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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1824/21 - 2013 අගෝස්තු මස 22 වැනි බ්‍රහස්පතින්දා - 2013.08.22
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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 21/78 (IX).

THE UNIVERSITIES ACT, No. 16 OF 1978

Rules under Section 137

RULES made under Section 137 read with Section 70 C and 70 D of the Universities Act, No. 16 of 1978, by the Secretary to the Ministry of the Minister assigned the subject of Higher Education being the Specified Authority appointed under Section 70 B of the aforesaid Act.

Secretary,
Ministry of Higher Education
Specified Authority.

Colombo.

RULES

1. These rules may be cited as the Specified Authority (Powers relating to Recognition of Institutes as Degree Awarding Institutes) Rules No. 1 of 2013.

2. The guidelines set-out in the Schedule I and Schedule II to these rules shall be applicable for the recognition of any State or Non-State Institute as a Degree Awarding Institute and for the obtaining of power to grant Degree or Degrees by such Institute.

3. The Specified Authority shall with the approval of the Minister, appoint such number of Standing Committees, in addition to the Standing Committee on Accreditation and Quality Assurance (hereinafter referred to as "the SCAQA"), the Institutional Review Panel and the Subject Review Panel as he considers necessary, for the purpose of assisting him in performing the tasks specified in these rules.

4. The SCAQA, the Institutional Review Panel and the Subject Review Panel shall perform the duties assigned to such Committee and Panels under these rules, in considering the applications referred to them in accordance with the provisions of such rules.



5. The SCAQA, the Institutional Review Panel and the Subject Review Panel shall assist the Specified Authority in performing the task of accreditation of Institutes intending to be recognized as Degree Awarding Institutes and the task of quality assurance thereof and cause the outcome to be reported to the Specified Authority.

6. The Specified Authority may change the membership of the SCAQA and the Review Panels from time to time, taking into consideration the contents of the application under review.

7. Any institute which intends to obtain recognition as a Degree Awarding Institute and obtain the power to confer Degree or Degrees (hereinafter referred to as "the applicant") shall, submit a two part application which shall consist of Part I Part II, containing particulars given in the guidelines as set out in the Schedule I and Schedule II to these rules respectively, in respect of Institutional Review requirements and Subject Review requirements, to the Specified Authority.

8. The applicant shall ensure that the application submitted for approval contains true and accurate information.

9. The Specified Authority shall return any application which is not in conformity with the provisions of these rules, to the applicant by registered post giving reasons therefor.

PART I

APPLICATION TO OBTAIN RECOGNITION AS A DEGREE AWARDING INSTITUTE AND TO OBTAIN POWER TO GRANT DEGREE OR DEGREES

INSTITUTIONAL REVIEW

10. The Specified Authority shall, having satisfied that the Part I of the application is in conformity with the guidelines set-out in Schedule I to these rules, refer the same to the SCAQA for its recommendation.

11. The evaluation of applications in terms of the succeeding provisions of this Part shall be aimed at examining the degree of capacity of the Institute to fulfill the institutional review criteria and the standards in relation to the six components specified in the guidelines setout in the Schedule I to these rules.

12. The SCAQA shall, scrutinize the said Part-I of the application to ensure that the applicant has provided all required information and that it has satisfied the criteria and standards set out in these rules.

13. The SCAQA shall, during the process of evaluation, return any incomplete application with insufficient information, to the Specified Authority giving reasons therefor and the Specified Authority shall, on being satisfied with the reasons given by the SCAQA, return such application to the applicant, by registered post sent to the applicant's address in Sri Lanka giving reasons therefor.

14. The Applicant may re-submit the application to the Specified Authority together with the required information in accordance with the requirements of the guidelines set out in the Schedule I, to these rules within a period of three months from the date of such return and the Specified Authority shall forward the re-submitted application to the SCAQA for reconsideration.

15. The Applicant may request for a further period of time for re-submission of the application returned, under rule 14 and the Specified Authority may grant such extension taking into consideration the nature of the activities to be performed by the applicant to re-submit the application.

16. The SCAQA shall submit, on the basis of its studies, a report including its findings, observations and recommendations in respect of the application referred to in rule 10 an any re-submitted application under rule 14 to the Specified Authority.

Part II

SUBJECT REVIEW ACCREDITATION AND QUALITY ASSURANCE

17. The Specified Authority shall, upon receiving the report pertaining to Part I of the application as referred to in rule 16 and having satisfied that, the Part II of the application is in conformity with guidelines set out in the Schedule II to these rules, refer the said Part II of the application to the SCAQA for its recommendation.

