The University of the West Indies

REPORT OF THE GOVERNANCE IMPLEMENTATION COMMITTEE

Introduction and Background

A review of the major governing bodies of the University of the West Indies had been initiated by Sir George Alleyne, the Chancellor in 2004 with the assistance of a Task Force on Governance whose recommendations were presented in a report to the University Council in April 2006. Whereas several of the recommendations were accepted in principle by Council, certain controversial issues received further consideration by a Governance Review Committee, chaired by the Deputy Principal of the Mona Campus. Consequent on Council’s approval of the changes proposed by both the Chancellor’s Task Force on Governance and the Governance Review Committee, the Vice-Chancellor approved the formation of a Governance Implementation Committee to convert into action, the decisions taken at the Extraordinary Session of the University Council in November 2006. The Vice-Chancellor approved the formation of an Implementation Committee and invited Professor Marlene Hamilton, Pro-Vice-Chancellor Board for Undergraduate Studies (BUS) to chair the Committee. The Vice-Chancellor also approved a modus operandi for the Committee.

The modus spoke to establishing (i) a Core group, to work through the several documents and interview key persons involved in specific areas addressed in the recommendations; and (ii) an expanded Committee, including the key persons mentioned above, together with cross-campus and student representation, to receive and comment on the information discerned by the Core group.

Membership of the Committee

The Core group consisted of Professor Hamilton, Mr. Joseph Pereira, Mrs. Gloria Barrett-Sobers and Mrs. Beverley Pereira. The larger Committee on the other hand included, in addition to the Core group, Professor Lawrence Carrington, Pro Vice-Chancellor Board for Non-Campus Countries & Distance Education (BNCCDE) and the PVC-Designate, Professor Hazel Simmons-McDonald (to speak on issues related to their Board and the Open Campus proposal); Professor Wayne Hunte, Pro Vice-Chancellor, Board for Graduate Studies and Research (to discuss matters pertaining to the two main dimensions of this Board), Professor Leo Moseley, Deputy Principal Cave Hill, Professor Gurmohan Kochhar, Deputy Principal St. Augustine and the President of the Guild of Students at Mona, Mr. Dayton Campbell.

The PVC-Designate, Board for Undergraduate Studies, Professor Alvin Wint, together with the Graduate Studies Coordinators and Professor Clement Sankat were also consulted on specific issues.

Terms of Reference

The terms of reference for the Governance Implementation Committee were to guide the transformation process and to work collaboratively with the Standing Committee on Ordinances and Regulations (SCOR). Specifically, the Committee was to collate the recommendations made regarding the governing bodies, capturing the various changes to be made to the Statutes and
Ordinances, to establish an implementation schedule and to prepare and submit a report to the next meeting of Council on May 31 and June 1, 2007.

Activities Undertaken to Advance the Work of the Committee

Seven meetings of the Core group were held between January, and April, 2007. This body also met with the PVC Research and Graduate Studies Coordinators on two occasions and with the PVC and PVC-Designate, NCCDE three times. The Chair held discussions with the PVC-Designate, BUS on one occasion. The main interviews were concluded during March, 2007 at which time the draft report was prepared for circulation to the full Committee.

Operational issues as they have arisen, and as they might assist the smooth adoption of any revised Statutes or Ordinances, have been noted and are reported herein. It is recommended that decisions on these issues should be reflected in various Manuals of Procedures at Campuses and at Centre.

The Findings

These relate specifically to the decisions taken at meetings of the University Council held on April 20-21, 2006 and November 9, 2006, the latter having considered recommendations of the Governance Review Committee as well. The Implementation Committee has seen fit to offer additional or alternative recommendations for the further consideration of University Council.

