



# ACADEMIC BOARD CHARTER

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# ACADEMIC BOARD CHARTER

## 1. LEGISLATIVE FRAMEWORK AND BEST PRACTICES

The following legislation and best practices were applied to develop this charter:

- 1.1 National Treasury Regulations of March 2005;
- 1.2 National Treasury Regulations Gazette No. 35939 (dated 30 November 2012)
- 1.3 National Qualifications Framework Act No 67 of 2008
- 1.4 The South African Constitution Act No. 108 of 1996; Continuing Education and Training Colleges Act No. 16 of 2006, as amended (formerly the FET Act); and
- 1.5 Public Finance Management Act No. 1 of 1999 (Act No 1 of 1999, as amended by Act 29 of 1999) (PFMA)

## 2. PURPOSE

The Academic Board (the “Board”), in its capacity as a statutory body in terms of section 15 of the CET Act, 16 of 2013, as amended has overall responsibility to all the teaching, learning, research and academic functions of the college.

## 3. DEFINITIONS, ACRONYMS AND ABBREVIATIONS

For the purpose of this charter, unless the context indicates otherwise, the following definitions, acronyms and abbreviations are set out for the terms indicated:

- 3.1 “**Academic Board**” - means the body responsible for all the teaching, learning, research and academic functions of the College as contemplated in section 11 of the Act.
- 3.2 “**Act**” – is the CET Colleges Act No. 16 of 2006, as amended.
- 3.2 “**Accounting Officer**”- is the Principal of the College.
- 3.3 “**Board**”- is the Academic Board of the College.
- 3.4 “**College**” – is a Public TVET College (formerly a FET College).
- 3.5 “**Council**”- is the Council of the College established in terms of the CET Act.
- 3.6 “**DAF**”- is the Delegation of Authority Framework Finance and Governance.

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3.7 "**Days**" - shall be construed as calendar days unless qualified by the word "business", in which instance a "business day" will be any day other than a Saturday, Sunday or public holiday as gazetted by the government of the Republic of South Africa from time to time.

3.8 "**Department**"; "DHET" – is the Department of Higher Education and Training.

3.9 "**SRC**" – is the College Student Representative Council.

3.10 "**TVET**" – is Technical and Vocational Educational and Training.

#### **4. REPORTING LINES**

The Board will report to the College Council.

#### **5. COMPOSITION**

5.1 The Board of the College consists of:

5.1.1 The Accounting Officer;

5.1.2 All Deputy Principals;

5.1.3 Members of the Council;

5.1.4 Two Members of the College SRC ;

5.1.5 The majority of the members of the Board must be College Academic Staff ; and

5.1.6 Any additional members as may be determined by Council.

#### **6. TERM OF OFFICE**

6.1 The term of office of the Board shall coincide with the Council term for Council elected members.

6.2 Members appointed in terms of paragraphs 5.1.1, 5.1.2 and 5.1.3 may hold office for as long as they are employed by the College in that capacity.

6.3 The term of office for student members automatically lapses when a student ceases to be a registered student or a member of the SRC.

6.4 Members appointed to the Board shall be notified in writing by the Chairperson of Council and this Charter shall be attached to the letter of appointment.

6.5 The number of persons contemplated in paragraphs 5.1.3, 5.1.4, 5.1.5, and 5.1.6 and the manner in which they are appointed or elected, as the case may be, must be determined by Council in accordance with the College statute, by way of a Council resolution.

#### **6.6 Termination of membership of academic board**

6.6.1 Members of the Board must participate in the deliberations of the Board in the best interest of the College.

6.6.2 Failure to act in the best interest of the College or behaviour that brings the College into disrepute may result in the removal of a member from the Board by the Council following due processes.

### **7. MEETING PROCEDURES**

7.1 The Board shall meet as often as it needs to but have a minimum of 4 meetings a year.

7.2 The Board shall report on its meetings at the next meeting of the Council.

7.3 In the absence of the Chairperson of the Board, Deputy Principal: Academic Services shall be the Chairperson; in the absence of the Deputy Principal: Academic Services, any of the other deputy principals shall be the Chairperson.

7.4 A quorum of 50%+1 of members is necessary for a Board meeting to be properly constituted and proceed provided that at least two external members of the Council are present.

7.5 A Board member who is absent for three (3) consecutive meetings without an apology shall be deemed to have resigned from the Board.

7.6 Board members shall be advised of the meeting date at least 14 days prior to the meeting.

7.7 An agenda and meeting pack for the Board shall be circulated to all members at least seven (7) business days before the meeting. Minutes of the previous meetings shall be included with the Board pack.

7.8 No additional items shall be added, if added the urgency to discuss will be assessed by the board.

7.9 All Board recommendations shall be presented to the Academic Board for approval and submitted to Council for ratification.

## **8. FUNCTIONS**

8.1 The Board is accountable to Council for the following functions:

8.1.1 All the teaching, learning, research and academic functions of the college;

8.1.2 The academic functions of the College and the promotion of the participation of women and people with disabilities in the learning programmes;

8.1.3 Establishing internal academic monitoring and quality promotion mechanisms;

8.1.4 Ensuring that the requirements of accreditation to provide learning against standards and qualifications registered on the National Qualifications Framework are met; and

8.1.5 Performing such other functions as may be delegated or assigned to it by Council.

8.2 Subject to the approval of Council and to any applicable policy, the Board must determine the learning programmes contemplated in Section 43 of the Act that will be offered at the College.

8.3 The Board must:

8.3.1 Advise the council on a code of conduct and rules concerning students;

8.3.2 Determine, in accordance with any relevant deed or gift and after consultation with the Accounting Officer, the conditions applicable to any scholarships and other Academic prizes; and

8.3.3 Determine the persons to whom scholarships and academic prizes are awarded;

8.4 Without derogating from the generality of paragraphs 7.1 to 7.3, the organisation and supervision of instruction and examinations, and of lectures and classes are vest in the Academic Board.

8.5 The Board submits to the Council:

8.5.1 Such reports upon its work as may be required by the Council;

8.5.2 Recommendations on matters referred to it by the Council; and

8.5.3 Recommendations on any other matter affecting the College that the Board considers useful.

## **9. RESOURCES**

The College should avail resources, as necessary, for the Board to fulfil its mandate without prejudice and within the confines of the College statute.

## **10. REMUNERATION**

The Academic Board members not holding executive office in the College or not employed in the public service shall be remunerated for their services on the Academic Board based on the DHET guidelines.

## **11. ADOPTION OF CHARTER**

This Charter is effective from the date on which Council approves it.

## **12. AVAILABILITY OF THE CHARTER**

A copy of this Charter should be made available on the College website.

## **13. REVIEW OF CHARTER**

This Charter will be reviewed every 3 years or as and when a need arises by College Management to ensure its relevance. Any recommended changes to the Charter should be endorsed by the Academic Board and presented to the College Council for approval.

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