

APPLICATION OF UNIVERSITY LAWS, RULES, REGULATIONS AND POLICIES IN THE EFFECTIVE ADMINISTRATION OF THE DEPARTMENTS

BY

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The University is a highly complex and regimented organizational entity. Without prejudice to classical definitions of a University, all modern Universities are creations of the law. This implies that it derives its legitimacy, authority and powers primarily from the enabling instrument of its creation, made by the legislature. If it is a federal government owned institution, the establishment is by an Act of Parliament (the National Assembly) and where it is a state owned University, the enabling instrument is made by the State House of Assembly. Private Universities derive legitimacy by operation of law, through licensing by the appropriate statutory agency of the government, the National



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Universities Commission (NUC). All other Universities otherwise established are characterized as fake.

In effect, the University system by operation of law encapsulates the concept of supremacy of laws. This implies that all authorities and persons within the system are subject and bound by the prescriptions and dictates of the laws, rules and regulations. The law prescribes the structure of governance in the University, establishes the major organs of governance (the Council and Senate), including a definition of their composition, powers, responsibilities and scope of authority. On the other hand, the rules and regulations variously made by the Council or Senate define the procedures, processes and modalities for executing policies and implementation of administrative actions; in the pursuit of University goals and objectives.

It is pertinent to state that the whole essence of the law, rules, regulations and policies is to create a structure that will drive effective administration of the departments. Notwithstanding the plethora of laws



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evident in a number of vices prevalent in the departments, tardiness in the grading of students scripts, poor teaching and research quality,

missing results and answer scripts, sexual harassment, unauthorized sale of handouts and books, admission and examination racketeering, “sorting” (compromising the integrity and credibility of examination results) and alteration of grades, to mention but a few.

Against this background, it is imperative to re-evaluate the application of University laws and regulations by identifying the missing links with a view to entrenchment of best practices that will guarantee effective management of academic departments in the University system.

In the light of the observations above and the topic of the discourse, this paper shall attempt to X-ray certain legal imperatives that are critical to effective management of academic departments in the University system; understanding the academic departments as a statutory creation and a sub system within the University system, identification of the relevant laws and regulations (tools) for the effective administration of academic departments and assessment of some critical aspects of the Regulations with direct bearing on the administration of academic departments.

This, in a nutshell is the major thrust of this paper

APPLICATION OF THE LAWS AND REGULATIONS: MISSING LINKS

Application of laws and regulations focuses on the implementation phase in the administrative process. This relates to strategies, procedures and processes that are in place to drive observance, compliance and enforcement of established organizational standards. The objective is to ensure the achievement of desired and intended impressive result and invariably promote efficiency and effectiveness. This can hardly be achieved where the rules and regulations are dormant and un-utilized.

Poor implementation or total relegation of the committee system at the departmental level is a major source of ineffectiveness. The committee system is an age long University best practice and tradition enshrined in the University laws and regulations.

In practice, some Heads of department operate as Sole Administrators in defiance of the Regulations. In such a scenario, it is impossible to achieve collaboration and support of their colleagues, compliance is hardly achieved, thereby undermining organizational efficiency and effectiveness.

The adoption of a more inclusive and integrative approach is critical to effective administration. There is every need to revamp and re-invigorate the committee system approach. The departmental board

meetings should be scheduled more regularly with a robust agenda. This will promote information flow, bridge communication gaps, ensure greater input and more informed decision making, critical to effectiveness.

Another major challenge in the application of laws and regulations is a lack of understanding of the dynamics of the system by the operators, including, with due respect, the HODs. Some are having a stint for the first time with administration on their first appointment as HOD, having been earlier pre-occupied with teaching and research. It is possible that such a Head may not appreciate the organizational structure, how the various segments of the system inter-connect, the channels of communication, the role expectations and who does what in the system. This should not be taken for granted, adequate orientation on first appointment is recommended to stem the tide of deviation from established procedures.

