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**Set8 Hearings1 – Public Hearings**

COMMISSION OF INQUIRY INTO HIGHER EDUCATION AND TRAINING

**PARTIES PRESENT:**

The Chairperson

Commissioners

Head of Evidence Leader

Evidence Leader

Experts

Secretariat

**WITNESSES:**

Mr Firoz Patel

Dr. Diane Parker

Dr. Green

Department of Higher Education and Training (DHET)

24-03-2017

**SESSION 1**

JUDGE: Do you have any objection to taking the oath?

ADV. K. PILAY: Thank you Chair, the team from the Department of Higher Education and Training will be dealing with three discreet issues this morning. The first is the question of historic debt, the second would be the proposal, and the third is the proposal by Mr McDonald and I believe they could be dealt in the following sequence; we deal firstly with the historic debt issue and that will be dealt with by Dr Parker and we then deal with the proposal and that will be by Dr. Green and we thirdly deal with the McDonald's proposal and that will be dealt by Mr. Patel.

JUDGE: Is Mr. Patel going to talk to us again about TVET, because the presenters yesterday distanced themselves from TVET?

ADV. K. PILAY: I believe if there is any specific issue the panel has, Mr Patel been able to answer the questions. We have the evidence and we will raise them concerning any specific issue. We are engaging with Mr. Patel regarding giving specific information for the purpose of the actual brief but that does not form the subject matter of today's presentations.

JUDGE: May I say on the record that the status of transcription is so poorly that, there are couple of things I will like to clarify with Mr Patel has to what you say in previous hearing.,

ADV. K. PILAY: I am sure he will like to provide that kind of clarification.

JUDGE: Dr. Parker, are you speaking first? Do you swear that the evidence you will give will be truth but the truth and nothing but the truth?

DR PARKER: Yes

ADV. K. PILAY: Thank you Chair, Dr Parker you attend this morning to deal with question of historic date? And perhaps you can begin by dealing with the question of historic debts and how it could be dealt with under this ISFAP model?

DR PARKER: Thank you very much. I will just indicate that what I will do is that I will sort out this issue of the story of historic debts but from the University point of view and if permitted I will like if Mr Patel will like to indicate anything from the TVET

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college point of view. He will then come in on that. To begin with, the ISFAP model itself is not designed to deal with the issue of historic debts but obviously if such a model or modification of this model is put into place and it does cover the full cost of funding for individual student to be supported, the student will not accrue historic debt to the future and that is really one of the motivation around saying we need to fund students for the actual cost of what they do and not for average cost bearing somewhere in the system because one of the issues that leads to historic Debts particularly for NSFAS qualifying student is the fact that the funding that is made available for them doesn't match with what they actually need to cover their studies.

ADV. G. ALY: Dr Parker, I actually need to clarify. Is it a sentence or statement of fact that students could not go into the future with historic debt? Then, is the belief that the historic debt is... I do think we need to be careful in terms of what it is exactly that the Department is saying or what the University is saying. I am not sure whether the department can say anything because... (indistinct sound) it owed the university. The historic debt that appears pleasantly in terms of the students, they wanted it written-off. The department has said we are unable to indicate that as yet and were certain negotiation is taking place. So, from that mind-set could you please then explain again. How besides the ISFAP model, how historic debt is being dealt with?

JUDGE: Can take it a little further, because I will like to understand how one can write off historic debt in reality. When the debt has been incurred and has run for a number of years. What does it mean to the person who has carried that burden for years and he or she is expected to recover. What is the reality on ground?

DR PARKER: Thank you Chair, Commissioner, perhaps I used some ...(indistinct sound) when i was indicating that the new students coming in if they were funded through this model would not accrue a debt in the future, that is what i indicated.

JUDGE: In so far as they comply with their obligations?

DR PARKER: Yes, that is correct! But they couldn't say it wasn't because they were not supported financially. For example, I come to other question in the discussion. We are aware that students that attend university have been accruing large amount of debts. At the time, I want to make a point that this is not a blanket sort of statement; it is differentiated in the system. Different institution has better or worse

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debt management policies and they have managed to keep the debt to a reasonable level but in terms of financial health indicator levels, indicate that it shouldn't be over 20% of what they would have expected to gain in terms of student fees in any particular period. So, you may want to keep it below that, in terms of debt owed to some institutions but some institutions have got debt owing to them in terms of the student fees they are expected to make budget and there is up to 18% of what the student fee is supposed to be it is very different across the system.

JUDGE: I have a problem with the whole concept of debt in this sense system that doesn't make sense, I think you descend your position where some people because they can't some people don't pay on principle, other people don't pay because of share mindedness and other people they don't pay any fee anywhere and some people don't pay because you people don't pay. In terms of student, it is hard to determine.

DR PARKER: It is impossible to tell what the reasons are at the moment.

JUDGE: Any write-off will both affect the good and the bad debts.

DR PARKER: It would if anyone wants to suggest a write-off. I don't think at the moment there is any suggestion about any write-off.

JUDGE: It just may be to reflect on what you have asked there. We had a meeting with the financial credit group of the University of South Africa, specifically around this question and we have agreed that we would do a research to really try to understand the nature of the debts and which students are owing and what are the issues around that. Is it any of those particular types of reasons underlying and we believe we need that kind of research in order to deal with the challenge.

JUDGE: Of course because not only is it good that we can predict what is going to happen but in two year time when students try their hands and say i can't afford this subject because i have only been covered not for every part of my fees but for whatever reasons that may be, you will have some ideas as to the genuine and not?

DR PARKER: Sir, one of the other point that i think we need to know is that debt management policies and debt recovery policy do vary across the university sector and as i indicated some institution are able to manage this processes very well and

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others will struggle with it and it could also have to do with the profile of the students at those institutions. Historically, financial exclusion has happened across the system but more recently, particularly in 2015 and 2016 in the wake of the fees must fall campaign institutions have been indicating that more and more students are defaulting in their payments. Even in those institutions where they believe that particular students have the ability to pay. So it is also a cultural thing that is coming to be affecting what is happening.