   - The posts of Treasurer and Pro-Chancellor, which had never been established, to be abolished – Statutes 6, 8 & 18, Clause 1(a);
   - The membership of Council to be: (c.f Statute 18, Clause 1(b)
      - Chancellor (Chair)
      - Vice-Chancellor
      - Campus Principals (4)
      - Chairs of Campus Councils (4)
      - University Registrar (1)
      - University Bursar (1)
      - University Librarian (1)
      - Chairs of the Boards (2)
      - Representatives of contributing countries (15)
      - Chancellor’s nominees (5) **N.B. to be rotated on a 3-yearly basis**
      - Representatives of Academic Boards (8 - i.e. 2 from each campus, including the Open Campus)
      - Chair of Committee of Deans (1)
      - Representative of ACTI (1)
      - Guild of Students (4)
      - Alumni representatives (2)
      - Senior Administrative Staff & Professional Staff categories (1)
      - Administrative, Technical & Service Staff (1)
   
   **Total: 53 members**

   [Note that nomination of a Resident Representative in the Non-Campus countries would now be superfluous, so Clause 1(h) of Statute 18, should be eliminated]
The Committee saw the need for the category “Chairs of the Boards” in the composition of University Council’s membership, to be changed to “Pro-Vice-Chancellors”. The rationale was to ensure the inclusion of any Pro Vice-Chancellor who did not chair a Board, e.g., PVC Research or PVC Planning and Development in the Council’s membership. This would therefore increase the total membership by 2.

The Committee also invites University Council to broaden Ordinance 11, Clause 1(b) to include members of Council, Campus Councils and the University Strategy & Planning Committee as the bodies from which membership can be drawn in respect of the University Audit Committee. The reduction in the external membership of the University Council makes it difficult to identify members who are not members of staff to serve on this body.

2. University Finance and General Purposes Committee [c.f. p.50 of C.P.3 (2005/06); and Mins. #67-69: 20-21/04/2006]

- The wording of Clause 5(g) of Ordinance 9 to read: “Three persons from the general public with expertise in financial matters to be nominated by the Chancellor”


- Ordinance 10 to be amended to reflect the change in name of the Committee to ‘University Strategy and Planning Committee’
- Text to be drafted to expand on the functions of the Committee as recommended by the Governance Task Force: “The functions of the Committee should be clearly defined to include those set out in Ordinance 10, Clause 5: advising on the University’s planning operations and functions; evaluating the University’s Strategic Plan for presentation to Council; evaluating the budgetary implications and monitoring the Plan against its Key Performance Indicators”
- Clause 2 of Ordinance 10 to be modified to eliminate reference to policy-making
- Membership of the Committee (see Clause 1(a-k)) to be as follows:
  - Vice Chancellor (Chair)
  - Campus Principals (4)
  - Chairs of Boards (2)
  - University Registrar (1)
  - University Bursar (1)
  - University Librarian (1)
  - Representatives of Academic Board (4)
  - Chair, Committee of Deans (1)
  - Alumnus representative (1)
  - Student representative (1)
  - Chancellor’s nominees (3) to be persons with relevant expertise
  - Person primarily responsible for Planning across the University
- Total members: 21

- The Committee recommended the removal of “Person primarily responsible for Planning across the University” to be replaced with ‘Pro-Vice-Chancellor Planning and Development’

- The Committee again saw the need for the category “Chairs of the Boards” in the membership of the Strategy & Planning Committee, to be changed to “Pro-Vice-Chancellors”. The rationale was to ensure the inclusion of any Pro Vice-Chancellor who did not chair a
Board, e.g., PVC Research, in the membership. This would therefore increase the total membership by 1.

Removal of the government representatives from the Strategy & Planning Committee ought to be compensated by prior consultation before submission of the Strategic Plan 2007-2012 or other pertinent strategy proposals to the University Council (Min. #20: 09/11/2006), the process to be facilitated by the University Registrar.

4. **Campus Councils** [c.f. p.51 of CP.3 (2005/06); p.4 of C.P.1(2006/07); Min.#99: 20-21/04/2006; and Min. #21: 09/11/2006]
   - Clause 1(k) of Statute 21 to be amended to stipulate that estimates of expenditure should be generated by Campus F&GPC for presentation to University Council; and
   - Text to be drafted to provide that financial matters pertaining to campus-specific fellowships, etc. be delegated fully to Campus Council.
   - Membership at Statute 19, Clause 1 to be amended to include a representative drawn from among the Senior Administrative Staff and Professional Staff categories
   - The Campus Librarian to be invited to attend meetings of Campus Council

Three operational issues were discussed: Firstly, with regard to the improved linkages between the Campus Councils and the University Council, the Committee proposed that the intention was for independent reports to be submitted by the Chairs of the Campus Councils to the University Council, distinct from the reports which usually come from the Campus Principals. Secondly, there needed to be the stipulation that annual reports of decisions taken should be presented to University Council by the Campus Council and *vice versa*. Finally, a mechanism should be found to ensure that the representatives who have been appointed by the Governments of Contributing Countries to serve as members of Campus Council are encouraged to attend the meetings. All of these matters should be facilitated by the Registrars.

