

*ARRANGEMENT OF SECTIONS*

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I assent,



CUTHBERT M. SEBASTIAN

*Governor-General.*

24<sup>th</sup> December, 1999.

## SAINT CHRISTOPHER AND NEVIS

### No. 21 of 1999

AN ACT to provide for the process and mechanism of accrediting institutions in Saint Christopher and Nevis, and to provide for related matters.

(to be appointed by the Minister.)

Commencement.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the National Assembly of Saint Christopher and Nevis and by the Authority of the same as follows:—

1. This Act may be cited as the Saint Christopher and Nevis Accreditation of Institutions Act, 1999 and shall come into force on a date to be appointed by the Minister by Statutory Order.

Short title.

2. In this Act, unless the context otherwise requires,

Interpretation.

“Board” means the Saint Christopher and Nevis Accreditation Board established under section 3 of this Act;

“Minister” means the Minister responsible for Education.

3. There is, for the purposes of this Act, established within the Ministry responsible for education a Board to be known as the Saint Christopher and Nevis Accreditation Board.

Establishment of the Board.

4. (1) The Board shall consist of

Composition of the Board.

- (a) a representative of the Ministry of Education;
- (b) a representative of the Ministry of Finance;
- (c) a representative of the Ministry of Planning;
- (d) a representative of the Ministry of Health;
- (e) a representative of the Premier’s Ministry, Nevis;
- (f) a representative of the Legal Department;

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- (g) a representative of Clarence Fitzroy Bryant College;  
and
  - (h) a representative of any other institution the Minister may deem necessary.
- Schedule. (2) The provisions of the Schedule to this Act shall apply to meetings and other matters of the Board as provided for in the Schedule.
- Functions of the Board. 5. The Board shall be responsible for
- (a) considering applications submitted to the Board pursuant to the provisions of section 7 of this Act;
  - (b) making recommendations to the Minister on applications considered by the Board;
  - (c) reviewing the charters of institutions subject to the provisions of this Act;
  - (d) subject to the provisions of this Act, investigating any event that occurs at any institution which is likely to impact negatively on the reputation of the Federation of Saint Christopher and Nevis; and
  - (e) carrying out any other function conferred on it or assigned to it by the National Assembly.
- Powers of the Board. 6. (1) The Board may, in the exercise of its functions under this Act, recommend any of the following:–
- (a) full, open-ended accreditation;
  - (b) full accreditation reviewable after every two years;
  - (c) provisional accreditation for one year subject to fulfilment of certain conditions;
  - (d) refusal of accreditation.
- (2) If, as a result of carrying out the functions conferred on the Board by section 5 of this Act, the Board finds that it is necessary to revoke a licence issued to any institution or to review the institution's charter, the Board may,
- (a) in the case of an institution that is accredited after the coming into force of this Act, recommend to the Minister that the licence be revoked or review the charter, as the case may be;
  - (b) in the case of an institution referred to in section 7 (4) of this Act, make recommendations in accordance with the terms of the agreement between the institution and the Government and the regulations made under this Act.

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(3) The Minister may seek an injunction from the Court against any institution which, if not duly accredited under the provisions of this Act, holds itself out as an institution accredited by the Government of Saint Christopher and Nevis contrary to the provisions of this Act.

7. (1) Any institution that is capable of offering or intends to offer tertiary education and such institution wishes to be accredited by the Government of Saint Christopher and Nevis and offer courses on the basis of that accreditation shall apply to the Board in the prescribed form.

Institutions  
eligible for  
accreditation.

(2) Any institution which is accredited by a recognized accreditation body may, at its option, seek local accreditation except that if it does not opt for local-accreditation then it shall enter into an agreement with the Government.

(3) Any institution which is not accredited anywhere and does not wish to be accredited by the Government shall operate in accordance with existing laws relating to educational institutions.

(4) Any tertiary institution that entered into an agreement with the Government of Saint Christopher and Nevis on the basis of which such institution was accredited by the Government of Saint Christopher and Nevis to offer certain degrees or courses prior to the coming into force of this Act shall be deemed to have been accredited under the provisions of this Act, except that such institution shall continue to comply with the terms of its agreement, this Act and the regulations made thereunder for the purpose of maintaining the required academic standards.

(5) For the purposes of this section “tertiary education” means education offered by a college or university following secondary education.

8. (1) Any institution which offers degree programmes or courses shall, before submitting its application for accreditation to the Board, take into account the provisions of subsection (2) of this section when describing any programme the institution offers or intends to offer.

Special provisions  
for institutions  
that offer degree  
programmes.

(2) The institution shall, in pursuance of the provisions of subsection (1) of this section, when describing any programme or courses give the following information:–

- (a) the degree title and areas of study available;
- (b) type or level of previous education required for admission to the programme;
- (c) Academic Credit policy for prior learning or with experience;
- (d) Academic Credit policy regarding standardized achievement tests;

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- (e) the number of semesters, terms or quarter hours required to receive a degree;
- (f) the minimum on-campus time for study in order to complete the programme;
- (g) type of instructions for off-campus learning;
- (h) student support services provided;
- (i) information materials such as programme catalogues;
- (j) the grading system used to evaluate students' work while enrolled in the programme;
- (k) projected enrolment;
- (l) the number of degrees conferred per annum or to be conferred;
- (m) commencement of academic programme;
- (n) the institution's policy on admission of local, regional and international students;
- (o) proposed mechanisms or available mechanism to enable continued self-improvement at the institution.

