

REPUBLIC OF RWANDA



**HIGHER EDUCATION COUNCIL
P.O.BOX 6311 KIGALI**

**CODE OF PRACTICE FOR OPERATING PRIVATE HIGHER
EDUCATION INSTITUTIONS**

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CODE OF PRACTICE FOR OPERATING PRIVATE HIGHER EDUCATION INSTITUTIONS

1. INTRODUCTION AND CONTEXT

This document forms part of the Code of Practice for Higher Education in Rwanda and unless otherwise indicated the precepts are mandatory.

The Government of Rwanda has a duty to protect students and other stakeholders from low quality provision and disreputable providers and ensure that students and other stakeholders can be confident in the quality of all higher education provision offered in the country. It has a responsibility to ensure that all institutions provide students with adequate information in order to enable them to make informed decisions and to ensure that students are not given misleading guidance or information.

The Code provides clear guidance to private higher education institutions as to the expectations of the Government about how they should operate in order to ensure they conform with the Laws of Rwanda, the requirements of the Ministry of Education (MINEDUC) and the Higher Education Council (HEC), and provide clear and honest information to potential and actual students.

This Code does not cover the requirements for cross border- higher education which will be issued in a separate code.

2. LEGAL FRAMEWORK

The Code incorporates statutory requirements as set out in *Law No 27/2013 of the 24/05/2013 Governing the Organisation and Functioning of Higher Education* and *Law No 72/03 of 10/09/2013 establishing Higher Education Council and determining its responsibilities, organization and functioning*. It should be read in conjunction with these Laws and the *Qualifications Framework for Higher Education (QFHE)*, the *Code of Practice for Higher Education* and the *Handbook for Academic Quality Assurance and Enhancement and the Maintenance of Standards in Higher Education*.

3. THE LEGAL STATUS OF PRIVATE PROVIDERS

Only institutions that have been awarded accreditation by the Minister of Education on the advice of the Higher Education Council may deliver award-bearing higher education programmes in Rwanda. The criteria and procedures to be followed to be awarded a provisional or a permanent operating licence are set out in the *Handbook for Academic Quality Assurance and Enhancement and the Maintenance of Standards in Higher Education*.

Prior to application for accreditation the provider should gain planning approval from the Minister of Education, through the Higher Education Council. Application for planning approval should be made as set out in the *Guide to Setting up a Private Institution of Higher Education* published by the Higher Education Council

4. CANCELLATION OF REGISTRATION

4.1 The HEC will recommend to the Minister of Education the cancellation of registration of an institution if:

- 4.1.1 The institution ceases to:
- provide higher education;
 - Meet the criteria of eligibility as set out in the *Handbook for Academic Quality Assurance and Enhancement and the Maintenance of Standards in Higher Education*;
 - Comply with any condition imposed by HEC.

4.1.2 The institution provides fraudulent, false or misleading information to HEC or in any of its public documents or advertising and marketing material.

4.1.3 The institution is liquidated; or

4.1.4 The owner or director(s) or manager is convicted of an Offence that brings into question his, her or their fitness to run a higher education institution in the view of HEC.

4.2 If HEC proposes to the Minister the cancellation of an institution's registration, representation from the institution must be considered before the final decision is made.

4.3 If the final decision is to cancel a registration, the Minister must issue a notice in writing to the institution that its registration is cancelled and that the cancellation takes effect at the end of the academic year.

4.4 The HEC will try in these circumstances to find students places in alternative institutions but cannot guarantee to do so.

5. Certificate of Registration

5.1 The certificate of registration will include the following information:

5.1.1 The registered name of the institution and, where applicable, any approved translation, abbreviation, acronym or trade name;

5.1.2 The institution's licence number as a private higher education institution;

5.1.3 Programmes licensed to be offered;

5.1.4 The sites at which registered programmes are to be offered;

5.1.5 The date of the last institutional audit;

5.1.7 The name and signature of the Minister of Education and the name and signature of the Director General of the HEC, the date of the issuing of the licence and the official stamp of the Ministry of Education and the HEC.