5. **Campus F&GPCs** [c.f. p51 of CP.3 (2005/06); p 4 of C.P.1 (2006/2007); Min. #100: 20-21/04/2006; and Min. #21: 09/11/2006]
   - Ordinance 25 to be amended to reflect the inclusion of Chairs of Campus Councils as *ex officio* members of Campus F&GPCs

It was also noted that a representative of the Office of Student Services should be in attendance at meetings. The campuses would be formally advised by the University Registrar.

   - Clause 1 of Statute 28 to be amended to include in membership of the Board the Deputy Principal of each campus, two representatives of each Academic Board (one of whom must be a Dean), the University Librarian and the Chair of the Committee of Deans. The membership would therefore be increased by 6. Issues of Dean of the Open Campus to be resolved.
   - Clause 3 of Statute 28 to be amended to reflect the Board’s responsibility for not only managing but *assessing* the process of quality assurance.
   - Text to be drafted to stipulate that responsibility for library services should reside fully with the Board for Undergraduate Studies.
• Delete the Statute 25.2(k) provision from Statute 30

The Committee proposed that the current PVC BUS and PVC-designate should meet to discuss with the relevant campus authorities details for ensuring implementation of recommended policies or quality assurance initiatives. Also to be established (where this does not exist on each Campus) is a sub-committee of Academic Boards to manage quality assurance and related issues, particularly the monitoring of follow-up actions arising from the reviews. Another area to be addressed is the provision of greater resources for the Office of the Board for Undergraduate Studies, in particular, additional Programme Officers to supervise the quality assurance process, monitor follow-up actions and collaborate on related initiatives. This is in addition to any Programme Officers with specific responsibility for the quality of Graduate Programmes, who might join the Unit. The PVC/PVC-Designate to follow up.


- Statute 30, Clause 1 to be modified to reflect that the Pro-Vice-Chancellor Graduate Studies to Chair the Board for Graduate Studies & Research and the Pro-Vice Chancellor Research to be a member *ex officio*.
- Statute 30, Clause 1 to be modified to include representation on the Board by the Deans; also the University Librarian or nominee.
- The Chair of the Committee of Deans to also be a member *ex officio* of the Board for Graduate Studies & Research
- Ordinance to be drafted to establish a Research Advisory Committee, consisting largely of persons external to the UWI and representing relevant interests and expertise. The Pro-Vice-Chancellor Research would chair this Advisory Committee, with the PVC Graduate Studies a member.

Operational guidelines appear in **Appendix A** (an outline of the focus of the Office of Research and the Research Advisory Committee proposed); and **Appendix B**, the re-defined role of the Campus Coordinators.

The Committee also received a recommendation for Ordinance 25 to be adjusted to accommodate the Campus Coordinators as members of the Campus F&GPCs, where decisions are made regarding financial matters affecting the BGSR e.g. graduate fees. This however was not supported, for it was felt that the matter could be adequately covered by including the Coordinators by invitation. The Committee recommends that the Campuses consider this suggestion.

The Committee reviewed the previous experience of having the two PVCs co-chair meetings of the BGSR and learnt that even though they chaired alternate meetings, each addressed matters relating to their respective portfolio, and also, normally had the final ruling thereof. The Committee learnt further that the matters coming to BGSR tended to be regulatory in nature and the majority of items focused primarily on graduate teaching rather than on research-related issues. It was noted that as an *ex officio* member the PVC Research did not have a vote on the Board. The Committee therefore recommends that “*ex officio*” be deleted from the Governance Review Committee’s recommendations which had been approved at the Extraordinary Meeting of Council held on November 9, 2006 and recorded at Mins. #28-29. The Committee supports the discretionary appointment by the Vice-Chancellor of one chair of the BGSR.
Being cognizant of the fact that research was critical to the developmental future of the UWI, Mrs. Pereira, the University Counsel suggested that perhaps a similar study to that commissioned by the Vice-Chancellor on the UWI graduate programmes was desirable for Research. This should take account of recommendations pertaining to Research which will surface in the new Strategic Plan.