JUDGE: What do you mean by “Cultural thing”?

DR PARKER: Maybe culture is the wrong word but it is the culture of non-payment.

JUDGE: Do you mean like when you see other people not paying you say why should I?

DR PARKER: Currently, as we are aware there is a constraint model for University funding and it does not remain policy, while it remains policy the issue is that all students are charged fees and are expected to pay their fees. So, some students will have their fees paid through funding paid through NSFAS, for example, while they still pay their fees and non-payment of fees can result in financial exclusion even in this particular point in time. While institutions with outstanding fees will not receive qualification certificate if they have qualified. Institution will allow them to work up the stage across as if they are graduating and they will also provide them with a certificate not a type of statement of result. So they can use it to approach a prospective employer as a proof that they have the qualification. Prior to that, students were not even able to get that statement of result but there was an agreement that University must do that because the last thing you want is a student who has qualified not being able to get employed and therefore not being able to pay back.

JUDGE: May I just ask you before I forget. Is there any evidence that people have received NSFAS money and not used it for the purpose for which it is loaned? I know this cannot happen if money were paid directly into the university where it is needed as a form of grant?

DR PARKER: You may be aware that the department is currently has a forensic investigator on the way and we are going into the third phase of that particularly on

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the utilization of NSFAS funds and to an extent. We have, for example, seen when Walter Sisulu University was under administration, we discovered that there was corrupt practices with a particular bookshop where students will go and get money instead of books. The bookshop will have funding coming and the student will use it for whatever they want to use it for and that was shutdown but there were many other practices that we were informed of.

JUDGE: So this is being investigated? And will be uncovered in due course for it to unravel.

DR PARKER: And that process of dealing with those things identified what is happening in the system and we in know what the problem is with feedback into the NSFAS system and arrange something like ISFAP come into those systems to ensure that we put in checks and balances to stop this practices.

JUDGE: ISFAP doesn't take over those elements in NSFAS system which has linked themselves to malpractices.

ADV. K. PILAY: I also heard from those practices I think tally with those success being a problem that sometimes students don't attend lectures, but come to collect their stipends.

DR PARKER: We have specific control in place but it is part of what we are proposing in form of a support model and particularly in form of institutions managing that from the aspect of the student being able to enter into contract of what their responsibilities are in relation to attending class, writing test and putting in assignments if they receive funding.

JUDGE: In the university, I know in the long distance department, we used to have something called the DP (Duly Performed).

DR PARKER: They still do have that.

JUDGE: Does this impose or just administer uniformly or is there a sector in that?

DR PARKER: I am not sure, we haven't done any investigation on that to see how university that are imposing that, but I do suspect that cheating across the system.

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ADV. G. ALY: Are this DP as I knew it in my time, does that mean if you don't get your passes in a certain number of modules for that semester that you wouldn't be able to return? That is how our DP worked.

DR PARKER: Genuinely, the DP is about works about a course work that you do and about you having the right to enter the examination that is the final assessment and if you don't achieve it you can't pass it because you will fail that course.

JUDGE: Ours as I remember has to do with the attendance of lectures.

DR PARKER: It depends. I think wonderful things do happen after the fee must fall. The president choked up wanting report at the end of 2015, and was that we do better accounting of student dates that was into the University by NSFAS funding and that had built up from 2014, 2015, 2016. Previously, there has been funds that have been made available to deal with historic debts from NSFAS qualifying students, that was from 2013 only. Huge amount of funding I think is in around R2.5 billion was made available to deal with that issue of NSFAS qualifying students' historic debt, but I think it is very important to note that it wasn't the writing of debts. Students who owe that money to university and were given a loan and had to sign a loan agreement forms for the funds to pay off the debt they owe to the university and I think that is one of the difficulty with the call around the so called missing model, wondering what they did to be written off. Is that they didn't quite understand that this wasn't a write-off of debt, but this was a paying off debt and so who pays the debt becomes a big question as we go into the system.

JUDGE: As it become comparison between the liability of NSFAS on the students for unpaid amount and students who don't go to NSFAS?

DR PARKER: We are hoping this year to get a proper accounting of that to get a better understanding of it. As I explain, it is a little bit of a complicated situation in the way the date works and the students fees work when they are in the system perhaps to just go straight. We are all aware that during the latter part of 2015 the general student body went into demand, it was an historic debt and particularly for the missing model should be written off and there were discussions with student leaders to try to explain to them why it could not be written-off and the Minister after discussions with the SRC and the student bodies and in the wake of the violence

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having meeting with the Vice-Chancellors to deal with the issues of students actually owing funding and they are academically performing to find ways in which we can create a possibility in which the students can continue in the system without funding which is a difficult issue that must be dealt with.

So, there was an agreement by Vice-Chancellors that each university will develop transparent and debts management policies and in line with National Credit Act and in line with the promotion of Administrative Justice Act like this mend ways of administratively dealing with students that had debts and that institutions and individual students who had debts and couldn't register because of that debts with an intent to enter into agreement with the universities in line with those policies and that universities will try to work with student bodies to ensure that the maximum number of students who quit school can register their debt. Institutions themselves have developed policies each different across the system. One of the thing that most institution have agreed on is that students should have at least paid certain proportion of what was owing but you couldn't enter into debt repayment policy without creating a willingness to pay. This has been in implementation and many students who have outstanding debt have been allowed to register this year based on this kind of agreement and i think it is also one of the reasons why we have had an uneasy calm in all of our institution because those students are one of the people who distract the system are now able to register.

JUDGE: As one looks back is there clean cut off line where all debt has been written-off and can you say that debt incurred in 2014 is no longer owed?

