, their establishment as universities should be automatic.

Proposals for the establishment of *institutes* fall outside the brief of this Research Report.

***DEGREE-AWARDING RECOGNITION: CONDITIONS
AND CRITERIA UNDER WHICH HIGHER EDUCATION
INSTITUTIONS MAY BE RECOGNISED AS
UNDERGRADUATE AND/OR POSTGRADUATE
DEGREE-OFFERING AND/OR -AWARDING
INSTITUTIONS***

HISTORICAL, LEGISLATIVE, POLICY AND INSTITUTIONAL CONTEXT

As Section 1 of Part 1 discussed, in South Africa there was initially a distinction between degree-awarding and degree-offering institutions. For a long time, university colleges were not able to award their own degrees. This was done through examining authorities, first the University of the Cape of Good Hope and then the University of South Africa.

Once public higher education institutions were established by Acts of Parliament, they awarded their own degrees. The *University of Cape Town Act of Incorporation* of 1918: Statutes and Joint Statutes, said for example:

13. (1) The University shall have power, subject to the provision of this Act and the statutes, to confer degrees of bachelor, master or doctor in any faculty mentioned in, or approved under, Section 10, and all such other degrees as it may deem expedient to confer. The designation of any specific degree in any faculty shall be as prescribed by the statutes and no other.²⁴

Regulation of degrees – self-accreditation in today’s terms – was provided by Senates. In the UCT case, the powers and duties of Senate included:

35. (b) to superintend and regulate the discipline and instruction of the several departments, lectures and classes of the University in accordance with such regulations as may be framed by the senate for the purpose and approved by the council ...

(c) to determine, subject to the approval of the council, the conditions necessary for the obtaining of degrees, diplomas or certificates, and to decide what persons have satisfied the said conditions. (*University of Cape Town Act of Incorporation*, 1918)

At a national level, the *Universities Act* of 1955 created the University Advisory Committee, which could advise the Minister on matters of policy. Following this, some monitoring of qualifications was provided by the *Advisory Board for Universities and Technikons Act*, 1983 (No. 99 of 1983) whereby universities and technikons were required to submit applications for new programmes to the Advisory Council for Universities and Technikons (AUT). Government set broad parameters for qualification structures and each institution developed curricula for qualifications they intended to offer within this framework.

²⁴ Similar wording was contained in later Acts such as the *University of Cape Town Act*, No. 38 of 1959.

Three major elements of the new policy environment tightened up this rather relaxed situation. Again, the line followed the NCHE, the *Education White Paper 3*, the *Higher Education Act, 1997* and the *National Plan for Higher Education*.

The first two related elements which were introduced were the development of a National Qualifications Framework (NQF) and the development of a national quality assurance system. It is the responsibility of the South African Qualifications Authority (SAQA) to facilitate the development of the NQF. In terms of this responsibility, all qualifications have to be registered on the NQF. Furthermore, the Higher Education Act, 1997, makes provision for the Council on Higher Education to establish a permanent sub-committee, the Higher Education Quality Committee (HEQC) to

- (i) promote quality assurance in higher education;
- (ii) audit the quality assurance mechanisms of higher education institutions; and
- (iii) accredit programmes of higher education (Chapter 2, 5.(1)(c)).

The third element introduced was that, in developing a single, coordinated system of higher education, funding approval was required for every programme offered by public higher education institutions.

The current situation is that in order to offer, as well as to award, higher education qualifications, the procedure is as follows:

- Public higher education institutions apply for approval (whether they seek funding or not) from the Ministry of Education to offer programmes. The Ministry assesses applications on the basis of the capacity of the institution, national and regional needs and unnecessary overlap with other public higher education institutions.
- Public as well as private higher education providers need to register qualifications on the National Qualifications Framework (NQF) with the South African Qualifications Authority (SAQA).
- Public as well as private higher education providers need accreditation from the CHE for new programmes.

With respect to private providers, the *Higher Education Act* does not distinguish between offering and awarding degrees and the CHE processes and procedures are consistent with this. In the context of outcomes-based learning, there is no need for degree-level programmes to be offered exclusively by a university or a technikon if the provider is able to produce graduates who can demonstrate the specified outcomes. Whether a provider should be able to offer undergraduate or postgraduate programmes then becomes linked to the accreditation of the provider itself and whether it can fulfil its mandate.