- University Council agreed in principle with the notion of dismantling the Board for Non-Campus Countries and Distance Education (BNCCDE) and consolidating the entire outreach sector through the establishment of The University of the West Indies Open Campus. The implications for amendment and revision of existing Statutes and Ordinances are far-reaching. However, since the process of transformation is still underway, instructions for action in this regard are limited to the structural recommendations on specific issues which have been received from the BNCCDE Working Group.

- It is to be noted that decisions concerning statutory issues have been advised by a brief prepared by Professor Ralph Carnegie (Chair of SCOR), and attached at Appendix C of this submission.

- The proposed membership of the UWI Open Campus (OC) Council to be:
  - Chair (1): To be drawn from outside
  - Vice-Chancellor (1): A nominee to represent the Vice-Chancellor will no longer be appropriate
  - Principal / PVC (1): It is envisioned that the PVC will assume the principalship
  - Campus Principals or Deputy Campus Principals from each of the other campuses (3)
  - Deputy Campus Principal (1)
  - Campus Registrar (1)
  - Representatives of contributing governments (5): Term will be for 3 years. University Council will decide the countries to sit on a rotating basis
  - Chancellor’s nominees (2): Regional spread to be achieved by rotation; term of office to be specified
  - Directors of the Open Campus (3+): Number may be modified based on the structure of the UWIOC – currently being determined (to be finalised next year)
  - Non-Professorial member of staff elected by the Academic Board of the Open Campus (1)
  - Representatives of Academic Board of Open Campus (3): To be finalised
  - Representatives of ACTI (2)
  - Representative from the Alumni Association (1): Central Executive to name the representative
  - Two Students, one of whom to be a postgraduate (2): To be selected via a Virtual Student Guild
  - Non-Academic Staff (1)
  - Head of Centre (Resident Tutor) (1)
  - University Librarian (1)
  - Chair Committee of Deans or nominee (1)

  **Total: 31+ members**

- *Ordinance 1 to be revised to include a Students’ Society in the Open Campus which is to be set up as a virtual entity. The amendment to also stipulate how the representatives are to be selected.*
- Ordinance 47 to be deleted
- Statute 29 to be deleted.


   - An *Ordinance* to be drafted to formally establish the Committee of Deans as a Standing Committee of Senate with the following powers and responsibilities as set out in the Governance Review Report:
     1. To serve as a mechanism for the co-ordination of inter-campus discussions among Deans on important and major matters in the University and to advise the Vice Chancellor and other University Officers accordingly.
     2. To hold regular meetings with the Vice Chancellor on these and other matters: such meetings to be included in the University’s Calendar and to constitute a medium for the exchange of views.
     3. To advise the major University bodies on policy matters especially but not exclusively with regard to:
        - Board for Undergraduate Studies (BUS)
        - Board for Graduate Studies and Research (BGSR)
        - Board for Non-Campus Countries and Distance Education/UWI Open Campus (BNCC&DE/UWIOC)
        - University Appointments Committee (UAC)
        - University Finance & General Purposes Committee (UF&GPC)
        - University Strategy & Planning Committee (USPC)

   - In addition, the Committee recommends that, separate and apart from the Recommendation 34 of the Governance Task Force that “Deans be represented on the Board” (for Graduate Studies & Research) the Chair of the Committee of Deans be also a member ex officio of the Board for Graduate Studies & Research.