DR PARKER: There has been date in payment as an accounting issue with institution's books but they have not written off debt, the individuals who are still owing the debts are still owing the debts, they in process that there is a negotiations where individual students might have some written off. While some institution had made a decision will derived to small amount. I give you a university, if the students owed something below R1000 they wouldn't insist that the student had to pay in order to get the certificate but that is also different across the system. \_Would you want to have figures in that total date in the system and i can share that with you and what has been sort of okay from an accounting perspective being sure of sort of in



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payments and what the total debts is still on the books, accounting books, we do have those figures.

JUDGE: That depends on what the discretion of the individual institutions to what extent efforts have been made to recover the debts?

DR PARKER: It depends on that, the policy and collection mechanism and also the payment depends on the ability of the institution to do that because in the ...doesn't have to come from elsewhere, and institution would have to still be a going concern and the accounting process will still have to be, although some university are more able to do those things because of their financial positions. I think it is really important that the character of these data is but a single way of looking at it. We know that in principle, all students have to pay fees but we can look at two groups, NSFAS qualifying and the historic NSFAS qualifying students and those that are not NSFAS qualifying students. Look at the NSFAS qualifying students, although we do deal with historic debts for 2013, 2014 and 2015 but some others still have debts and the reason why they have debts is this matter of what is available from NSFAS on one hand so in 2016, we then went to institutions to find out what the cap was in 2016, but the actual fees is 120,000.00, they then owe the university that gap. That then start accruing so called historic debts for the NSFAS qualifying students and then at the top of the date is when NSFAS qualifying students has expected family contribution. There is a loan and there is an expected family contribution, so even now that may have the sort of full cost of study with the family contribution and they feel that those students are then owing funds. That is one of the reason my diagrams shows a maximum of 300,000.00, we say no family contribution because if you stick to family contributions that is probably in debt for those students.

JUDGE: The cost of retrieving relatively small amount from numerous people is prohibited not for saying whatever the system says for a loan system. With the loan system is just a different issue.

ADV. G. ALY: Let's just return Dr Parker to NSFAS Historic debt and in this regard I like you to have regard to circular 6, and whether those areas have been dealt with conclusively in this sitting. There was what we called third problem where you didn't have the money but ... say you must take the means, what then happen was that University were waiting and then there was a verification process that was going to

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take place whether those people did qualify or not and then only the payment will be made. This was in respect of circular 6.

DR PARKER: If I understand this correctly, this was the issue that was linked to the request by the minister to allow NSFAS qualifying student into the system even though the individual institution hadn't yet been promised funding to support the students. In the beginning of 2016 and that was for 2016 only but that has been put in place and what government has promised to do was to find the funding to support those students. The 2016 unfunded NSFAS qualifying students, it was up to the universities to undertake the means to identify the students who will qualify, so the students on the list needs to be presented in way that qualify ready. The government did come with the funding, the minister of finance used a medium budget funding indicated that the funding was made available, at that point in time institutions had already identified which system were qualified and students were asked to sign a loan agreement form. Funding was provided to institutions by the end of November up to 60% funding and the remainder of funding under this period up to 31<sup>st</sup> march 2017, is presently been finalised but obviously could go to students who had sign their loan agreement form and depend on verification on the means test and there was a challenge in some university with some engagement with some SRC but we did manage to deal with that.

Specifically around some student who doesn't want to sign their loan agreement forms, feeling they should deserve free higher education and therefore the funding should just be made available and they wouldn't need to sign the forms. It was made clear that they do need to sign the forms should they want to continue and only those who signed the form were registered at the beginning of this year, and the team said that the challenge has been dealt with.

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**SESSION 2**

JUDGE HEHER: Do you have any objection to taking the oath?

DR. GREEN: I do not.

JUDGE HEHER: Do you swear that the evidence you are about to give will be the truth and nothing but the whole truth?

DR. GREEN: I do.

JUDGE HEHER: Raise your right hand and say so help me God.

DR. GREEN: So, I help me God.

JUDGE HEHER: Yes, Ms Pilay?

ADV K. PILAY: Thank you chair. I believe that in dealing with the department's response to Professor (Ian Scott), Dr. Parker will make a few introductory remarks and over to Dr. Green.

JUDGE HEHER: Very well.

DR. PARKER: Thank you very much. We were asked to respond to the presentation that was given by Professor Ian Scott on the context and significance of systemic academic development in students' portfolios. We have been presented with the presentation and the transcript and we have considered it.

JUDGE HEHER: And the report that was prepared on the curriculum; on the flexible curriculum.

DR. PARKER: Yes. I put that into context, because his presentation was based on the work done for the Council on Higher Education in 2014 and really what that was based on was a request that was made when Minister Pandor was the Minister of Basic Education. And he had indicated that consideration could be given to thinking about whether or not a 4-year curriculum is advisable within the South African context. And it was on that basis that the Council on Higher Education put in process the development of a team to write that report. That report was finalised in 2014 and advice

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was sent to the Minister in December 2014. The department then analysed the advice that was provided, because we had to take very seriously what was in the report and the advice of the Council on Higher Education. There is no doubt, we were very well aware of the problems with respect to students' success and those in the system, and there is no doubt there is need for us to improve that. The date that was in the report was fairly dated.

There has been numerous programmes that already been put into the system. Looking at data across time, we have noticed that there is need for improvement in the system. We realise that we have to deal with the issue of underprepared students, and the whole issue of providing effective support for students from whole range of perspectives not only academic but also general support, that there may also be some areas that has to be considered. One critical area could be thought about in terms of career advice and development, because what we have noted is that many students dropping out in first year of study may have not been advised correctly or may not have taken the correct courses. Some international experiences show that simply by having an effective career development services and student advice you can improve students considerably. We have been involved in discussion around this with international experts. That is one thing that needs to be thought about. The department has development service which is operational and it is running. It runs across the year. It deals with radio programmes informing students of various careers and how they can study towards them. It works with DBE in terms of providing advice to schools leavers and students at school levels. It also runs a campaign every year to encourage to applications into post school system on the basis of making effective career choices. That system is one spoke what needs to be done in relation to improving success in the system.