THE ACADEMIC DEPARTMENT AS A SUB SYSTEM WITHIN THE UNIVERSITY SYSTEM

The University system apart from being a legal creation established by law. It is also a highly complex organizational entity comprising diverse constituent parts with some measure of autonomy, but with a lot of interconnectivity in their operations. A review of the organizational

structure of the University shows that in the pursuit of University objectives, responsibilities and activities are shared between Administrative departments and service units on the one hand and Academic Units/Centers, (providing academic support services and infrastructural facilities for research and the application of real life problems) on the other hand. At the apex in the hierarchy of command in the Academic structure is the University Senate. The University Senate is supreme over and above all other organs of governance in the University regarding academic matters. The Vice Chancellor as the Chief Academic Officer is the Chairman of Senate and presides over its meetings.

Although Senate is statutorily charged with the general responsibility of organization and control of teaching in the University, the admission of students, discipline of students, promotion of research, the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning, to mention but a few; the basic operating unit of the University's academic objectives, organization and planning is the school and by extension the Academic departments.

The Federal Universities of Technology Act, Cap F. 23, Laws of the Federal Republic of Nigeria, 2004 defines a school as “a unit of closely related academic programmes” and provides further that each school shall be divided into such number of branches as may be prescribed. (See Article 6 of the Third Schedule to the Act). A department is defined as a teaching or research sub-unit within a school or any other administrative or service sub-unit providing a clearly defined function and with a measure of responsibility to the Vice Chancellor (see section 3.2 of the Handbook of Admin. Procedures, FUTO).

FRAMEWORK FOR GOVERNANCE IN THE ACADEMIC DEPARTMENTS

The Academic departments represent the hub of academic activities in the University, including teaching and research and other ancillary activities, such as admission and registration of students, registration of courses, examinations and processing of results etc. In the light of the enormity of these responsibilities, effective management can only be sustained where a good governance framework is put in place, defining who does what and how? The University Regulations instituted a governance structure for the Academic departments that empowers the Head of Department (HOD) appointed by the Vice Chancellor, for a specified tenure, to exercise general superintendence over the academic

and administrative affairs of the Department. The HOD by virtue of his office is the chairman of the Departmental Board of studies and other departmental committees. The HOD is responsible to the Vice Chancellor through the Dean of his school for the day to day operations of his department. The HOD is assisted by the Academic staff in the areas of teaching and research and by a compliment of other non teaching staff, including the Departmental Administrative Officer. All the workers are subject to the day to day direction of the Head of department. Above all, the HOD is the normal channel for all official communications outside his department.

TOOLS FOR THE EFFECTIVE ADMINISTRATION OF ACADEMIC DEPARTMENTS

There are certain laws, regulations and policy directives critical to driving effective administration of Academic departments in the University system. These include the various codified collections of approved procedures, guidelines, methods and rules for carrying out administrative and academic responsibilities in the University. This is in addition to the policy directives of the Senate, Vice Chancellor, School Board of Studies, departmental Board/Committee and other relevant agencies in the University, to the academic departments. The totality of all these may be referred to as tools for the effective administration of

the departments. These tools serve as operational guidelines and reference materials to guide administrative and academic activities within the departments.

The essence is to provide a framework for the actualization of University objectives in a systematic manner, in order to promote orderliness, objectivity, transparency, due process, equity, efficiency, effectiveness and to eliminate arbitrariness from the scheme of things in the University system.

The quest for effective administration of academic departments makes it imperative for the operators/managers of the system (from HOD to the least staff) to be conversant and versed with the right governance tools, mechanism and processes involved in its implementation/application. It is against this background that efficient and effective service delivery can be guaranteed Oyebade (2011), a former Registrar argued that

“effectiveness is concerned with the extent to which a Manager/Administrator achieves the output requirements of his/her position; producing the desired, wanted, intended or impressive results”.

It is therefore pertinent to identify the major governance tools and these include, the Academic Regulations for Undergraduate Students, Regulations governing conditions of Appointment (Senior and Junior Staff) respectively, the Handbook of Administrative Procedures, the scheme of service, Federal Universities of Technology Act (University Act and Statute), Circular on policy directives from Senate, School Board of Studies and other University agencies. Staff should regularly be updated and communicated with new policy thrust with respect to academic matters. The essence is to achieve their buy in or support and in turn facilitate implementation and compliance.