*May 12, 2007*
APPENDIX A

THE OFFICE OF RESEARCH

Developing research capacity and output at UWI is an on-going challenge that requires a multi-faceted approach. The Office of Research focuses on:

- Facilitating inter-campus collaboration to create stronger research teams, to ensure that the University functions as one integrated regional institution, and thereby to enhance international credibility and competitiveness;
- Facilitating collaboration with other research institutions and researchers of high international repute;
- Hosting Workshops and Seminars to develop researcher capacity at UWI, by improving their research and publication skills, their student supervisory skills, their proposal preparation skills, and their knowledge of donor agencies, intellectual property and patent application procedures;
- Providing information on research funding opportunities, and assistance to UWI researchers in the development of proposals for support of their research;
- Facilitating Stakeholder awareness of, and participation in, the development of UWI’s research agenda;
- Improving the formal recognition of outstanding UWI researchers;
- Assembling and managing a research and researcher database, to provide information on research activities across the Campuses, to promote the development of new research proposals and to provide information on regional and international research trends;
- Developing and implementing new policies at UWI to create the necessary enabling environment for research;
- Developing and administering policies and procedures for ensuring international standards on ethics in research at UWI;
- In collaboration with the Legal Unit, developing and administering policies on patents, copyright, intellectual property, technology transfer and innovation.

THE RESEARCH ADVISORY COMMITTEE

The proposed Research Advisory Committee would be a mechanism to allow key research stakeholders within and outside of UWI to meet and review the total research programme of the UWI, with emphasis on its organization, relevance and quality, and to make recommendations to the University’s Finance and General Purposes Committee or Council on issues in need of specific institutional attention. It is proposed that the Committee would meet at least once annually and be chaired by the PVC Research. Important UWI stakeholders on the Committee would include the PVC Graduate Studies, the Campus Offices of Research, the Heads of Research Centres and Institutes, Deans, Bursars, Students, inter alia. External Stakeholders on the Committee would include representatives of Governments, Businesses, Industry, NGO’s, inter alia.
Redefining the Role of Campus Coordinators

The Implementation Committee in its meeting of February 7th, 2007 outlined as one of the areas to be addressed by the Committee in its report to Council, the “redefining the role of Campus Coordinators.” The Campus Coordinator is the chief operational/implementing officer of the School for Graduate Studies and Research on the campus. In addition, that officer is an integral part of the policy making structure for graduate studies and research as a member of the Board and chair of the two related campus committees. The Memorandum of Understanding, (MOU), FGP.P 3B, 1997/98, para. 7.14, states, “The Coordinator will serve as the pivotal link between the Central Board and the operating units of the School. . .” Any redefined role of the Campus Coordinator has to be considered against the proposed restructuring of the School. That is, any restructuring or reorganisation of the School implies a reordering of the responsibilities and functions of the Campus Coordinators. This is in addition to those which might arise from the implementation of the recommendations arising from the Sankat Report and further developed by Barriteau and Jackson in the Implementation Matrix.

The proposed governance structure adopted by Council and now being reviewed is for two PVCs, one Board for Graduate Studies and Research and the establishment of a Research Advisory Committee. The anomaly raised by the PVC Research may replicate itself at the campus level. The Campus Coordinators are responsible for the regulatory work of the BGSR and ensuring equitable funding of Faculty and postgraduate research utilising Campus-based and Centre funds (administered by the PVC Research). Yet in terms of reporting, in the restructuring, Campus Coordinators report to BGSR and its PVC and not to the PVC Research nor to the Research Advisory Committee. If the new governance structure originates in the recommendation in the Sankat Report, then the anomaly raised by the PVC Research is reflected in the organisational chart on page 89 of the Report. For example with a clear demarcation of responsibilities for graduate studies and research at the level of the Board\ Research Advisory Committees and PVCs, there has to be a determination as to whether the Coordinators will continue to be responsible for both at the Campus level. The organisational chart shows the Campus Coordinator chairing the Campus Committee with a direct link to the Board for Graduate Studies and a lateral link to Academic Board. While there is a parallel Campus Office of Research there is no link to the Campus Committee nor to Academic Board. The proposed Campus Office for Research is also not linked to the Board for Graduate Studies. This appears problematic and requires some rethinking on how research is conceptualised and its relation to graduate studies. With the hierarchy created between the responsibilities of the two PVCs in policy making and final authority for research, it is not clear which PVC will have oversight for research at the Campus level. It is also not apparent that the Campus Coordinators will be members of the Research Advisory team.

