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Policy Brief, Issue 6 No.6

PARLIAMENTARY  
PERFORMANCE SCORECARD  
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PROJECT

# Leadership and Governance of Higher Education in Uganda: Constitution of University Councils



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# Leadership and Governance of Higher Education in Uganda: Constitution of University Councils

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Funded by Democratic Governance Facility

Produced in partnership with Uganda Management Institute  
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ISBN



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## Preamble to The Policy Brief

In September 2019, Makerere University experienced Students violent protests that lasted weeks making the police and army to respond with violence to restore order in the university. Because of alleged torture ,other forms of human rights violations and a halt in conducting classes at the University,the minister of Education and Sports was directed by the speaker of Parliament to present a statement in the house on 30th October 2019. On 30th October 2019, the State Minister for Higher Education the Hon. John Chrysestom Musingo made a statement to the house as follows:

He noted that the unrest is due to the new Makerere university fees policy which came into effect in July 2018. He stressed that the policy was approved following a report of the Special committee of the Guild Representatives, which provided for a new fees structure with a 15 percent adjustment on all undergraduate programmes starting with 2018/2019 first year intake He further noted that they will subsequently pay an additional 15 percent each year using the fees structure for the previous year as a base. He stressed that the fees adjustments are scattered over a five year period which implies a 75 percent increase on the 2017/2018 base tuition fees between 2018/2019 and 2022/2023. He further stressed that the modest adjustment in tuition fees was necessitated because of the ever-increasing cost of delivering university education, which requires academic instruction materials, utilities, modern laboratory equipment, modern delivery platforms, adequate ICT infrastructure and maintenance among others which are very costly and cannot be fully covered by current levels of government subsidies He said however, the policy took into consideration the current and projected economic circumstances in the country as well as the fact that Makerere University is a public institution, hence Even with the adjustments, the fees paid by students at Makerere University will still be lower than what many other universities are currently charging. He revealed that the current fees policy was student-led which is quite unique and followed protracted negotiations between students and the University Council, which was provided as an alternative to the earlier proposal that had been passed by council where the increment ranged between 15 and 95 per cent on the different programmes, which would have taken immediate effect in 2017/2018 academic year, meaning the new fees policy and fees structure, the students determined their own fees which is completely unheard of anywhere. He hinted that the University Management and Council have continued to dialogue with students' leaders and started to put in place mitigation measures for those who cannot afford to pay by providing for student employment opportunities, dialogue has also been



**This brief preamble explains the motivation for selection of the topic “Governance of higher education in Uganda” which focused on leadership and quality issues and was discussed at the National Policy Forum held at Uganda Management Institute(UMI) on 5th December 2019.**

continued on the fees policy itself. He said in summary, contrary to the common public narratives, the university did not increase tuition fees on continuing students, and each privately sponsored student continues with the fees structure against which they were admitted to the university until they graduate.

He also outlined the other factors fueling student unrest:

- The situation at the university has been worsened by the now rampant abuse of drugs and other substances by sections of students at the university.
- It is almost inconceivable that students would consider rioting at night, including taking riots to neighboring suburbs like Kikoni, Nakulabye, and Wandegeya.
- some of the people who have been arrested on the university campus are actually not students of the university but strangers that had been imported into the university to cause chaos.
- The university experiences cyclic student unrest around October in the sense that some students use it to depict themselves as “strong defenders of student interests and good mobilizers” which would help their political ambitions as they position themselves to contest for different leadership positions in the students’ guild.
- Students also use this platform to attract funding from external actors for upcoming guild election campaigns.
- The dilemma relates to the fact that every year the entire Cabinet and the Guild Representative Council expires and a new leadership succeeds with a tendency to deny or reject any positions or decisions taken by their predecessors.
- most of the students who were taking part in the strike and those caught in the fracas by the police were continuing students who were not affected by the 15 per cent increase policy because a great number of them are beneficiaries of several Government’s and Makerere University sourced scholarship schemes such as: The Government Scheme where 2,000 students every year at Makerere University are being sponsored by Government, the Loan Scheme with each year having new beneficiaries, the State House Scholarship beneficiaries each year having new beneficiaries, and the Makerere MasterCard Scholarship Scheme having 1,000 beneficiaries in the last five years.