Consideration of applications for accreditation.

9. (1) Any application for accreditation submitted to the Board in accordance with the provisions of this Act shall be considered by the Board in accordance with the provisions of this section.

(2) For the purpose of streamlining the consideration of applications referred to in subsection (1) of this section, the Board shall appoint committees to be known as Review Committees.

(3) A Review Committee appointed under subsection (2) of this section shall be responsible for reviewing any proposal accompanying an application submitted to the Board by any institution.

(4) For the purposes of subsection (2) of this section, the Medical Board shall be the Review Committee responsible for reviewing any proposal submitted by any institution that intends to offer medical courses in Saint Christopher and Nevis in accordance with the provisions of this Act.

(5) The chairman of a Review Committee shall be a member of the Board.

(6) A Review Committee shall, in reviewing any proposal referred to it by the Board, mainly deal with the academic and professional aspects of the proposal.

(7) A Review Committee shall review a proposal within a period specified by the Board and shall upon completion of the review submit a report to the Board.

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(8) The Board shall, upon receipt of the report of the Review Committee and when considering the application, take into account the provisions of section 10 of this Act.

10. The Board shall, in considering an application submitted to it under the provisions of section 7 of this Act, take into account the following matters:–

Matters to be taken into account by the Board when considering an application.

- (a) the mission of the institution and any specialised programme the institution intends to offer or offers;
- (b) clearly defined and educationally appropriate goals and objectives of the institution or programme;
- (c) conditions under which the goals and objectives are to be achieved;
- (d) expected standards and how such standards are to be maintained;
- (e) list of programmes or courses to be offered and policies regarding course credits;
- (f) links with other accredited institutions;
- (g) a student registry, and the admissions policy which shall be in conformity with the objectives set out in the paragraphs of this section;
- (h) maintenance of student records;
- (i) student counselling services and the procedure for monitoring student performance;
- (j) in case of recruitment of students into a faculty,
  - (i) the recruitment procedures,
  - (ii) curriculum vitae for the staff,
  - (iii) the general productivity measures relating to staff performance;
- (k) examination regulations and procedures with particular emphasis on,
  - (i) how written exams are set, marked, and how student appeals are dealt with,
  - (ii) how oral exams such as research proposals are conducted,
  - (iii) the grading systems as a basis of evaluating students' performance;
- (l) procedure for selecting approved external examiners and how such examiners function;

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- (m) library and research facilities with particular emphasis on,
  - (i) the adequacy of such facilities, and
  - (ii) their linkages with other libraries in Universities and other tertiary institutions in the Caribbean and outside the Caribbean;
- (n) the proposed local physical location of the campus with particular emphasis on,
  - (i) projections regarding student enrolment and staff size,
  - (ii) provisions for classrooms, laboratories (types, equipment) offices, student residency;
- (o) proposals relating to the financing and management of the institution with particular emphasis on,
  - (i) the charter of the institution,
  - (ii) the governing body of the institution, and
  - (iii) costs and efficiency of the institution;
- (p) benefits which are to accrue to the local economy.

*Regulations.*

11. (1) The Minister may, by Statutory Order, make regulations to give effect to the provisions of this Act.

(2) Without prejudice to the generality of subsection (1) of this section the Minister may, in particular, make regulations

- (a) providing for the form of application and accreditation;
- (b) providing for the standards that must be satisfied by any tertiary institution before it is accredited under the provisions of this Act;
- (c) prescribing the standards that must be satisfied by any institution to which this Act applies.

**SCHEDULE**

(Section 4)

**Meeting, etc. of the Board**

1. The Board shall meet at such times as may be necessary or expedient for the transaction of its business, and such meetings shall be held at places, times and days determined by the Board.
2. (1) The Chairman may at any time call a special meeting of the Board.

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- (2) The Chairman shall call a special meeting upon a written request for the special purpose by two members of the Board and such meeting shall be held within seven days from the date of receipt of the request.
3. The Chairman shall preside at all meetings of the Board at which he is present and in the case of the absence of the Chairman from any meeting of the Board, the members present and forming a quorum shall elect one of their number to preside at the meeting.
4. The decisions of the Board shall be by simple majority of votes, and in the case of equality of votes, the Chairman or other person presiding at the meeting shall, in addition to his deliberative vote, have a casting vote.
5. The quorum of the Board shall be five members.
6. Minutes of each meeting of the Board shall be kept and a copy of such minutes of each meeting forwarded to the Minister as soon as it is prepared.
7.
  - (1) The Board may appoint any person to be secretary to the Board.
  - (2) The secretary shall be responsible for taking and keeping minutes of the Board, and for keeping custody of the Common Seal of the Board.
8. Subject to the provisions of this Schedule the Board may regulate its own proceedings.
9. The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members of the Board or by any defect in the appointment of a member of the Board.

WALFORD V GUMBS  
*Speaker*

Passed by the National Assembly this 7<sup>th</sup> day of December 1999.

F ALPHONSO LEWIS  
*Clerk of the National Assembly*