In terms of this policy and legislative framework, the Department of Education has completed the first PQM exercise whereby public higher education institutions submitted all current and proposed new programmes for funding approval. Firstly, funding approval was granted in terms of national goals and regional provision, maintenance of the binary divide and judgment as to the capacity of the institution to offer proposed qualifications, especially postgraduate. Secondly, all current qualifications have been registered with SAQA. Thirdly, the HEQC has been registered as the ETQA of primary focus for higher education (public and private) and has developed criteria and processes for the accreditation of qualifications as well as of private providers. An overall system of quality assurance for public higher education providers is also well on its way to finalisation.

CRITERIA FOR OFFERING/AWARDING UNDERGRADUATE AND POSTGRADUATE QUALIFICATIONS

2.1 REVIEW OF CRITERIA FOR OFFERING/AWARDING UNDERGRADUATE AND POSTGRADUATE QUALIFICATIONS ²⁵

The degree descriptors available from various countries do not specify that a particular degree must be offered by a university rather than any other kind of higher education institution. For example, the Australian Qualifications Framework says Master's degree graduates must have

- advanced knowledge of a specialist body of theoretical and applied topics;
- high-order skills in analysis, critical evaluation and/or professional application, and the planning and execution of project work or a piece of scholarship or research;
- creativity and flexibility in the application of knowledge and skills to new situations; and
- the ability to solve complex problems and think rigorously and independently.
(*Australian Qualifications Framework*, 2002)

Whether an institution can offer undergraduate or postgraduate degrees then becomes linked to the accreditation of the institution itself.

Other countries consider approval to offer undergraduate or postgraduate degrees in several ways. The UK has a simple situation whereby degrees may be awarded only by established universities. Private providers must, therefore, get any proposed degrees accredited by an established university. The established university is responsible for, and accountable for, quality assurance. India's system is similar to the UK's. Private colleges have to affiliate to established universities. This is also similar to the historical situation in South Africa.

Although this system has the virtue of simplicity, there are also dangers, as described in a comment on the Indian situation by Dr Antony Stella: 'This system was effective when a parent university had around 30 to 40 affiliates. But the growth in number of affiliates has reduced the role of academic leadership of universities to mere monitoring of minimum requirements' (Botha et al., 2002: 40).

²⁵ This section is briefer than comparable sections in Part 1 of this report because many of the issues are the same and discussion of criteria, processes and procedures follows a similar logic.

It must be recognised, however, that this is a difficult area to regulate comprehensively since students can obtain access to a wide range of courses from the Internet.

Australia has another approach in that once an institution is accredited as a university it has the right to self-accredit its degree programmes. There is a separate protocol with regard to providers who are non-self-accrediting. Applicants who are not self-accrediting are required to meet the following criteria (Protocol 3):

- The course design and content should satisfy the requirements set in the Australian Qualifications Framework for the award level.
- The course should be comparable in requirements and learning outcomes to a course at the same level in a similar field at an Australian university.
- The delivery arrangements, including matters of institutional governance, facilities, staffing, and student services are appropriate to higher education and enable successful delivery of the course at the level proposed.
- The provider has appropriate financial and other arrangements to permit the successful delivery of the course, and is a fit and proper person to accept responsibility for the course.

The CHE's implementation of their responsibilities under the *Higher Education Act 1997* is very similar to the Australian protocol. With respect to the criteria used to grant approval to offer degree programmes, there is, in fact, relative consistency across the world in what is requested.

As a fairly extensive example, the UK Department for Education and Employment has published criteria for new degree-awarding powers. Some of the detail is discussed below, to illustrate the criteria and information required. The headings are as follows:

- **CRITERIA COMMON TO ALL APPLICATIONS**
 - Governance and Management
 - Quality Assurance
 - Administrative Systems
- **ADDITIONAL CRITERIA FOR TAUGHT DEGREE-AWARDING POWERS**
 - Academic Staffing
- **ADDITIONAL CRITERIA FOR UNIVERSITY TITLE AND/OR RESEARCH DEGREE-AWARDING POWERS**
 - The Environment Supporting the Award of Higher Degrees
 - Academic Staffing

- **ADDITIONAL CRITERIA FOR UNIVERSITY TITLE ONLY (discussed in an earlier section)**

The criteria for new degree-awarding powers as listed in the Department of Education and Employment web page are extensive, as could be expected from a document originating from QAA advice. All the headings have more specific criteria listed below them. For example, governance and management has one criterion, which is that the ‘institution’s governance, management, financial control and quality assurance arrangements are sufficient to manage existing operations and respond to development and change’. The QAA document lists eight types of evidence that an institution should be able to demonstrate with respect to this criterion.