18. The SCAQA shall, in assessing the capacity of the applicant Institute, ascertain whether the applicant has fulfilled the six components referred to in the guidelines set out in the Schedule II to these rules.

19. The SCAQA shall return any incomplete application or any application with insufficient information, to the Specified Authority giving reasons therefor and the Specified Authority shall, on being satisfied with the reasons given by the SCAQA, return such application to the applicant, by registered post sent to the applicant's address in Sri Lanka, giving reasons therefor.

20. The Applicant may re-submit the application with the required information and in accordance with the requirements specified in the Schedule II to these rules, within a period of three months from the date of such return, to the Specified Authority.

21. The applicant may request for a further period of time for re-submission of the application and the Specified Authority may grant such extension taking into consideration the nature of the activities to be performed by the applicant to re-submit the application.

22. The Specified Authority shall forward the re-submitted application to the SCAQA for reconsideration.

23. The SCAQA shall upon scrutinizing and assessing in detail the said Part - II of the application including application re-submitted as above and, having satisfied that the said application contains the components which relate to the Degree expected as specified in Schedule II to these rules shall, submit a report to the Specified Authority including its findings, observations and the recommendations.

Part III

ASSESSMENT BY REVIEW PANELS

24. The Specified Authority shall forward the two parts application received under Part I and Part II of these rules, to the Institutional Review Panel and the Subject Review Panel referred to in rule 3, consisting of members appointed in the manner set out below.

25. Institutional Review Panel and Subject Review Panel shall consist of Specialists on Institutional Review, Subject Review, any nominees from relevant Professional Bodies who have specialized knowledge in relation to the Professionals Degrees offered by the relevant Institute, nominees from the Senior Academic Staff of the University System and any other person specialized in the relevant field to represent the Professional bodies which is relevant to the Degrees offered by such Institute.

26. The said panels shall make one or more site visits as required in the circumstances in order to verify the information provided by the applicant, and physically inspect all the facilities available and all other components as specified in these rules and shall thereupon submit the reports of such panels to the Specified Authority.

27. The Specified Authority may inform the applicant to make further improvements to the site which relates to the application as may be reported by the Review Panels, based on the site visits or any other inspections carried out by such Panels during the study of the application.

28. The Specified Authority may determine a specific time period within which the applicant is expected to complete the requirements under the relevant application, taking into consideration the applicant's request.

29. The Specified Authority shall based on the report submitted by the Institutional Review Panel in respect of Part I of the application and, the Subject Review Panel in respect of the Part II of the application submit his report to the Minister in terms of Section 70 C of the Act.

30. The Minister shall, upon receiving the said report, inform the Specified Authority of his decision on such application.

31. All Non-State Institute which have been recognized as Degree Awarding Institutes in pursuance to the Report made to the Minister by the Specified Authority under Section 70 C of the Act and which offer study programmes leading to Degrees in Medicine, Engineering, Architecture and other similar professional Degrees shall, obtain compliance certification from the relevant Specified Professional Body and shall submit such certification to the Specified Authority.

32. Subject to the direction and control of the Minister, the Specified Authority shall, from time to time, examine the performance of any such Degree Awarding Institute through a Quality Assurance Monitoring System established for the purpose, to ensure that the standards set out in these rules are maintained.

33. It shall be the duty of the Degree Awarding Institute to allow the Specified Authority or his authorized representative to visit the Institute during the working hours of any week day and to furnish when requested all necessary information, documents and other evidence necessary for quality assurance monitoring purpose.

34. The Specified Authority shall, subject to the direction and control of the Minister, inform any Degree Awarding Institute based on such quality assurance monitoring report, of the steps to be taken to maintain in proper standards of Degree Awarding status.

35. In these rules unless the context otherwise requires :

"Act" means, the Universities Act, No. 16 of 1978 ;

"Minister" means the Minister to whom the subject of Higher Education has been assigned ;

"Specified Authority" means, the Secretary to the Ministry of the Minister, who has been appointed as such Specified Authority by Order published in the Gazette Extraordinary No. 1746/11 dated 22 February 2012 ;

"Specified Professional Body" means, in association or an institution established or incorporated by an Act of Parliament comprising of persons with knowledge and qualifications in a specific discipline or profession.

