ACADEMIC BOARD CHARTER

POLICY NO: 0132
# TABLE OF CONTENT

- LEGISLATIVE FRAMEWORK AND BEST PRACTICES ........................................ 4
- PURPOSE ........................................................................................................ 4
- DEFINITIONS, ACRONYMS AND ABBREVIATIONS ....................................... 4
- REPORTING LINES ....................................................................................... 5
- COMPOSITION .............................................................................................. 5
- MEETING PROCEDURES ................................................................................ 6
- FUNCTIONS .................................................................................................... 6
- RESOURCES ................................................................................................... 7
- REMUNERATION ........................................................................................... 7
- CHANGE OF MANDATE ................................................................................ 8
- ADOPTION OF CHARTER .............................................................................. 8
- AVAILABILITY OF CHARTER ....................................................................... 8
- ANNUAL REVIEW OF CHARTER ................................................................. 8
### AMENDMENT AND APPROVAL RECORD

**TITLE:** ACADEMIC BOARD CHARTER

<table>
<thead>
<tr>
<th>AMENDMENT NUMBER</th>
<th>DESCRIPTION</th>
<th>ORIGINATOR</th>
<th>APPROVED BY</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>New Policy</td>
<td>DHET</td>
<td>College Council</td>
<td>27/03/2015</td>
</tr>
</tbody>
</table>

**Policy Number:** 0132  
**Effective Date:** From date of approval  
**Next Revision Date:** 2016  
**Reviewed:** 2015  
**Approved:** 27/03/2015

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**Department:** Governance  
**Responsibility:** Accounting Officer

Prepared and submitted by the Accounting Officer to Council  
Authorised by Council (Signed by Chairperson of Council)  
**Implementation Date:** 27/03/2015

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Printed copies of all QMS documents are uncontrolled. The latest revision is available on the College website: [www.waterbergcollege.co.za](http://www.waterbergcollege.co.za)
1. **LEGISLATIVE FRAMEWORK AND BEST PRACTICES**

Key principles contained in the following legislation and best practices were applied to develop this charter:

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

2. **PURPOSE**

3.1 Section 9(1) of the Act requires the College to establish an Academic Board.

3.2 The purpose of this Charter is to establish the terms of reference of the Board.

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:

4.1 “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.

4.2 “Act” - is the CET Colleges Act No. 16 of 2006, as amended.

4.3 “Accounting Officer” - is the Principal of the College.

4.4 “Board” - is the Academic Board of the College.

4.5 “College” - is a Public TVET College (formerly a FET College).

4.6 “Council” - is the Council of the College established in terms of the Act.

4.7 “DAF” - is the Delegation of Authority Framework Finance and Governance.

4.8 “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
4.9 “Department”; “DHET” - is the Department of Higher Education and Training.

4.10 “SRC” - is the College Student Representative Council.

4.11 “TVET” - is Technical and Vocational Educational and Training.

4. REPORTING LINES

The Board will report to the College Council.

5. COMPOSITION

6.1 The Board of the College consists of:
5.1.1 The Accounting Officer;
5.1.2 The Deputy Principal (Academic) and any other Deputy Principals;
5.1.3 Nominated College Lecturers;
5.1.4 Members of the Council;
5.1.5 Members of the College SRC; and
5.1.6 Any additional members as may be determined by Council.

5.2 The Chairperson of Council or Accounting Officer of the College shall serve as the chairperson of the Board.

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

5.4 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.

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

5.6 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.

5.7 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.
5.8 The majority of the members of the Board must be College lecturers.

5.9 Termination of membership of academic board

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

5.9.2 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 process.

6. MEETING PROCEDURES

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

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

6.3 In the absence of the Chairperson of the Board, the members of the Board may appoint any external member of the Council as chairperson for the duration of the meeting.

6.4 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.

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

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

6.7 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.

6.8 All Board recommendations shall be presented to the Council for approval.

6.9 All Board recommendations shall be presented to the Council for approval.

7. FUNCTIONS

7.1 The Board is accountable to Council for the following functions:
7.1.1 all the teaching, learning, research and academic functions of the college;
7.1.2 the academic functions of the College and the promotion of the participation of women and the disabled in learning programmes;
7.1.3 establishing internal academic monitoring and quality promotion mechanisms;
7.1.4 ensuring that the requirements of accreditation to provide learning against standards and qualifications registered on the National Qualifications Framework are met; and
7.1.5 performing such other functions as may be delegated or assigned to it by Council.

7.2 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.

7.3 The Board must:
7.3.1 advise the council on a code of conduct and rules concerning students;
7.3.2 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
7.3.3 determine the persons to whom scholarships and academic prizes are awarded;

7.4 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, vest in the Board.

7.5 The Board submits to the Council:
7.5.1 such reports upon its work as may be required by the Council;
7.5.2 recommendations on matters referred to it by the Council; and
7.5.3 recommendations on any other matter affecting the College that the Board considers useful.

8. 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.

9. 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.
10. **CHANGE OF MANDATE**

   The Board may not change the terms of this charter nor act ultra vires to the mandate it is given without the prior approval of the College Council.

11. **ADOPTION OF CHARTER**

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

12. **AVAILABILITY OF CHARTER**

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

13. **ANNUAL REVIEW OF CHARTER**

   This Charter will be subject to an annual review by College management to ensure its relevance. Colleges should forward any inputs and recommendations to the TVET Branch of the Department for possible consideration during the annual review process.

   Any recommended changes to the Academic Board Charter should be presented to the College Council for approval.