We recognise and agree with the report and a lot of the issues around the wastage of funds if students do not succeed. The solution to the problem may not be that you extend curriculum and have the flexible curriculum as a default position with possibility of some having accelerated system.

After our analysis, we did agree that we needed to expand foundation provisioning in the system because we recognise some of the serious problems that are linked to the basic education outputs, and some of the areas that need to be academic

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development; people who come with the right inputs but at risk of succeeding due to educational background. From that perspective, what the department has decided is to expand the foundation visioning programme in institutions. We are looking through the enrolment planning process from 13% to 30% enrolment, the head count enrolment. And at the same time, we have developed a new policy on extended and flexible curriculum which takes into account much of what is in... (*physical distraction cuts line of speech*). So, we have developed these policies which are published in 2017. It will deal with issues around creating foundation visioning that is effective and integrated into four or five years curriculum, or whichever one, depending on what the course is; and that is effectively funded both in terms of funding courses and in terms of funding for providing additional support for those students in those programs.

The second aspect is development of higher certificates for foundations and that has now been developed. We've been working a number of institutions. And this will focus on those students who are required to come and do certain courses in courses like engineering and the sciences. The mathematics requirements are fairly high but you may have students who succeeded in basic education at 40% or 50% level, and they do have some potentials, but they are not at the level where they will be able to go into foundation provisioning course. Those certificates are being developed at NQF level 5. The first one has already been approved by the Council on Higher Education and are being offered through the University of Free State. For those higher certificates, we have developed a national plan for implementation of more higher certificates across the system to enable this kind of access to higher education, to build foundation and to ensure success in the system.

ADV. M. LEKOANE: Before you proceed Dr. On his presentation, Mr. Scott was pointing to mismatch between the assumption under which undergraduate education is based and the reality of educational background. Is that how you are trying to...?

DR. PARKER: That's two of the processes of how we are trying to deal with. The one is the issue of the flexible curriculum which is direct into the university on a flexible standard programme which will be for a 3 or 4-years degree programme and expanding that from current 13% to 30%. The second is about the reality of students who almost made it and will be capable of doing university education but don't have

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the foundations, and that is the development of the higher certificates. But generally, there are problems in the system and the problem of students' success; it also deals with students who are capable and who had done quite well at basic education. With those students, we recognise the need for other kinds of support as well. Not simply about academic programme or lack of it, and from that perspective, we have been focusing on to support students' success and Dr. Green will talk about that in much more details. But it links also to what was said yesterday in terms of ISFAP policy and the programmes that are wrapped around support.

The issue of data analytics is also a critical aspect to create early warning system. If a person is picked earlier as somebody who needs support and he is provided with good advice and assistance, he is more likely to succeed. We have examples that we seen at universities internationally where they manage to move what we call the triple threats in the graduation in the system from 48% within a five year period. Not by making longer curriculum, but by putting in place other kinds of interventions which enabled a bit of support for students to enable success. And so, we try to build that into our university capacity development programme, which is really about the programmes we are implementing to strengthening the system to build success in the system.

We did bring a copy of the document for you.

JUDGE HEHER: I take that Dr. Green is going to provide us with statistics of improvement in the two processes which you referred to.

ADV. G. ALY: Before you hand over Dr. Parker. I thought you would mention the other aspect which you mentioned in your previous testimony around this issue, and that is, the development of your lecturers, where you got your grants to improve pedagogy among certain lecturers. Now, I am not sure why you did mention that. In my question to Professor Scott was that you don't blame the child that was coming through but you also have to blame at the door of the lecturers. From what I have heard from your testimony that is the reason for the certain grants- I don't know what it is called.

DR. PARKER: Thank you commissioner. I think that is what Dr. Green is going to talk to about because the university capacity development grant deals with all of

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those aspects. Clearly, it is not only about what the students bring, it is also about what is offered at the institutions.

JUDGE HEHER: Yes, Dr. Green.

DR. GREEN: Thank you Chairperson. The DHET has over the last few years increased its focus on students' success in the system. One of the structural things that has been done is establishing a directorate within the department called Teaching and Learning Development in Universities. The directorate has specific focus on students' and staff's success.

JUDGE HEHER: Hang on a moment. Just tell us what your position is in the department.

DR. GREEN: Okay. I am the Chief Director, Teaching and Learning Development in Universities in the department who oversees the works of that directorate. I am in the university branch of the DHET. I think Professor Scott has done amazing work and painted comprehensive pictures of students' success and over the years he has been strongly involved in a range of students' success initiatives. I have great respect for his work. However, the presentation does provide a static picture of a dynamic evolving system. For example, to focus one cohort of students as a picture of the system does not paint that cohort in a historical trajectory that shows development. Our analysis has shown that the system is evolving and improving and that the range of initiatives that has been implemented in the system do seem to be making impacts.

Chairperson asked for some statistics around improvement- the document I am not sure you have it in front of you, but at the back of it, there are sets of tables- indicators that we are putting in place in the system to track students' and staff's success. There are set of 19 tables.

JUDGE HEHER: Just a moment please. This document is called Ministerial Statement on The Implementation of the University Capacity Development Programme through Effective Management and Utilisation of the University's Capacity Development Grant: 2018-2020. The one that has been handed to me consist of 30 pages. You said this also contains the tables which you referred to.