Quality assurance, on the other hand, has seven criteria listed below it, each criterion with its own list of evidence that the institution should demonstrate. As an example, the first criterion for quality assurance is that the ‘institution has clear and consistently applied mechanisms for establishing its academic objectives and outcomes’.

The evidence that the institution has to demonstrate for this criterion is that

- its programmes of study are offered at levels that correspond to the levels of the overall qualifications framework for higher education; and
- in seeking to establish, and then maintain, comparability of standards with other providers of equivalent-level programmes, advice is explicitly sought from academic peers in other higher education institutions and, where appropriate, professional and statutory bodies.

The section on additional criteria for university title and/or research degree-awarding powers has two subheadings:

- The Environment Supporting the Award of Higher Degrees
- Academic Staff.

The criterion for an environment supporting the award of higher degrees is that the ‘institution has an environment of academic staff, postgraduates and postdoctoral workers which fosters and actively supports creative research and scholarly activity’.

Academic staffing has four criteria:

- The qualities and competencies of staff are appropriate for an institution with university title and/or research degree-awarding powers.
- The institution’s staff are actively involved with the pedagogic development of their discipline.
- Staff of the institution have acknowledged academic expertise.
- Staff maintain high professional standards and willingly accept the professional responsibilities associated with operating in a university environment.

While there is an extensive body of evidence that has to be provided, there are no guidelines for actual numbers of staff who should demonstrate certain qualities. For example, ‘a significant proportion’ of academic staff is required to have higher degrees, doctorates, or be involved in learned societies, etc., but the exact proportion is not specified.

Canada and the USA do not have a central system of accreditation, and practices vary across different states and disciplines. North American accreditation agencies provide representative and extensive examples of the questions asked in accrediting an institution to award qualifications. They investigate the capacity of institutions to offer programmes at designated levels, and several examples define the expected outcomes of the academic programmes. There is usually a great deal of attention paid to the qualifications of academic staff. Where they exist, proposed new courses have to satisfy the requirements of a national qualifications framework.

As an example, the New England Association (2001) is an association with fairly extensive standards for accreditation and fairly traditional academic criteria. As regards the criteria which are relevant to degree-granting status, there are detailed criteria for undergraduate and graduate degree programmes. While almost all the accreditation associations require curricula to be coherent, to have specified outcomes, and to have different levels for undergraduate and graduate programmes, these ones emphasise the importance of undergraduate programmes demonstrating a balanced breadth of enquiry, together with the opportunity to develop knowledge and skills in a specific disciplinary or interdisciplinary area above the introductory level.

According to the New England Association, graduate programmes should not be offered unless there are resources and expectations which exceed those for undergraduate programmes. There must be adequate numbers of staff and those responsible should be ‘sufficient by credentials, number, and time-commitment for the successful accomplishment of program objectives and program improvement’ (2001: 11). Research-oriented graduate programmes must have a preponderance of active research scholars in their faculties. ‘Research orientated Doctoral programs and disciplinary Master’s degree programs are designed to prepare students for scholarly careers’ (2001: 11). However, the standards further on with respect to scholarship and research say that research must be undertaken only if compatible with the institution's purposes. No specific criteria are given for what would be ‘adequate’ or ‘sufficient’.

New England Association standards required for organisation and governance are designed to support ‘an environment that encourages teaching, learning, scholarship, and where appropriate research’ (2001: 5). Furthermore, faculty members must have ‘an important role in assuring the academic integrity of the institutions’ educational programs’ (2001: 6).

In South Africa, applications to offer new programmes for public higher education institutions first require approval from the Department of Education for funding purposes. The Department of Education evaluates proposals for new programmes against the following (*Guidelines to Institutions*, 2002:5):

- The fit between the proposed new programme and the institution's mission and location in the South African higher education system.
- The capacity of the institution in terms of qualified staff and appropriate infrastructure to offer the proposed new programme.
- The role of the proposed new programme in addressing regional or national needs.
- Possible duplication or overlap with programmes offered by other institutions.

In the case of proposed new postgraduate programmes, the Department of Education indicated that institutions would also be required to demonstrate, in addition to the above, that

- they meet efficiency benchmarks for graduation rates outlined in the National Plan; and
- in the case of small and/or highly specialised programmes, there is collaboration with other institutions regionally or nationally.

Further, every new qualification requires accreditation from the CHE (as well as registration by SAQA).