SCHEDULE I

Guidelines for Institutional Review

<i>Column I</i> <i>Description of Area of Activity</i>	<i>Column II</i> <i>Identification of Evidence/Information required</i>
1. <i>Governance</i> .- There should be a governance structure with clearly defined hierarchy such as a Board of Governors or Board of Management, an Academic Syndicate (or Senate), Faculty Boards, Academic Departments, and Centres/Units. The composition and functions of such bodies must be clearly defined. Moreover, the roles and responsibilities of relevant officials involved (i.e. Chief Executive Officer, Deans, Heads of Departments, Registrar, Bursar, etc.) who are accountable for administrative, academic and financial matters should be identified and clearly stated.	<ul style="list-style-type: none"> (a) Company Registration under the Provisions of Companies Act, No. 7 of 2007/Board of Investment of Sri Lanka Law, No 4 of 1978 (BOI) ; (b) Memorandum of Association of the Company ; (c) Governance Structure ; (d) Profiles of members of Governing Boards/Academic Boards ; (e) Minutes of Governing Board/Academic Board Meetings (to be inspected during site visits) ; (f) Company Directors' Annual Declarations to the Registrar of Companies/BOI as the case may be ; (g) Official mail, website and electronic mail address of the Institute where official letters can be delivered to ; (h) Any other evidence/document as may be relevant to the Governance.
2. <i>Management</i> .- The management of a Degree Awarding Institute shall be carried out through the guidance of Standing Committees appointed by the Governing Council/Board of Management, in accordance with the management procedure. Such Committees shall address all issues related to general administration, academic administration, financial management and disciplinary and welfare matter	<ul style="list-style-type: none"> (a) Organogram including main divisions of subjects and, responsible officials in-charge of each division ; (b) Corporate/Strategic Plan ; (c) Cadre Positions, Schemes of Recruitment including lists of duties and qualifications required to perform such duties, Service conditions and entitlements, recruitment and promotion procedures and other applicable matters of each non-academic position in the company ; (d) Human Resource Development Plan including Staff Development Plan and Succession Plan of Non Academic grades prepared in line with Corporate/Strategic Plan ; (e) Documented Procedures of administration and lists of duties of staff ; (f) Monitoring and Supervision Mechanism including Internal Auditing Plan and External Auditing Information ; (g) Annual Reports of last five consecutive years in case of an already functioning applicant Institute/Institution ; (h) Any other evidence/document as may be relevant to the Management

SCHEDULE I (Contd.)

<p align="center"><i>Column I</i> <i>Description of Area of Activity</i></p>	<p align="center"><i>Column II</i> <i>Identification of Evidence/Information required</i></p>
<p>3. <i>Financial Viability.</i>- The Institute shall clearly demonstrate its financial capacity and viability. Further, it must provide assurance and place sureties in place to face contingencies/emergencies and meet the compensations for students and employees if the institute is faced with suspension of its operation and activities.</p>	<p>(a) Annual Audited Financial Statements including Balance Sheet and Profit and Loss Statements up to last five consecutive years of the applicant company in respect of an already functioning organization in Sri Lanka ;</p> <p>(b) Assets and Liability Statements in respect of a newly established applicant company ;</p> <p>(c) Banker's details and last three consecutive years' bank balances certified by authorized officers of respective banks ;</p> <p>(d) Corporate Plan/Strategic Plan based financial forecast for the next five consecutive years ;</p> <p>(e) Any other evidence/document as may be relevant to the financial availability.</p>
<p>4. <i>Physical Resources.</i>- The institute shall have established all physical facilities required to operate as a higher educational institute. The institute must have an administrative complex and facilities for educational activities. These includes administrative complex/ building, lecture rooms, auditorium, student teaching and training laboratories, library, computer facilities, sports and recreational facilities, a cafeteria and rest rooms, and in the case of professional courses, the institution must have its own training institute facility/ hospital or have access to a suitable training facility/ hospital, as the case may be. If the training facility/ hospital is a Government concern, partnership shall have been formalized by means of a Memorandum of understanding and shall be implemented through an Agreement.</p>	<p>(a) Lease Agreement/s or the Deed/s of the Land/s and Building/s where the Institution/Institute shall be functioning (Applicant need to submit these documents before completion of the Subject Review) ;</p> <p>(b) Infrastructure Master Plan of the Institution or the Institute ;</p> <p>(c) Memoranda of understanding and agreement's with partner institution (i.e., Teaching Hospitals/Training Institutions) ;</p> <p>(d) Physical facilities available for administration and academic faculties/units -</p> <p>(i) lecture theaters, tutorial rooms, laboratories for practical classes, and facilities ;</p> <p>(ii) clinical/in-plant training</p> <p>(e) Common amenities such as library, computer centre/ unit, gymnasium and recreational facilities, a cafeteria and rest rooms, etc.</p> <p>(f) Any other evidence/document as may be relevant to the physical resources</p>
<p>5. <i>Academic Planning and Development and, Process and Quality Assurance System.</i>- The institute shall clearly demonstrate its capacity to plan and conduct academic training programmes that would meet the standards and quality assurance criteria defined by the SCAQA. This includes availability of qualified academic and technical staff for academic development</p>	<p>(a) List of Academic Study Programmes currently offered ;</p> <p>(b) Prospectuses/Handbooks/Brochures giving details on Academic Study Programmes ;</p> <p>(c) Credit and Qualification Framework of Academic Study Programmes ;</p>