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DR. GREEN: Yes, from page 23. There are set of indicators we want to use to track students' and staff's success and improvement that have happened in the system over the last 10 year. So, across the range of indicators, improvement can be seen. Every year, since last year, the department conduct students' cohort study in the system. The latest cohort study is the cohorts from 2000 to 2014, which will be published before the end of this month provided the Minister signs off. This has really given us a good idea of how the system is changing over time. So, when you look at the indicators in the latest cohort study, one can see that growth has taken place. So, for example, I want to focus on student's success. There are indicators here that focus on participation in the system. There are indicators that focus on undergraduate students' success and those that focus on post-graduate students' success; and indicators that focus on staff's success. And so for example, if we look undergraduate students' success rate in the system, in 2005, it was 71.3%; in 2015, it was 73.1%. The issue is though if you break down those figures, and look at it in terms of demographic profile, participating in the system, that you will see a worrying data emerge, that we still have a situation where certain population groups are performing better than the other. So, it is not just about students' success, it is also about who is succeeding in the system.

ADV. G. ALY: Mr. Green, I have looked at your tables very briefly and it seems to have these demographics across the board. I am more interested in issues around stem programmes that you are able to analyse the problems where they are. And participation and so forth are certain of indicators of success and access rates. For instance, Professor Scott because he is a mathematician, says the calculus that is expected of a student entering university is not the same for matric. So, there are certain subjects for certain programmes that one might need what Dr. Parker refers to foundational courses. I hope you will deal with these besides the demographics that you are given.

DR. GREEN: Certainly, Commissioner. So, the data we are able to collect from the system also enables us to track broad disciplines areas. And the trends that Professor Scott referred to are in existence. The students are more successful in the humanities for example, than they are in the engineering programs. So, while we might have a set of indicators that we want to track at the national level, universities have to drawn it down and look at their programmes, and what are the issues in



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relation to each of their programmes that are contributing to these national pictures that we are seeing. So, to address the issues at the programmatic level is the approach we want to embark on in relation to these programmes. So, there is a range of these indicators that do show these levels of improvement. However, we take cognizance that we are not anywhere near we need to be; that while the system is improving, that still needs to be much more improvement. What we have also done is to set indicative targets for 2026 for this particular programme to try and drive towards. So, for nine years period over when this programme will be implemented over three years cycle, with the clear goals that we have set for the programmes that we have set for students' success. What I am trying to signal here is that if we don't understand the students' success in terms of where were, where are and where want to be and develop comprehensive programmes to take us there; we might not get to where we need to be. And so the university capacity development programme is about that.

There is a range of factors that impact on students' success. It is not just about the curriculum, the teachers or what the students bring. For example, the issue of finance is a big contribution. If students do not sufficient finance for their studies; to buy the books they need and feed themselves, if they don't have adequate housing; all of those factors will influence students' success. So, we have to think about these as a comprehensive issue and we need to come at it from different angles, including through the angle of curriculum. For us, it is not just about more time to study, or expansion or extension of the curriculum, it is also about the quality of time that is being spent. So, what are students doing during the time they spend for their degree studies? We need to think about things like the nature of the curriculum. It can't just be more of the same. It has to be a curriculum that is much more responsive to the needs of students; that cares for students from where they come from; the examples of the calculus, and the gap between what they do in matric and what they are doing in the university; that cares for them appropriately to over those gaps and also care for them through their degrees. Curriculum that are relevant and that the students can see themselves in, and so have a much ownership of; are some of the issues that we have to address. So, what we have to have is a systemic picture of the factors that impact on students' success. But the systemic picture like what I have presented in terms of indicators is not sufficient. We have to draw it down to the

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universities, because the universities are different and one-size-fits-all programme will not suit a range of universities. For example, the issues that impact students' success at Walter Sisulu University will be different from that of the UCT. One of the biggest issues in the system is students' success with relation to distance education students. Our national figures are impacted severely by the issue of distance education and how successful students are in distance education. So, those are big issues that we have to address. And how do we work with UNISA as the big provider of distance education in the country at this point in time to address that issue? This becomes something that is very important. What we have done here now is to try and build a comprehensive programme that sits alongside the initiatives that Dr. Parker has talked about; the extended programmes; the higher certificates. The UCDP sits alongside of that as another arm that could drive students and staff's success.

ADV. G. ALY: Dr. Green, in practical terms, what does this mean? You get a learner coming from matric with a bachelor pass which means that that person can go to a university. Are you saying person has to do some kind of IQ test before he enters the programme or during the year? Just explain practically how this work.

DR. GREEN: Thank you Commissioner. I think what we are saying here is that there is no one size fits all for every student. And I think Dr. Parker emphasis on that career advice and development is an important point. So as to interact with the students to understand what their aspirations are. And what the potentiality are in relation to advising them on specific pathways that can be considered. There are also students that are coming to the universities with diploma pathways and can access diploma courses. Universities admit students on the basis of matric results and they also convert into admission points score and some universities also subscribe to placement test and used that not for exclusionary purposes but to place students along appropriate pathways. So, I think what has been suggested here are multiple pathways for different students depending on the needs of those students and the aspirations that they have. So, one pathway will be, for example, a higher certificate first, before entrance into a bachelor degree. So, if it was 3 year bachelor degree with the higher certificate it will be 4 years. Another pathway could be those people that do have the bachelor pass into the extended provisioning programme which will also work out into 4 years. Another pathway will be direct to the

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mainstream/regular programme with support through a range of initiatives. So, there are multiple pathways for students to access the system depending on their individual student's needs.

JUDGE HEHER: How many of these programmes are actually in operation?

DR. GREEN: The extended provisioning is in operation. Dr. Parker indicated that it caters for 13% of the students presently in the system, and the plan for 2026 is to expand to accommodate 30% of the students.

JUDGE HEHER: How long is that programme be in operation?

DR. GREEN: Dr. Parker?

DR. PARKER: It was introduced about 10 years ago.

JUDGE HEHER: So, it was known to the people who prepared the discussion paper?