5.2 A certificate of registration is not transferable from one legal entity to another to another.

6. GENERAL AND TRANSITIONAL ARRANGEMENTS

6.1 Transitional Arrangements

Institutions who have signed a convention with the MINEDUC prior to these precepts being issued must comply with the requirements for registration within 12 months of them being promulgated.

6.2 Short Title and Commencement

These Precepts Govern Private Higher Education Institutions and come into effect on1st September2007.

PRECEPTS

7. GENERAL

Precept 1 – Providers must conform to the requirement of the *Law No 27/2013 of 24/05/2013 Governing the Organisation and Functioning of Higher Education*.

Precept 2- Providers must meet the requirements of the *Higher Education Qualifications Framework for Rwanda (HEQF)* and the *Code of Practice*.

Precept 3 - An institution must have a Risk Policy and must maintain a Risk Register.

Precept 4 - An institution must comply with all legal regulations relating to the health and safety of persons on its premises.

8. Programmes and Qualifications

Precept 5 – Providers may offer only award bearing programmes that lead to qualifications registered in, and conforming to, the credit requirements of the QFHE. **Precept 6** – Providers may offer only award bearing programmes that are listed in the Provisional or Definitive Operating Licence issued by the Ministry of Education and duly signed and stamped by the Minister of Education and the Director General of the Higher Education Council.

Precept 7– Providers may offer only qualifications awarded by overseas providers if they conform to the requirements set out in the *Code for the Quality Assurance of Cross Boarder Education*, published by the HEC.

Precept 8 - An institution may offer programmes of general public or professional development interest in the areas of its academic or professional competence that do not lead to an award provided that it does not suggest that it leads to an award bearing qualification registered on the HEQF and the institution does not claim or imply that they have been approved by the HEC to deliver the programme.

9. Finance

Precept 9 - An institution must submit annual accounts and budgets to the HEC by the 30th June each year that demonstrates that:

- Its income is sufficient to sustain its programmes in an acceptable manner;
- It has a stable financial position that will enable it to maintain operational continuity.

Precept 10 - An institutions must submit proof each year that it has a financial surety or guarantees such that it can meet all obligations to its enrolled students and employees, including the refunding of fees and the payment of any financial compensation due, in the event of the institution discontinuing offering programmes or ceasing to operate due to whatever reason.

10. LICENCE TO OPERATE

Precept 11 –An institution granted accreditation must be registered under its legal name, but the HEC may include in the registration certificate such translations, abbreviations, acronyms or trade names that uniquely identify the institution.

An institution cannot be registered under:

- (a) A name that the HEC considers to be fraudulent, false or misleading; or
- (b) The same name as another institution licensed by the HEC.

11. MAINTENANCE OF LICENCE TO OPERATE

Precept 12 – An institution must continue to fulfil the requirements for registration, discharge the responsibilities of a registered institution and comply with any requirements imposed by the HEC.

Precept 13 – An institution must notify the HEC of any change in the information submitted in its application for a provisional or definitive operating licence and must be given permission in writing before it recruits students to new programmes.

11. QUALITY ASSURANCE

Precept 14 - An Institutions must permit itself to be subject to a periodic evaluations by HEC at intervals to be determined by the HEC and comply with any other reasonable processes arranged by the HEC for the purpose of monitoring compliance with the requirements set out in the *Law No 27/2013 of 24/05/2013 Governing the Organisation and Functioning of Higher Education*, the *Higher Education Qualifications Framework for Rwanda*, *The Code of Practice* and the *Handbook for Academic Quality Assurance and Enhancement and the Maintenance of Standards in Higher Education* and any conditions of registration as imposed by the HEC.

Precept 15 - An institution must maintain the necessary academic and support staff with appropriate academic or professional qualifications and experience to achieve the objectives of each of the programmes it delivers.