The minister also updated the House on the security presence at the university: The Police are responsible for providing security and keeping law and order at the university. In addition he said , the current security deployment was effected on the 1st September 2019, which was before the strike and Whenever the Police deem fit, it enlists the assistance of sister security agencies including the UPDF.

He also went ahead to outline a number of steps taken to return normalcy to the situation at the university as follows:

- Engagement of the public and other stakeholders through the media.
- Continuous appeal to the student community to keep calm to enable normal university operations while their concerns are addressed by the relevant organs of the university

- Dialogue with students including a meeting of the University Management and the Guild Representative Council held on 17 October 2019, and a meeting between the Chairperson of Council and the Guild President. He sighted another meeting between the Management and the student leadership which was held on 28 October 2019; but midway the discussions, some scores of students caused commotion and interrupted it.
- There is continuous information gathering on students' involvement in drug and substance abuse, This has aided arrests by the Police.
- He also noted that on 29th October 2019, the University Council was in a meeting with the Guild President, the Guild Speaker and the entire Guild Cabinet and the following resolutions were made in that meeting:
  - That the 15 per cent fees adjustment shall continue to be applied on tuition fees for the remaining period of the three years.
  - The 15 percent adjustment in fees shall not apply to functional fees for the remaining period of implementation of the fees structure adopted in July 2018 and Functional fees shall be capped at the rate applied on the admission cohort for 2019/2020 academic year for the next three years.
  - That the student guild provides written proposals of the amendments to the student electoral regulations for consideration by the council.
  - That the University Council shall consider the students' recommendations through its legal, rules and privileges committee.

On 31st October 2019, members of Parliament debated the minister's statement. The following Members Contributed to the debate on the ministerial statement:

Mathias Mpuuga, Ann Adeke, Jesca Ababiku, Richard Othieno, Moses Kahima, Keneth Lubogo, Patrick Nsamba, Mourine Osoru, Margret Rwabushaija, Elizabeth Karungi, Solomon Silwany, Francis Mwijukye and Asuman Basalirwa. Others were; Asuman Basalirwa, Winfred Kiiza and Herbert Ariko.

This brief preamble explains the motivation for selection of the topic "Governance of higher education in Uganda" which focused on leadership and quality issues and was discussed at the National Policy Forum held at Uganda Management Institute(UMI) on 5th December 2019. The Policy Brief is an out come of the said National Policy Dialogue.

## Executive Summary

The phenomenon of recurrent strikes and disruption of academic year calendars has raised concern among stakeholders of leadership and governance of higher education institutions (HEI) in Uganda. A research study titled Leadership and Governance of Higher Education in Uganda: Capacity and Quality Concerns was commissioned by Uganda Management Institute (UMI) and Africa Leadership Institute (ALI) to provide an evidence base for relevant policy reforms. The study was conducted by document review. Journal articles, Books, Statutory instruments, Assessment reports, and Commission Reports were some of the data sources. The study findings put Governing Councils at the center of leadership and governance deficiencies in Higher Education Institutions indicating failure to link stakeholder interests and compromise in quality of members that constitute some Governing Councils. The researchers argue that being the highest decision making organ, the Governing Council should constitute eminent scholars and administrators with adequate experience in management of Higher Education Institutions (HEI). The study recommends policy intervention to streamline membership and roles of University Councils.



Left to right: Mr Chris Kayonga of Wizarts Foundation, Associate Prof. Rose Namara of Uganda Management Institute (UMI), Ms. Josephine Watera of Parliament of Uganda at Inter-Agency Monitoring and Coordination Committee which discussed the policy brief.

## Introduction

The phenomenon of recurrent strikes and disruption of academic year calendars has raised concern among stakeholders of leadership and governance of higher education institutions (HEI) in Uganda. A research study titled Leadership and Governance of Higher Education in Uganda: Capacity and Quality Concerns was commissioned by Uganda Management Institute (UMI) and Africa Leadership Institute (ALI) to provide an evidence base for relevant policy reforms. The study was conducted by document review. Journal articles, Books, Statutory instruments, Assessment reports, and Commission Reports were some of the data sources. The study findings put Governing Councils at the center of leadership and governance deficiencies in Higher Education Institutions indicating failure to link stakeholder interests and compromise in quality of members that constitute some Governing Councils. The researchers argue that being the highest decision making organ, the Governing Council should constitute eminent scholars and administrators with adequate experience in management of Higher Education Institutions (HEI). The study recommends policy intervention to streamline membership and roles of University Councils.