DR. PARKER: Yes, in fact the whole areas of students' support and academic development with things like foundation provisioning, in the late 80s... I started my career at a university in so-called bridging programmes for accounting. In those days, they were called bridging programmes and they were the precursors of the foundation provisioning programmes. I am not sure it was towards 2000, but ...(cuts)

ADV. M. LEKOANE: It was around 1996, 1997.

JUDGE HEHER: But to my question, the people who prepared the report on flexible curriculum would have been aware of it.

DR. PARKER: They are very aware of the foundation provisioning in the system and they are advised in terms of how you develop these curricula have led to the development of this new policy for extended curriculum. And in fact, Professor Scott was one of the members on the task team that develop this new policy.

JUDGE HEHER: Thank you.

DR. GREEN: Thanks. So, if we hone in to the University Capacity Development programme and what it is about, it only has three focus areas. It is useful to talk to pictures and talk around them. So, I am going to point you to page 9, to give some

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philosophical background underpinning the program. The programme works from the premise that it is possible to work in the nexus of quality, successful and equity. So, these are often positioned as competing imperatives in the system. So, if we deal with equity issues, quality drops. If we expand the system, students' success becomes a problem. The program works on the premise that you can drive quality, successful and equity in the system at the same time.

The University Capacity Development programme has three focus areas. If you look at Prof. Scott's recommendations almost every one of them on his slides have actually been taken upon into the University capacity development programme. So, I think it is because the understanding of what needs to be done to address the issues in the system. There is a common understanding of that. If you analyse the UCDP in relation to Prof. Scott's recommendations, you will see complete alignment. So, this focus on student' development, programmes and curricular development and also supporting staff development as three important levers in the system.

JUDGE HEHER: I am sorry to disturb you. You said it focuses on three, which are they?

DR. GREEN: Student development, staff development and programmes and curricular development.

JUDGE HEHER: Thank you.

DR. GREEN: so, the visual we've selected is quite telling in relation to these three needing to work in a interrelated way as gears in the system. And if we do not paying attention to all three, we are missing something.

Commissioner Aly spoke about the teaching development grant. The intention is that the teaching and research development grants come together with other resources that the DHET can attract to form the universities capacity development grants. universities capacity development grant is one contributor to the universities capacity development programme.

Just to hone in on the students' success, which is the next graphics on page 10; an understanding that students' success has to happen in a coordinated, structured and holistic way in the system. It can't happen in an ad hoc fashion which I think has

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been part of the practices of the past. So, universities for example, implementing tutorial programme or mentorship programme in the absence of the understanding of why they are implementing that and absence of tracking the impacts of those programmes over time. There has to be a structured coordinated approach to students' success. So, we are suggesting that if we implement such an approach. The first pillar has to be data analytics. We have to understand the system and the patterns of students' success and understand where the blockages are in order to inform what needs to be done. So, building data analytics capacity in the system is a he first step. And this is already starting to happen in the system in a number of ways. If we had data analytical capacity in the system, the data can help us to develop and implement early warning systems that start to identify at the initial stage that is of entry into the system students that are at risk and need support in different ways; that aligned to early warning system proper students' advisory services. So, early warnings must signal risks, students must be able to access advisory services that are able to direct them to appropriate students' support that they need for their specific issues. So, it can't be a one size fits all. So, the students' support is really the fourth pillar of an approach. And I think where we were in the past that was the only pillar. So, building what is to come before in order that students support is provided and it is relevant for the needs of specific students.

ADV. G. ALY: Dr. Green, in this whole picture of UCDP, where does language come? A department gave us testimony or the language policy and so forth, and I would imagine forms a great part why many people succeed and some dot in this country. Is that taken into account in the UCDP?

DR. GREEN: In relationship to the basket of support services that are available, one of the important ones that the universities are implementing is the issue of language development. It is often related to language of learning and teaching in the universities. So, language development is around the developing ability to use English language as an academic language in the university environment. So the support is part of this as one of the category of students who need support for this. But I think your question is much bigger. It talks to how we value language in the country, and how do we provide recognition for all the other languages in ways that are meaningful. I want to talk to that issue when I talk to curriculum which is another aspect of the UCDP.

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You will see in the range of support services that the universities have been implementing and will implement much more strongly as we go forward, the first year experience program is almost universal across the system at present. So, every university has a structured first year experience programs that take first years in but support them in different ways; starting off with induction and continuing into the second semester in relation to enablement to participate as a community practising particular disciplines, relevant tutorials and mentorship support. .

JUDGE HEHER: How long has this program been in operation?

DR. GREEN: I think it started off with one or two universities. It got attraction over the last five years. I think it is universal across.

JUDGE HEHER: For how long has it been universal?

DR. GREEN: It's about two years or so. What we have as support in the University of Johannesburg is the development of the first year experience centre that starts to develop resources that all the universities can draw on in relation to supporting first year students. There is a range collaborative students' support activities happening across the system that are helping to drive students' success. We have tutoring and mentoring programmes, academic development programmes, supplementary instruction, psychosocial support, life skills and extended programmes. If you look at that list, you will see they talk directly to Prof. Scott's areas that he spoke about expanding; he spoke about expanding academic support, students support and extended programmes. Those initiatives are all about those three areas.

What I want to emphasize is that we have to assess impacts much better going forward. Investment in these programmes, supporting universities implementing these programmes, getting students on to these programmes; what kind of impact are they having on the system? So, their requirements will be monitoring and evaluation in addition to data analytics that happens upfront, monitoring and evaluation of the programmes must happen continuously, so that they can also feed into the data. So, that is the kind of vision of the students' support programmes that are driven through the UCDP. And we do think that given the time and necessary funding, that we are going to be able to make the kind of inroads into kinds of indicators that we have set up.

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JUDGE HEHER: That's pleasing to hear. Can you just give me an indication whether there has been costing of these programmes and if so, some sort of basic parameters to what extent do we have to this into account in looking at the cost of education?