Precept 16 - Institutions must have in place effective arrangements to maintain appropriate academic quality and enhance the quality of the student learning experience including assessment policies and procedures using external examiners appropriate to each programme in conformity with the Code of Practice issued by the HEC (Appendix 1).

Precept 17 - Institutions must monitor the success of their programmes against appropriate internal and external indicators and targets.

Precept 18 - Institutions must have in place mechanisms to collect, review and where appropriate respond to feedback from all concerned with the delivery of programmes. They must make arrangements for feedback to be considered openly and constructively and for the results to be communicated openly.

Precept 19 – Institutions must put in place and bring to the attention of students and relevant staff clearly defined mechanisms for monitoring and supporting student progress.

Precept 20 - An institution must provide sufficient space, equipment and learning materials to provide education and training of sufficient standard to achieve the objectives of each programme. *The Standards in Higher* issued by the HEC provides guidance on what is acceptable.

Precept 21 - An institution must not exceed the enrolment numbers that the facilities and equipment can reasonably accommodate.

Precept 22 - An institution must maintain full records of each student’s admission, academic progress and assessment of learning in respect of each programme.

Precept 23 - An institution must comply with any other requirements as set out in the documents issued from time to time by the HEC.

Precept 24 - An institution must report immediately to the HEC:

- (a) The loss of physical facility necessary for the proper conduct of a programme;
- (b) The loss of any supporting service to a programme;
- (c) A change in the site of delivery of a programme;
- (e) Any significant reduction in the financial or personnel resources needed to sustain a programme;
- (f) The intent to acquire another entity or institution.

12. Display of Registration Status

Precept 25 - An institution must display its registration or a certified copy in a prominent place accessible to the public and to all students on each of its sites.

Precept 26 - An institution must have the following statement in full in its letterhead and on all official documents –

- (a) For an institution with a definite operating licence , “Licensed with the Government of Rwanda as a private higher education institution under the *Law No 27/2013 of*

13. Registered Programmes

Precept - 27 An institution must offer only award bearing programmes, and only on such sites as have been approved by the HEC, as are listed on the registration certificate.

Precept - 28 An institution must ensure that any registered programme is continued long enough to enable any cohort of students to complete the full programme, but if unavoidable circumstances prevent this –

- (a) The HEC must be informed without delay;
- (b) The institution must make reasonable arrangements to enable the affected students to complete the programme at a comparable public or private institution; and
- (c) Despite (b), the institution must ensure that its students are appropriately reimbursed or compensated by utilising the financial surety or guarantee referred to in Precept 10.

14. Information for Students , Staff, the Public and Other Stakeholders

Precept 29 An institution must publish at least once a year a calendar, prospectus or brochure for the information of students and the public containing the following information:

- (a) Registered name of the institution;
- (b) Contact details for the head office and of each of the site offices;
- (c) Mission statement;
- (d) Legal status;
- (e) Name of Chair of the Board of Directors, Rector (chief executive), Vice Rectors and senior managers;
- (f) The members of the Board of Directors and of the Senate;
- (g) The meeting schedule for the Board of Directors, the Senate and the Executive Council;
- (h) Semester dates, dates of scheduled examinations and dates of examination boards;
- (f) Names and qualifications of all full-time and part-time academic staff employed by institution;
- (g) Admission requirements and procedures including recognition of prior learning;
- (h) Mode (s) of instruction;
- (i) Details of each registered programme by site;
- (j) Accreditation status of each registered programme;

- (k) Regulations for all taught programmes including assessment, academic credit accumulation, progression and qualifications;
- (l) Fees and charges including refund(s) in case of cancellation or withdrawal;
- (m) Student support services;
- (n) Rules or codes of conduct for staff and students;
- (o) Complainants procedures;
- (p) Disciplinary procedures.

15. ACADEMIC RECORDS

Precept 30 - An institution must keep a comprehensive record of the academic achievement of each student enrolled on a registered programme.