*Dr. Sylvester Kugonza the Dean School of Civil Service Public Policy and Governance of UMI chaired the Coordination Committee meeting which reviewed the policy brief*



*Dr. Werikhe Wanzala makes a project progress update to members of Inter-Agency Monitoring and Coordination Meeting*

## **Approach**

The study entailed review of findings of empirical studies disseminated in journal articles and books. Statutory instruments, Assessment reports, Committee Reports were reviewed to obtain an understanding of the current policy framework. The study findings were discussed at a public policy dialogue hosted by Uganda Management Institute on December 5, 2019 in partnership with African Leadership Institute (AFLI) through the Uganda Policy Development and Management Forum (UPDMF). The public policy dialogue helped to extend the debate from the researchers to practitioners at the Ministry of Education, Civil Society Organizations and the general public.

## **Findings**

Governing Councils direct the conduct of institution business. Administration and facilitation of institutional functions are done according to edicts of Governing Council (Hillman and Baydoun 2019). All activities including teaching, research, administration and sports are subordinate to the Governing Council. According to Ntale et al (2019), disruptive engagements like student and staff strikes indicate failure of the leadership to harmonize decisions of the Governing Council with interests of students and staff. This assertion is corroborated by findings of Omaswa et al (2013) who report that;

The current routine governance and administrative practices at Makerere University with respect to human resources, communication, policy implementation, among others, have contributed to the strikes and strife that have necessitated this review.

Employers and the general public in Uganda are concerned about the potential effect of student and staff unrest on the work ethic and academic knowledge of graduates. The task force on job evaluation, re-organization of staff structure and financing at Makerere University in 2014 observed that; The quality of debate, decorum and decisions made in some cases do not undergo the critical rigor expected of an institution of the caliber of Makerere University.

Some members of Governing Councils lack capacity to oversee institutional business. National Council for Higher Education (2006, p.40) observed that, “Ugandan higher education managers are lifted from lecture rooms to administrative offices without training them in management”. Notably, Section 38 (m) and (n) of the University and Other Tertiary Institutions Act 2001 leaves wide room for appointment of non-technical members to Governing Councils.

While the Governing Council largely constitutes members of high standing in academic and administration circles, it also needs representation of user sections of the population and these are provided for in the University and Other Tertiary Institutions Act 2001. However the academic qualifications and experience required of them are not specified.

## Conclusion

The complexity of leadership and governance of Universities and other tertiary institutions in Uganda is not adequately addressed. Resources and time lost when the Universities close due to poor leadership and governance justify intervention by government. The need for establishment of quality-sensitive procedures for selection of members of Governing Councils is evident across debates in Parliament and media and requires urgent attention from the Government of Uganda.

## Recommendations

- Except for the Principal, Vice Chancellor, their deputies and representatives of students' body, government should specify minimum academic qualifications and experience of other members of the Governing Council.
- The Ministry of Education should review Section 38 of The University and Other Tertiary Institutions Act 2001 to ensure that the Governing Council is dominated by technocrats and academicians of high standing in management of HEI.
- Specifically,
- Section 38 (e) and (p) be revised to have one representative of the sector
- Section 38 (r) be revised to emphasize importance of minimum academic qualification and experience
- Section 38 (i) be revised to have one member of staff

- Section 38 (m) and (n) be revised to provide one nomination who must also have specified minimum academic qualification and experience
- Government should make the positions under Section 38, subsections (m), (n), (r) (e) and (p) competitive
- An arbitration body should be established and represented by one member, to avert and manage conflict within the Governing Council.



Participants at the National Policy forum at UMI where two papers were presented. The Ministry of Education was represented by Hon. Rosemary Sseninde, the State Minister of Primary Education.

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