DR. GREEN: What are working on the basis of is the funds that we have in the system at the present to enable the implementation of such a programme. And we were implementing at a scale in which the funds allow but certainly with the intention to grow the programmes to accommodate for the needs of many more students. So, at its initial implementation in January 2018, there will be 900 million available to support the implementation of the UCDP.

JUDGE HEHER: That's the budget for the next three years?

DR. GREEN: There might be increase likely, but 900 million in the first year. So, we do that have that and we see it as part of the budget going forward unless for some reasons, the funding framework for universities changes. But we don't see that as the only resource. We are trying to gather support across the spectrum for the implementation of these programmes. So, for example, the various SITAs support universities around students' success. Various philanthropists and foundations support universities around students' success. What we want to do is to build a common understanding of how we support, so that we avoid reduplication and maximise impacts. So, we see much more funding coming in through the complimentary support that we are going to be able to harness. There are examples already in the document that you will be able to look at. For example, a partnership with the National Skills Funds has been established in an area. Partnership with the Newton Foundation, Bath, Royal Academy of Engineering and the European Union, and as much as possible, we are seeking to establish and maximise partnerships to bring in resources into this.

JUDGE HEHER: I realise that the budget wouldn't have extended beyond the medium term, but what do you foresee is the cost of this programme in the light of 5, 10 years time?

DR. GREEN: We haven't actually costed, but we do foresee is, for example is if the (EKUSASA) student funding model is taken forward into the future, we want to see

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the students' support component of that model being entrenched in this rather being something separate in the system. It would then mean that many more students would formally need to access the students' support initiatives. It would mean a need for greater funding. There has been work around how this could be done including through the possibility of social impact bonds; Batho Center at UCT on some models. But certainly as we go forward, if we expand the students that come into the students' support initiatives; we are going to need expanded funding.

JUDGE HEHER: I am just trying to get some ideas of what magnitude expansion you would need. You've got 900 million in the present budgetary system. Do you see it tripled, quadrupled, how do you see it? I certainly think it is a difficult question to answer.

DR. GREEN: It is certainly difficult to answer. I certainly think that the amount of money in the system has been to make an impact. But universities are indicating that if they are going to expand what they are able to do, they will need more funds. So, certainly tripling might be in the medium term. Again, it is just some feeling.

ADV. G. ALY: Dr. Green. You are dealing with numbers. You and Dr. Parkers say you've got 13% which in 2026, you want to increase to 30%. So, taken that into account, the 13% is going to cover the 900 million, I assume.

JUDGE HEHER: Ideally.

DR. GREEN: No, foundation provisioning budgets are separate budgets and the expansion has been accommodated within that budgets. The 900 million is around the third leg of our programmes. Remember the three legs are higher certificate, extended programmes and the UCDP. Dr. Parker is indicating that it is probably times three.

The second leg of the UCDP is the staff development. It is our understanding that if you don't have quality staff in the system that are sufficient in numbers, that impacts on the universities' operations, teaching and learning. So, I am not sure if Commissioners have the sense of staff of the South African Universities frameworks that was implemented by the department in 2015. That framework is being taken into the UCDP as part of it and become the staff development focus of the UCDP. Again, we bring all these things together to put something comprehensive on the table. The



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Staff in South Africa Universities framework puts in a range of staff initiatives from recruitment right through to retirement. It seeks to attract early talent in the system operating at postgraduate level or more, identifying people who want to embark on academic career, providing opportunities for them to start to extend that through participation in joint teaching, learning, mentoring and tutoring. New generation of academic programmes is the next step. It is about recruiting formally permanent staff, meeting particular quota targets and placing them at the universities. So, we have placed in the last two years 204 new staff largely using funds that have been redirected in the system, but entrenching and formalising it as part of the system.

The third leg of the staff development is the Staff in the South African Universities framework is about the existing staff at the universities and developing their capacity around teaching and research through a range of informal and formal programmes.

The fourth leg of the staff development is the Staff in the South African Universities framework is capacity development for leadership and management in the system not just administrative leaders and managers, but those who lead programmes. For example, the deans or those who lead teaching development activities or research development activities; providing development opportunities for those with big focus on teaching. It is our recognition that one of the factors impacting on students' success is the quality of teaching in the system and developing our lecturers to become better teachers. The Minister always talks about why don't we put in a formal qualification expectation for every academic; teaching qualification not just PHD. Maybe it is something that we will look in to in the future. Certainly, we are looking at how do we enhance the state of teaching? How do we make teaching a valuable activity? One of the things we are exploring and there will be national dialogue in June, is around the issue of teaching fellowships. Could we create tiered-system of teaching fellowships in the system that people aspire to and that are recognised for promotion purposes? This is something we are considering, certainly, a big focus on the ability of our teachers in universities to be responsive to students and to deliver the curriculum appropriately.

ADV. M. LEKOANE: Dr. Green, Dr. Parker mentioned the ASP- academic support programme- which during our times in the universities we were part of. In fact not only at varsity because at matric, the university would come and collect students for

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Saturday classes, maybe they are addressing the issue of readiness. So, I wanted to check if this is an improvement on that. I also know there will be participation issue as one of the challenges. Are we foreseeing that we put this investment into these programmes and students don't respond to it? And how is it going to affect our calculation of costs? And does it include basic education as I was saying about the Saturday classes?

