



ASSOCIATION OF AFRICAN UNIVERSITIES
ASSOCIATION DES UNIVERSITÉS AFRICAINES
اتحاد الجامعات الافريقية

Inaugural Workshop on Legal Issues Facing Higher Education Institutions

The high level of globalization has led to several changes in the traditional role of teaching and learning and the adjoining functions of higher educational institutions. The massification of students and academic programmes, complex leadership and management structures and high level of internationalization in higher institutions has exposed universities to an array of complex legal situations. Now, more than ever, universities face increased scrutiny and rapidly changing expectations from state agencies, state legislature, the corporate community, parents, students and myriad of other stakeholders to modify their operations and adapt every phase of campus life to the needs of students and stakeholders.

Over time, the emergence of new legal requirements with regard to statutes, regulations, agency guidance, judge-made “common law” rules has made the task of college administrators and managers even more challenging. Making matters even worse is the recent call for more accountability in operations, transparency and robust governance system.

This and many other challenges has brought about a system where campus administrators are in constant dilemma and often hire the services of campus lawyers to handle the task of explaining and orienting staff and key student service practitioners on legal trends in managing campus situations and affairs.

In a highly litigious environment found in HEIs and consistently changing legal environment, higher educational institutions need to be constantly reviewing and updating legal policies to address the diverse legal issues impacting all aspects of their operations. However, educators, administrators, and policy-makers need not all learn to be lawyers. Rather, each has a different role to play, from which it is more critical: to know about the law, rather than to know the law; to analyze problems from one’s own discipline’s perspective against the backdrop of law, rather than to analyze problems from a lawyer’s perspective; and to work with lawyers, rather than to perform the lawyers’ functions for them

The Association of African Universities (AAU), being the apex higher education body in Africa and the principal forum for consultation on educational issues on the continent, is organising this



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high profile workshop on the theme “*Legal Issues in Higher Education in Africa*” to create the platform for governing boards, faculty chairs, campus legal staff, campus managers and all stakeholders of higher education in Africa to identify current legal issues facing HEIs, develop strategies to deal with emerging issues, build synergies, and networks to deal with emerging legal landscapes.

Rationale

The overall purpose of this training is to introduce participants to some of the cross cutting legal issues in higher education administration and provide insight to some of the legal considerations that should guide their resolution. It also seeks to give an indication of the attitude of the courts towards some of the key legal themes that affect higher education. The issues raised and the reasoning provided are not based on a particular legal system but on generic principles of law known to both civil and common law jurisdictions. The training uses the discussion didactic method to reflect on these common themes.

The Workshop

The Botswana workshop scheduled to take place 5th-8th June 2018 will feature leading experts in higher education law, student affairs and campus public safety practitioners through interactive sessions, presentations, case studies, discussions and informal networking opportunities to introduce participants to practical approaches to complex legal situations and the legal needs of their universities. At the workshop, you can expect to gain skills that will build upon your capacity to address pressing legal issues while learning about the most recent trends in higher education law. Join your colleagues to connect your campus' needs with information and approaches to address pressing legal issues in student affairs and higher education. The following themes will provide focus for discussions and presentations for the series:

- Current legal cases brought against/involving HEIs in Africa
- How to conduct a prompt, thorough and equitable investigation
- Legal issues in hiring, promotion, and tenure
- The Laws guiding students and employees affairs



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- The legal status of HEIs
- Legal framework for governance at HEIs
- Intellectual Property Rights
- The Law on Sexual Harassment
- Data Protection

The strategic and overall goal of the workshop/conference series is to:

- Increase awareness of current legal cases involving/against HEIs in Africa
- Increasing awareness of legal pitfalls in the appointment, supervision, evaluation, tenure and promotion process
- Count on the participation of the workshop/conference to develop effective use of variety of internal dispute resolution mechanisms for students and employees to reduce the chance a complainant may resort to external legal process
- Perform in-depth legal audits to determine potential violations of law (for instance in environment safety)
- Initiate activities for managers to adopt a culture that ensures compliance with state regulations.
- Increase awareness on intellectual property rights facing institutions and data protection measures
- Create a momentum for participating institutions to build a compliance team within the university.

Target Audience

The target audiences of this inaugural workshop are Vice Chancellors, Deputy Vice Chancellors, University Legal Counsel, Librarians, Registrars, Deans of Students Affairs, Deans of Faculties, and Heads of Departments



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Workshop date, Fee and Venue

The workshop will start on Tuesday 5th June 2018 at 07:30 and finish on Friday 8th June 2018 at 04:30

The course fee is \$500 (+ Value Added Tax where applicable) per delegate.
This covers all workshop sessions, materials, lunches and refreshments.

- ✓ Subject to demand and availability, some optional leisure activities would be organised.

The fee excludes the following:

- ✓ Airfare to and from Botswana ;
- ✓ accommodation;
- ✓ breakfasts and dinners (mostly included in hotel package);
- ✓ Transport between accommodation and venue (if applicable).

Bed & Breakfast accommodation in Travelodge can be arranged upon request.