SCHEDULE I (Contd.)

<i>Column I Description of Area of Activity</i>	<i>Column II Identification of Evidence/Information required</i>
and planning, teaching/training material development, and conduct educational programmes and examinations and institutional arrangements for internal and external quality assurance mechanisms and procedures.	<p>(d) Qualification Descriptors of individual Academic Study Programmes ;</p> <p>(e) Subject Benchmark Statements of Academic Study Programmes ;</p> <p>(f) Details of contents of courses/modules ;</p> <p>(g) Internal and External Quality Framework and Procedures ;</p> <p>(h) Codes of Practice ;</p> <p>(i) Human Resource Development Plan ;</p> <p>(j) Any other document or evidence as may be relevant to Academic Planning and Development</p>
6. <i>Academic and Research Competencies of Staff (overall).</i> - The Institution shall have minimum number of academic staff on permanent basis or on long-term contracts. The academic staff must possess basic and post-graduate qualifications from recognized Universities in the relevant field together with sufficient teaching experience. They also should have information and a plan for academic and non-academic cadre positions, suitable staff development programme, continuing professional development. Moreover, the academic staff should possess competencies and demonstrate continuous engagement in research and development	<p>(a) Academic cadre positions ;</p> <p>(b) Academic/professional qualifications of the staff ;</p> <p>(c) Human Resource Development Plan including Staff development programme/continuing professional development and Succession Plan of Academic Staff ;</p> <p>(d) Staff/student ratio -</p> <p>(e) Institutional arrangement to promote research and development such as Research Committees ;</p> <p>(f) Evidence of staff interaction with Industry ;</p> <p>(g) Database of research and research publications ;</p> <p>(h) Annual Reports of the Institute in which Academic Research and Competencies of Staff have been highlighted ;</p> <p>(i) Any other evidence or document as may be relevant to the competencies of staff.</p>

SCHEDULE II

Guidelines for Subject Review

<i>Column I</i> <i>Description of Area of Activity</i>	<i>Column II</i> <i>Identification of Evidence/Information required</i>
<p>1. <i>Admission Criteria and Procedure</i> .- The institution must submit details as regard to entry qualifications for the degree programme, evaluation criteria and selection procedure. The procedure adopted by the institute shall conform to the a minimal entry qualifications adopted by the University Grants Commission for deciding eligibility for undergraduate study programmes. Further, the selection procedure must be based on principles of objective assessment and transparency</p>	<p>(a) Admission criteria and evaluation procedure ;</p> <p>(b) Profiles of students admitted previously ;</p> <p>(c) Reports on the progress of academics conform into the minimal entry programmes, including-number applied, number selected, number retained over the study period, number graduated (over the past five years) ;</p>
<p>2. <i>Academic Programme</i> .- The academic programmes conducted should have relevance to the national needs. Such programmes need to be in conformity with the Vision and Mission of the Institute and compatible with physical and human resources available and experience of institute point the study programme must have been development on sound principles such as :</p> <p>(i) Qualification Descriptors ;</p> <p>(ii) Credit and Qualification descriptors ;</p> <p>(iii) Intended learning outcomes of courses/modules ;</p> <p>(iv) Assessment methods that includes end of the course and continuous assessments ; and</p> <p>(v) Student-centered, blended teaching and learning with good mix of conventional and modern ICT - based learning tools</p>	<p>(a) Study Programme ;</p> <p>(b) Credit and qualification framework ;</p> <p>(c) Qualification Descriptors ;</p> <p>(d) Intended learning outcomes of the programme and individual courses ;</p> <p>(e) Details of contents of courses/modules ;</p> <p>(f) Teaching and learning methods ;</p> <p>(g) Teaching panel-on regular/contract/visiting basis ;</p> <p>(h) Laboratory/practical/clinical classes and manuals of instructions on individual laboratory/practical's and clinical sessions ;</p> <p>(i) Rules and regulations of assessments ;</p> <p>(j) By-laws ;</p> <p>(k) Past question papers and answer scripts (if available) ;</p> <p>(i) Results of graduating class (over the past five years if available)</p>
<p>3. <i>Standard and Quality Assurance Mechanism and Procedures</i> .- The institute must clearly demonstrate the internal and external quality assurance mechanisms and procedures that are in place. The courses conducted need to be of high standard, meeting national and international standard, and conforming to relevant standards and benchmark statements</p>	<p>(a) Internal Quality assurance mechanisms and procedures ;</p> <p>(b) External, quality assurance mechanism and procedures ;</p> <p>(c) Subject-benchmark statement (s) ;</p> <p>(d) Credit and Qualification Framework ;</p> <p>(e) Qualification Descriptors ;</p> <p>(f) Codes of practice for students and staff ;</p>