Precept 31 - An institution must make available to an enrolled student or former student, on request, a certified transcript of his or her academic record which shows the following:

- (a) Full name;
- (b) Identity number;
- (c) Student number;
- (d) Modules taken by code number and name for each year in chronological order;
- (e) Mark or grade for each module, with an explanatory note on the marking or grading system; and
- (f) Qualification awarded.

Precept 32- An institution must make available to an enrolled student or former student on request a copy of a diploma awarded to the student.

Precept 33 - An institution must provide for HEC by the 31st March each such information as it requests to maintain the Higher Education Statistical Data Base. HEC will inform the institution of the data required.

16. STAFF

Precept 34 – All staff must be issued with a legal contract of employment that sets out the terms and conditions of their employment and has attached to it a job profile.

Precept 35 – The terms and conditions of employment of academic staff must be comparable to those enjoyed by staff of an equivalent grade employed in public sector higher education institutions.

Precept 36 - Institutions must have a staff handbook that contains the following information:

- (a) The Staff Code of Conduct;
- (b) Staff Regulations
- (c) Staff Disciplinary Procedures;
- (d) Staff Complaints Procedures;
- (e) Health and Safety Policy;
- (f) The Staff Performance and Review Scheme;
- (g) Staff Development Policy;
- (h) Equal Opportunity Policy;
- (i) Maternity /Paternity Leave Policy;
- (j) Procedures for requesting leave and for getting permission to go on official missions inside a the country and abroad;
- (k) The Staff Association.

17. Students

Precept 37 – Institutions will provide appropriate student services for students including, but not limited to counselling, medical services, careers guidance, canteen facilities and cultural, recreational and sporting facilities.

18. Official Documents, Marketing and Advertising

Precept 38 - An institution must ensure that all information about its approved programmes and accreditation status is accurate and make no false, fraudulent or misleading statements.

Precept 39- An institution may **not** display on its letterhead, official documents, marketing or advertising materials the national coat of arms of the Republic of Rwanda and/or the logo of the HEC.

Precept 40 - An institution may advertise any programme of general public or professional development interest in the areas of its academic or professional competence provided that it does not claim or imply that it leads to an award bearing qualification registered on the NQF and must not claim or imply that they have been approved by the HEC to deliver the programme.

19. Information Required by the HEC

Precept 41- An institution must submit such information as the HEC may reasonably require for the purpose of monitoring compliance with the Law, monitoring and evaluating the implementation of the higher education strategic plan, planning the shape and size of the sector and maintaining the higher education information management system, including but not restricted to:

- (a) A strategic plan in line with the Higher Education Strategic plan;
- (b) An annual operating plan;
- (c) An annual report to be submitted on or before 30 June of each year and comprising:
 - (i) An audited annual financial statements;
 - (ii) An annual auditor's report;
 - (iii) A review of the previous years operating plan.
- (d) Information required in respect of the monitoring and evaluation contemplated in Precepts 14 – 22;
- (e) Any other information in the form specified by the HEC.

20. Lapse or Cancellation of Registration

Precept 42 - An institution that has been notified by the HEC on behalf the Minister of Education that its accreditation has been cancelled must:

- (a) Inform its students within 14 days from the date of the Minister of Education's notice that its accreditation has been cancelled and notify the students of the arrangements that will be made to safeguard their interests in terms of this regulation;
- (b) Issue to each enrolled student a copy of his or her academic transcript as contemplated in regulation 24(2);
- (c) Reimburse or compensate any enrolled student who has a lawful claim on the institution as a consequence of its ceasing to operate from funds established as contemplated in regulation 12(2);
- (d) Make adequate arrangements for affected students to complete their programmes at a comparable public or private institution; and

(e) Cease operating before or at the end of the academic year, and any institution that fails to comply is guilty of an offence.

21. APPEALS

Precept 43 - An interested person who appeals against a decision of the Ministry of Education must lodge the appeal in writing to the Minister within 30 days of the date of the decision.

An appeal document must specify –

- (a) The decision being appealed;
- (b) The grounds for the appeal; and
- (c) The remedy being sought.