Current Functioning of the Campus Offices of Graduate Studies and Research

Campus coordinators currently carry out most of the responsibilities outlined in the MOU with varying degrees of success, and with some exceptions. The chief functions include, but are not limited to:

- Conducting the work of the Board at the Campus level to assist Faculties, Departments, Centres and Institutes to develop and expand graduate education.
- Keeping the PVC Graduate Studies and the PVC Research and the Board fully informed of Campus activities through the regular submission of reports and statistical data.
Administering the activities of the Graduate School on each Campus with the exception of registrarial matters

Convening and chairing regular meetings of the Campus Committee and the Campus Research Awards/Campus Research and Publications Committee.

The areas which prove challenging, include:

< Ensuring that targets for graduate enrolment are achieved on a given campus (affected by many intervening variables, Implementation of Reforms for Graduate Studies intend to correct these), par. 7.4, MOU.

< Paying particular attention to improving the quality of graduate student life and the services and facilities provided for students, par. 7.12, MOU. (Implementation Matrix addresses this)

< Ensuring that research priorities are identified and pursued at each campus and that the objectives of expanding the quality and relevance of research output are achieved, par. 7.5, MOU. This may no longer be a responsibility if research is delinked from graduate studies. The interconnectedness between graduate studies and graduate as well as faculty research is not clearly defined and this aspect of the School’s work at the campus level is fuzzy. The review to be submitted by the PVC Research to the Governance Implementation Committee should assist in clarifying this. There is an underlying ambiguity or fuzziness about research within the School which has to be explicitly addressed. In the discussion of Graduate studies, research often seems to mean the work of students towards gaining degrees. When research is spoken of generally it is often a coded reference to the work of Faculty which may or may not include students, (and there are examples of faculty members who conduct research, are prolific publishers and supervise no graduate students). The interdependence of Faculty and graduate student research has to be centralised in the mandate of the School.

< Developing and applying systems of quality assurance (Major area for improvement which should be realised with the appointment of Quality Assurance Officers and the tightening of administrative procedures).

Coordinators do serve as the pivotal link between the Central Board/School and operating units. However, the developmental and support roles in the expansion of graduate education and research need to be considerably strengthened.

**Optimal Functioning\Revised Mandate of the Campus Coordinators**

To move to a fully developmental and supportive role the issue of overload has to be addressed by the routine provision of a supernumerary position to relieve the appointed Campus Coordinator of some of her or his responsibilities in the substantive post. Still, the regulatory function of Campus Coordinators will remain essential however much they become involved in policy. The MOU describes the Campus Coordinator as a senior academic on the campus who is “a working coordinator and whose role is primarily developmental”, para. 2.2. As such there are areas of responsibility requiring greater delegation. This will substantially alter the speed at which some functions of the school are discharged. Disciplinary procedures, for example, are sensitive and time consuming matters that need to be dealt with swiftly if the offenders are not to become victims through delay in the delivery of justice. Responsibility for disciplinary matters should be delegated to Campus Coordinators to be ratified by the PVCs.

An improved throughput of graduate students is positively affected by prompt and effective response to poor supervision. Campus Coordinators know intimately the crises students experience with poor supervision and the attendant negative publicity generated from these adverse conditions. Campus Coordinators should be empowered to change non functioning supervisors.

The PVCs should ensure colleagues do not bypass the regulatory and quality assurance controls of the Campus Committees by appealing directly to the PVCs for changes in policy, support of
programmes and amendments of existing programmes, without such proposals being first tabled and discussed at the Campus level. There should be adherence to the policy that campus matters related to graduate programmes and tabled at the Board, should be brought to the Board by the Chair of the Campus Committees.

Campus Coordinators will work very closely with the PVCs and Campus Principals \ PVC Fourth Campus to strengthen the shift in emphasis from undergraduate to graduate teaching, supervision and research. Campus Coordinators also have a responsibility to assist in building regional connections and significantly enhancing the University’s capacity to deliver graduate programmes across the region, perhaps through a multi-modal delivery system.

Campus Coordinators will also work closely with Campus Principals and PVC Fourth Campus, and Senior Assistant Registrars, Graduate Studies, to facilitate and insist upon a student centred approach in all policies and programmes throughout the University.

Given the reforms and recommendations arising in the Sankat Report and detailed in the Implementation Matrix and Steps in the Action Points for Graduate Studies, Campus Coordinators should be members of Campus Appointments Committees. The Coordinators should submit factual records to the Chair, CAC on colleagues being considered for promotions of Senior Lecturer and above.