SCHEDULE II (Contd.)

<i>Column I Description of Area of Activity</i>	<i>Column II Identification of Evidence/Information required</i>
	<p>(g) Student feed-back and comments through questionnaire ;</p> <p>(h) Peer observations ;</p> <p>(i) Labour market surveys and employer feedback.</p>
<p>4. <i>Academic and Research Competencies of Staff</i> .- (specific to the Study Programme and disciplines) The staff should have the required basic and postgraduate qualifications from recognized Universities in the relevant field together with sufficient teaching experience. They also should have gone through suitable staff development programmes to orient them towards teaching in a higher educational institution. Moreover, the academic staff should possess competencies and demonstrate and continues engagement in research and development</p>	<p>(a) Academic qualifications of the regular and visiting staff ;</p> <p>(b) Availability of required expertise in the required basic and post-graduate staff ;</p> <p>(c) Prescribed recruitment criteria and job descriptions of academic staff ;</p> <p>(d) Staff development Programmes and in-service training programmes ;</p> <p>(e) Databases of on-going research ;</p> <p>(f) Database on research publications by the staff ;</p> <p>(g) Interactions with the industry and methods of research information dissemination.</p>
<p>5. <i>Teaching and/Training Facilities specific to Study Programme</i> .- The institution must have established all physical facilities required to offer the specific degree programme. The faculty/unit that offers the degree programme must have administrative complex, and facilities for educational activities. These includes administrative complex/building, lecture rooms, auditorium, student teaching and training laboratories, library, computer facilities, and also should have access to common amenities sports and recreational facilities, cafeteria and rest rooms. In the case of professional courses, the Institution must have its own training facility/hospital or have access to a suitable teaching facility/hospital as the case may be. If the training facility/hospital is a government concern, that partnership shall have been formalized through Memorandum of understanding and implemented through Agreements. In the case of study programme in medical sciences, the teaching hospital to which the student have access and provided with clinical training must conform into the standards stipulated by the Sri Lanka Medical Council.</p>	<p>(a) Availability of laboratoreis/clinical training facilities and related facilities for laboratory work/field work/ practical/clinical, a applicable to the degree programme ;</p> <p>(b) Academic support staff and their qualificatiions and experience ;</p> <p>(c) Equipment for laboratory work/practical classes/ clinical work ;</p> <p>(d) In the case of professional degree programme in medical sciences, the availability of a teaching hospital with professional units for clinical teaching/practice and for gaining experience in advanced clinical/ laboratory techniques ;</p> <p>(e) Memoranda of understanding and agreements with partner institutions (i.e. teaching hospital/training institutions) ;</p>

SCHEDULE II (Contd.)

<i>Column I</i> <i>Description of Area of Activity</i>	<i>Column II</i> <i>Identification of Evidence/Information required</i>
6. <i>Student Support Services and Welfare</i> :- The educational environment should be conducive to make the students as well as the staff feel comfortable in carrying out the academic activities. The students should be guided from the day of entry into the programme through mechanisms such as orientation programmes, academic and student counselling system, career guidance, staff etc. There should be mechanism for student's to engage in extracurricular activities. The staff also should be provided with adequate resources and welfare facilities to enable them to be motivated to contribute towards improving academic standards of the institutions and voluntarily to guide students for student-centered learning and promote their welfare.	<p>(a) Information on study programme, student support services and facilities in print and electronic media ;</p> <p>(b) Student Prospectus/Handbook ;</p> <p>(c) Management information systems and procedures ;</p> <p>(d) Teaching/practical/clinical and tutorial Schedules ;</p> <p>(e) Academic guidance and student counseling services ;</p> <p>(f) Availability of canteens, hostels, library, computer facilities, etc.</p>