The Minister must decide an appeal within 60 days of its being lodged at the official offices of the Ministry of Education unless there are compelling reasons for delay and the Minister has informed the appellant accordingly.

APPENDIX 1

Republic of Rwanda



Higher Education Council

HIGHER EDUCATION QUALIFICATIONS FRAMEWORK AND CODE OF PRACTICE

These documents must be adopted, and institutions must demonstrate that they conform to its requirements:

- **RWANDAN NATIONAL QUALIFICATIONS FRAMEWORK FOR HIGHER EDUCATION INSTITUTIONS**
- **NATIONAL STUDENT ADMISSION POLICY**

Institutions must demonstrate that they conform to the underlying principles of these documents and justify any variation of detail

- **GENERAL ACADEMIC REGULATIONS**
- **NATIONAL LEARNING, TEACHING AND ASSESSMENT POLICY**
- **PROCEDURES FOR THE VALIDATION OF MODULES AND PROGRAMMES**
- **NATIONAL POLICY ON LANGUAGE TEACHING IN HIGHER EDUCATION**
- **NATIONAL POLICY ON ACADEMIC APPOINTMENT AND PROMOTION PROCEDURES**
- **CALCULATING ACADEMIC STAFFING IN HIGHER EDUCATION INSTITUTIONS**
- **NATIONAL EQUALITY AND DIVERSITY POLICY FOR HIGHER EDUCATION**
- **CODE OF PRACTICE – EXAMINATIONS**

- **CODE OF PRACTICE – DISTANCE LEARNING**
- **NATIONAL POLICY ON INTERNAL AND EXTERNAL MODERATION**
- **STANDARDS FOR STUDENT PROGRAMME AND MODULE HANDBOOKS**
- **ACADEMIC WORK LOAD PLANNING: NATIONAL POLICY AND PRACTICE**

The following papers offer guidance in good practice. Institutions should demonstrate that their practice follows the principles embodied in them and should justify any substantial departures of practice:

- **STUDENT REGULATIONS AND DISCIPLINARY PROCEDURES IN HIGHER EDUCATION**
- **NATIONAL STUDENT SUPPORT AND GUIDANCE POLICY**
- **NATIONAL STAFF DEVELOPMENT POLICY FOR HIGHER EDUCATION**
- **RECRUITMENT, SELECTION AND APPOINTMENT POLICY AND PROCEDURE**

This document must be adopted if relevant, and institutions must demonstrate that they conform to its requirements, but it may not be relevant to all institutions:

- **FRAMEWORK AND REGULATIONS FOR THE AWARD OF HIGHER DEGREES BY RESEARCH, and REGULATIONS ON CHEATING AND PLAGIARISM IN RESEARCH DEGREES**

The following documents are supplied as guidance and/or resource:

- **THE NATIONAL QUALIFICATIONS FRAMEWORK AND MODULAR PROGRAMMES – A BRIEF OVERVIEW**
- **NOTES OF GUIDANCE: PROGRAMME PROPOSAL FORM**
- **NOTES OF GUIDANCE: MODULE DESCRIPTION FORM**
- **NOTES OF GUIDANCE: PROGRAMME SPECIFICATION FORM**
- **PERSONAL DEVELOPMENT PLANNING**
- **MODAL RESEARCH PROJECT HANDBOOK**
- **MODEL STUDENTS COMPLAINTS PROCEDURES**

- **RESOURCES FOR PERSONAL DEVELOPMENT PLANNING FOR RESEARCH STUDENTS**
- **FORMS FOR RESEARCH STUDENT MANAGEMENT**

This document must be adopted by PRIVATE PROVIDERS, and they must demonstrate that they conform to its requirements:

- **CODE OF PRACTICE FOR OPERATING PRIVATE UNIVERSITIES**

This document must be adopted by PUBLIC SECTOR INSTITUTIONS, and they must demonstrate that they conform to its requirements:

- **STAFF DEVELOPMENT POLICY FOR PUBLIC SECTOR INSTITUTIONS**