In discharging its responsibilities, the CHE considers both the programme and the capacity of the provider to offer it. The CHE has already developed frameworks, criteria and processes to review an application to be accredited as a provider to offer specified programmes within South Africa. In order to determine whether a provider will be able to fulfil its mission, offer and evaluate its specified programmes, and admit learners likely to succeed and provide support so that they may succeed in their studies, the CHE seeks information about the following (*CHE Guidelines*, 2003: 8-9):

- Brief overview of the institution
- Legal requirements
- Mission, vision or objectives
- Language of instruction
- Organisational structure
- Staff
- Lecture rooms/theatres, laboratories and studies
- Library
- Admission criteria and placement of learners
- Assessment policies and procedures
- Research
- Experiential learning
- Learner records
- Learner support
- Quality assurance mechanisms.

The CHE states that there are different considerations at every level of programme offering and that these become more stringent when proceeding towards degree and then postgraduate programmes. In addition to the information required above, when an institution seeks accreditation to offer postgraduate programmes the CHE will also require information about the following (*CHE Guidelines*, 2003:10):

- Full details of the research activities of the academic staff attached to the programme, in particular their list of publications, research projects directed or contributed to over the past five years, number of postgraduate theses supervised, etc.
- How the programme enables graduates to undertake independent research and other scholarly activities.
- How learners receive a systematic and coherent overview of the body of knowledge and its underlying principles and development, and an appreciation of the limitations of the discipline and its interrelationships with other disciplines.
- Postgraduate supervisory practices and other forms of support.
- Processes to approve postgraduate qualifications.
- Links with other research units and researchers nationally and internationally in the field of study.

2.2 PROPOSALS FOR SOUTH AFRICA ON CRITERIA FOR OFFERING/AWARDING UNDERGRADUATE AND POSTGRADUATE QUALIFICATIONS

Criteria to decide whether to allow a provider to offer undergraduate (and postgraduate) programmes throughout the world generally focus on both the provider and the programme itself. There are generally additional criteria that have to be met to offer postgraduate programmes. In South Africa, public and private providers need to meet criteria set by the CHE and public providers need to meet criteria set by the Department of Education in order to get funding approval to offer a programme. Both are required to register the qualification on the NQF with SAQA.

With respect to private providers, the *Higher Education Act* does not distinguish between awarding and offering degrees and the CHE processes and procedures are consistent with this. In the context of outcomes-based learning, there is no need for degree-level qualifications to be offered exclusively by a university or a technikon if the provider is able to produce graduates who can demonstrate the specified outcomes. Whether a provider should be able to offer undergraduate or postgraduate qualifications then becomes linked to the accreditation of the provider itself and whether it can fulfil its mandate.

The CHE could propose that there be a distinction between offering and awarding degrees, with the following options thereafter:

- Only an established university or technikon may award degrees, or postgraduate degrees (if private providers are allowed to offer undergraduate degrees). In this case, private providers offering undergraduate or postgraduate qualifications would have to get accreditation from a public higher education institution, as happens in the UK or India. This option would spread responsibilities for quality assurance more broadly.
- Private providers may award degrees (whether undergraduate or postgraduate) only if they are of a minimum size – this can be linked to a requirement to have a senate or to have a minimum research base before degree-level qualifications can be offered.

These options do not, however, appear appropriate. There are already accreditation and registration procedures in South Africa and it seems more appropriate that private providers who meet criteria to be established as universities follow that route, while others follow existing procedures with the Department of Education and CHE.

The current CHE criteria to accredit a private provider to offer specific qualifications are consistent with best practice internationally. There are more stringent criteria for postgraduate levels. There do not appear to be any principles requiring modification in the current South African situation, but the CHE will modify criteria requested as the cycles are evaluated.

In subsequent PQM and niche exercises, the Department of Education might consider being more explicit about the criteria, especially with respect to capacity, it uses to reach its evaluations, in order to preclude contestation of decisions not to grant approval. This could be linked to the CHE programme accreditation criteria which are being finalised and could further help to improve quality of the system overall.

Some of these approaches may have to be reviewed in the light of the review of the NQF and the recent Consultative Document of the Ministries of Education and Labour (July 2003), which is currently the object of public comment.