Furthermore, scheduled responsibilities of all categories of staff should be properly articulated and given to members of staff. This will help to put members of staff in a proper perspective of their role expectations. In addition, timeline for the disposal of certain official responsibilities must be clearly stated and monitored for compliance. This will facilitate timely disposal of responsibilities and promote efficiency and effectiveness. For example, minutes of meetings must be ready for vetting within 48 hours after the meeting, marking of scripts and submission of Official Grade Report (OGR) must be completed within a designated period.

Proper records of students are also basic tools for effectiveness in the departments. As a result, proper records must be kept for ease of access and information retrieval. Class lists of students should always be maintained and utilized to monitor student's attendance to lectures, participation in workshop practice and laboratories. It may also help to minimize the "non academic students" syndrome that perpetrate a lot of vices in the academic departments.

Given the critical role accreditation plays in the life of every department, the NUC/Professional bodies approved guidelines and benchmark for accreditation exercises in the respective departments may constitute basic tools for effectiveness. Departments should take proactive steps to acquaint itself with the provisions, preparatory to facing accreditation.

REVIEW OF SOME ASPECTS OF THE REGULATIONS VIS A VIS THE ACADEMIC DEPARTMENTS

The general principle is that the University regulations apply with equal force to all categories of staff that it pertains irrespective of the department of the University where they work. However, the issue may arise occasionally with respect to the unified cadre staff (Administrative, Secretarial, Accounting, Clerical etc) deployed in the Academic departments as to who approves their leave, appraisals etc., Is it the

HOD or the Registrar? The Regulations provide that since these categories of staff are subject to the day to day direction of the HOD, he should exercise such responsibilities. In respect of issues that are centrally determined such as confirmation of appointment, promotion, study leave, study fellowship, staff training and discipline, the higher approval authorities would rely on the report and recommendations of the HOD (See Para. 3.2 of HAP).

ADMINISTRATION OF DISCIPLINE

With respect to the administration of discipline, the HOD is responsible to the Vice Chancellor for the maintenance of the day to day discipline of the staff assigned to his department in all matters relating to his department. In event of a misconduct, the disciplinary process is initiated at the departmental level with the issuance of a query and depending on the gravity of the offence, the matter may be processed further to the Registrar through the Dean of the School for further investigation as the case may be (See Section 13.1 of the Senior Staff Regulations).

Misconduct is categorized into three in the Regulations; Minor Misconduct, Major Misconduct and Gross Misconduct. Minor Misconduct includes: absence from duty without permission, lateness to work, and

early departure from work, loitering, truancy, trading during office hours and quarrelling.

While Major Misconduct includes: Insubordination, fighting in the office, negligence of duty, drunkenness while on duty, loss/willful damage of University property, insolence, using official position to intimidate or bargain for sexual favour and false claim against the University. Finally Gross Misconduct includes: Gross Insubordination, falsification of Accounts/Records, conviction for a criminal offence, stealing, corruption and dishonesty, aiding and abetting examination malpractice or leaking examination questions and results, abandonment of duty, forgery, sabotage against the University, disclosure of official secrets, engagement in full time studies while employed in the University as a full time payroll and acting as Attorney against the University on a full time or part time capacity.

The disciplinary measures that may be involved against a person found liable include, dismissal, retirement from service, termination of appointment and reduction in rank among others.

TRANSITION MANAGEMENT

It is important to indicate that adequate provision is made in the Regulations for proper handing over in event of vacation of office or

redeployment as the case may be. In such a circumstance, staff is expected to handover their appointment to a successor in writing in a manner sufficiently detailed to enable the successor to be conversant with any development, progress, matters approved, awaiting approval, issues planned for execution, outstandings, including the inventory of equipment and materials at the staff disposal. The handover notes should be made in three copies and distributed to the file, the staff taking over and the Head of Department. This process should be carried out promptly in order not to impair smooth operations and undermine efficiency and effectiveness.

CONCLUSION

Adequate provision is made in extant regulations to drive effective and efficient administration of the academic departments. The operators should however take proactive steps to rediscover the rules, familiarize with the prescriptions and apply same systematically. By so doing the right environment for academic excellence to thrive will be created, efficiency and effectiveness will become the order of the day in the Academic departments.



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