In summary, a revised mandate for the Role of Campus Coordinators should:

1. clear up anomalies and ambiguities as it relates to graduate studies and research and ensure that the significance of research is not diminished. The proposed structure effectively minimizes the significance of research in a thrust that re-centres graduate studies and research in the UWI Strategic Plan;
2. provide for the delegation of disciplinary matters to Campus Coordinators while maintaining consultation with PVCs;
3. empower Campus Coordinators to remove, change (that is act) in cases of poor supervision and have action ratified by PVCs and Board;
4. ensure that the authority to insist on quality control and regulatory functions of the Chair and Campus Committees in relation to policies and programmes are maintained at the campus level;
5. allow for an expanded role in building regional connections and in expanding the University’s capacity across the region;
6. facilitate and insist upon a student centred approach throughout the University in all policies and programmes; and
7. require the appointment Campus Coordinators as members of Campus Appointments Committee.

Eudine Barriteau on behalf of Trevor Jackson and Barbara Lalla
March 2nd 2007.
August 3, 2006

Prof. Lawrence Carrington
PVC (NCCDE)
U.W.I.
Mona
Kingston 7
JAMAICA

CONFIDENTIAL

Dear PVC,

Re: Chancellor’s Report on Governance

Thank you for your e-correspondence on the captioned matter. My response is set out as follows:

A campus for the UWI 12: the issue of legal constraints ........................................ 13
The areas of policy consensus .................................................................................. 13
The Charter’s requirements ....................................................................................... 13
Legal policy space ..................................................................................................... 14
A campus for the UWI 12: the issue of legal constraints

In my understanding, the reason for the Pereira’s committee’s assignment that we should confer was really led by significant legal technicalities which arose in that committee’s discussion, in which my comments as Chair of SCOR might have been considered useful for you to take into account in your submissions to the committee.

**The areas of policy consensus**

There seems to be a consensus within the University establishment after the last meeting of Council that non-campus countries should have a campus in some meaning of the term, but that consensus seems equally not to contemplate duplicating present Campus infrastructures.

These *desiderata* can in theory be legally achieved, but there has been for more than a decade another relevant consensus within the University establishment, that is, that amendment of the Charter is not desirable. That consensus was sufficiently powerful that it led to the rejection of the Governance Report’s recommendation for the abolition of the Senate, even by those who considered such abolition desirable, since abolition of the Senate would have required amendment of the Charter. And once amendment of the Charter is excluded, I do see some legal constraints on the modalities through which the *desiderata* can be achieved.

**The Charter’s requirements**

Thus the Charter does not require amendment to establish a new Campus, but seems to set minimum requirements for any such Campus, viz.,

- a Campus Council\(^1\) with
- a Chairman\(^2\) and
- alumni representation,\(^3\)
- a Campus Principal,\(^4\)
- a Deputy Campus Principal\(^5\) and
- a Students’ Society.\(^6\)

Given those requirements, it would seem that there is complete flexibility to deal with other aspects of the Campus by means of the Statutes.

---

1 Charter, arts. 7, 10, 13, 20(b).
2 *Id.*
3 *Id.*
4 Charter, art. 20(b).
5 *Id.*
6 Charter, art. 18(1).
Legal policy space

It follows, in my view, that there is no Charter restriction on our freedom to select whatever name for the Campus that we wish, since it is accepted that implementation of the Chancellor’s Task Force Report will require statute amendment. I will not therefore try to claim any special right to contribute to the debate on the appropriate name, although I might comment specifically that renaming the University is likely to create additional legal problems to set off against any compensating advantages.

Nor do I see any obvious difficulty in accommodating the consensus against duplicating present Campus structures without amending the Charter. If we are prepared to amend the Statutes and to contemplate moving the ONCCDE to a non-Campus country, that combination seems to be an exercise whose resource demands need not be exceeded by those of establishing a Campus Council with a Chair and alumni representation, a Campus Principal and a Deputy Campus Principal. That judgment on required resources is not, obviously, a legal deduction, but a call I would consider justified on the basis of my experience of UWI’s administration.

Yours sincerely

A.R. Carnegie
Professor of Law

copied to: J. Pereira, Esq., Deputy Principal, Mona
University Counsel, UWI, Mona