It is proposed that as far as criteria to award and/or offer undergraduate and postgraduate programmes are concerned

- **the current CHE criteria to evaluate whether a provider might award and/or offer undergraduate and postgraduate programmes should continue, with regular evaluation; and**
- **the criteria used by the Department of Education to evaluate whether a public higher education institution can offer specific programmes, particularly postgraduate, could usefully become more explicit, especially with respect to the evaluation of capacity to offer a programme.**

PROCESSES FOR APPROVING THE OFFERING/ AWARDING OF UNDERGRADUATE AND POSTGRADUATE QUALIFICATIONS

3.1 REVIEW OF PROCESSES FOR APPROVING THE OFFERING/AWARDING OF UNDERGRADUATE AND POSTGRADUATE QUALIFICATIONS

As with processes and procedures to recognise new higher education institutions, processes and procedures for approval to offer undergraduate and postgraduate qualifications are similar throughout the world. Usually a buffer body advises government; documentation is required and this is interrogated by an expert committee. Some brief examples are summarised.

In Australia once an institution is accredited as a university, it has the right to self-accredit its degree programmes. (Refer to previous section.) There is a separate protocol with regard to providers who are non-self-accrediting. There is a fairly detailed process for assessing applicants (Protocol 3). These include:

- The appointment of an expert panel ‘with extensive knowledge of higher education courses in the same or similar fields, which is independent of the provider’.
- A review process which ‘must involve consideration of the applicants’ capacity to deliver the course, including financial capacity, and must include verification of claims made by the institution through interaction with the institution and its representatives’.
- A requirement that courses be re-accredited after a maximum of five years. There is a fee based on partial cost recovery.

The UK process was described in the section on recognition as a university.

In Sweden, the process involves first of all a self-evaluation, then assessment by peer review teams and associated site visits, then an evaluation report and follow-up if required. The ranking is linked to other forms of evaluation:

- Quality audits focusing on the organisational set-up, intended to result in quality improvements.
- Quality assessments focused on programmes.

Providers have to submit applications, according to guidelines, in order to obtain approval to offer both undergraduate and postgraduate degrees.

As with the previous section, this is an area where processes have already been put in place in South Africa in terms of the legislative responsibilities of the CHE. Private providers first have to be registered by the Department of Education; qualifications for both public and private providers have to be registered on the NQF by SAQA; and accreditation for each qualification offered by public and private providers has to be obtained. During the current period, which the CHE identifies as a learning period, the CHE will review

- the learning programme that has been designed to enable learners to achieve a qualification; and
- the personnel, infrastructure, systems and processes in place to support learners in their studies. (*CHE Guidelines*, 2003:5)

The CHE will base its reviews on a combination of

- evaluations of documentation presented to it;
- information about internal evaluations of quality and the action taken from these evaluations, combined with selective requests to monitor internal evaluations; and
- random site visits as well as visits where there are particular concerns about the quality of provision. (*CHE Guidelines*, 9)

During this developmental phase, the HEQC notes that it

will provide support and guidance to strengthen the quality assurance capacity of providers, enhance their ability to engage in rigorous self-evaluation and establish and monitor baseline information on their quality assurance systems, achievements and targets. During this phase, the HEQC may also pay visits to institutions to become acquainted with their quality assurance arrangements. The intention of this developmental phase is to prepare providers to respond to rigorous accountability requirements at the end of the phase.

In its full operational phase, the HEQC will engage in rigorous external validation through site visits and the judicious use of peer reviews and qualitative and quantitative performance indicators (*CHE Guidelines*, 2003:5).

3.2 PROPOSALS FOR SOUTH AFRICA OF PROCESSES FOR APPROVING THE OFFERING/AWARDING OF UNDERGRADUATE AND POSTGRADUATE QUALIFICATIONS

Processes have already been set in place in South Africa in terms of the registration, accreditation and approval (whether for funding or otherwise) responsibilities of SAQA, the CHE and the Ministry respectively. Institutions that meet the criteria for being designated a university discussed earlier will proceed with those requirements.

It is important that processes and procedures for approving the offering and/or awarding of new undergraduate or postgraduate qualifications should be transparent, equitable with regard to public and private providers, and draw on established South African higher education governance and regulatory structures.

The following elements are important and are already being applied in South Africa:

- An independent body should advise the Minister.
- The applicant should submit a written application, according to defined guidelines.
- The independent body should appoint an independent specialist panel to evaluate the application.

The CHE is already performing the role and carrying out the responsibilities of an independent body in this respect. This intersects with the Department of Education's assessment of whether an institution should get approval to offer new programmes as well as with SAQA considerations.

It is proposed that regarding processes for approving the offering/awarding of undergraduate and postgraduate qualifications the current procedures and processes instituted by the CHE in discharging its responsibilities with respect to whether a provider may offer and/or award undergraduate and postgraduate programmes should continue, with regular evaluation.

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