DR. GREEN: The programme doesn't replace academic support programme. It incorporates and includes as part of an expanded series of offerings for students development. So, it doesn't become the only possibility but a range of possibilities depending on the need of specific students. And many of the people that are working in students' development are the academic support people. Most universities have now developed what they called teaching and learning centres that have expanded focus on a range of possibilities around students' support including what we traditionally understand to be academic development and support. So, it is inclusive of it but it is much more expanded. Some universities at the present are looking at the school leaving system to select potential students and work with them through dedicated programs that start to prepare them for access for specific programmes at the universities. And those universities have been utilising the funds from the teaching development grants to support some of those programmes. We do foresee that would also be the case going forward, that universities would choose to incorporate those kinds of programmes in their university capacity development plan. The issue of participation is something I can't give definite figures on. We have report from every university every year. Universities report good participation for the students that need support. As we go forward, as Dr. Parker mentioned that students will be contracted in to certain obligations. So as part of funding students will be obligation to access the support that you need. I think that will be one of the things that drive participation to a higher level. But that also will impact the need for more funds in order to support such programme.

ADV. M. LEKOANE: Are all the first year students capable of contracting?

DR. GREEN: I am sure it is going to be social contract. I am not sure to what extent it is legal. Dianne maybe you can talk about it.

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DR. PARKER: The students' ages are varied. I think Dr Green is right. It is a social contract and it is linked to their funding. For example, a student is receiving funding through the scheme, and they are obliged as part of their responsibilities to access this report to also go into the system to identify certain aspects. If they don't, then they will be contacted by the funder to say what is going on and mentor will come in. If you develop some kind of responsibility through other programmes that have used this, it does work and it creates sense of responsibility and students start to participate more and more. I think what is more important and we know this from dealing with students at certain time, is that students may feel embarrassed or uncomfortable to come for support, but if there is early warning system, it picks them up and somebody comes to them to help them, they are much more open to become involved.

ADV. M. LEKOANE: I am not sure if I am digressing, but I just want to link the support programme to the state of readiness that is my ultimate concern if they are ready to...(cuts). There was also an upward bound programme where a university takes some students from December and houses them and keeps them till Christmas where they give them some literacy and numerical skills and science literacy. Will this be flexible in that regard?

ADV. K. PILAY: Chair before Dr. Green or Dr Parker answers., I just want to point out that we made particular arrangement with Mr. Patel where he needs to leave at a particular time on Friday. So, if we can get Dr. Green to finalise in the next 5 minutes and give Mr. Patel the opportunity to provide his evidence.

DR. GREEN: Thank you commissioner. Exactly, that is one part of the possibilities. So, the university would have to put in place whole range of programmes that fit within the criteria of the UCDP. I know UCT has something similar to the programme. So, universities can certainly implement such programmes. It will have to be in the context of making decision about the amount of funds available and what they can support.

The last part of the UCDP is the curriculum development programme. It is our understanding that curriculum is the site of engagement between students and staff. And the curriculum itself, is an influencing factor on students' success and if we have relevant curriculum in place, that talks to the contextual reality of South Africa, Africa

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and the global world that students see meaning in that will impact on students' success. So, to provide the resource for interrogating curriculum in order to transform and renew them so that they can enhance students' success will also be a part of the programme. I don't want to use the word decolonising but that will also be part of this. And the issue of language comes in here. The issue of language of instruction as curriculum issue and how do we develop capacity where that is needed is a choice at institutions because of students' requirements to embrace other languages instruction to build that into the curriculum development activities.

The last thing is that this will be implemented from 2018. We are bringing the teaching and research development grants to a close. This year is the phase out process. Each university will be working with department this year to develop 3 years of university capacity development plan which will engage, approve and then fund from 2018 for the next three years. Thank you.

JUDGE HEHER: Well Ms. Pilay I hope you have more time to absorb what Dr. Green has laid out in his ministerial statement than we have.

ADV K. PILAY: We were unfortunately given the document today as well, Chair.

JUDGE HEHER: We migrate from door to door, but Dr. Green said I did not meet him before much earlier. And it may be that we have some questions to what he has put before us.

ADV K. PILAY: We will be more than happy to facilitate Dr. Green appearing before us again to answer some specific questions.

JUDGE HEHER: It may not be necessary but I will welcome that opportunity. Thank you.

ADV K. PILAY: Thank you chair if we may have Mr Patel dealing with the McDonald's report.

MR. PATEL: Chair, my presentation will be very short, because the commission may have more questions to ask. On the 4<sup>th</sup> of July, Mr. McDonalds wrote to the Minister of Higher Education and Training and copied me as well as the Director of procurement and supply chain, with a procurement proposal. Now in terms of the public service, treasury regulations, government and private sector are encouraged

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to make unsolicited proposal. The departments are not compelled to consider such proposals. I was able to meet him on the 19<sup>th</sup> of August together with representatives from our procurement division and other officials in order to hear what he had to present. In his proposal, he is arguing that he can save government and the state billions of rands if we consider his unsolicited proposal and we have an agreement with him.

JUDGE HEHER: Can we just for a moment summarise what it was about? He had a proposal as I understand for the setting up of internet cafes situations spread all the electoral constituencies all over the country and the arrangement whereby all the costing will be shared by the department renting the facilities will provide both for IT and the structures. No doubt, it is further than that. But that is what he had in mind.

MR. PATEL: Correct. The crux of his proposal was 10,000 of learning franchises where young people will be trained to manage these internet cafes. The part the government had to bring was that it would cost R8 billion to set up the infrastructures, and R7.2 billion annual cost excluding inflation. He said that will save R20.6 billion per annum. One of the first things we looked at in terms of assessment and we did send the proposal to our supply chain. But before that we have to look at policy issues. Number one, you cannot undertake any agreement to procure anything if you don't have money. You can issue out tender if you don't funds allocated for it.

JUDGE HEHER: That's why he had come to us to say we should look at this in the context of funding.

MR. PATEL: That's the first point. The second point is the policy issue. And one has to look at the implications of that. Now, it is nothing new or innovative about the solution. The department itself has been conceptualising within a white paper- open learning that will be free. But the policy issue is

JUDGE HEHER: Just what has been done about it?

MR. PATEL: What we have done about it is that we have R50 million in terms of piloting, particular open learning and development of materials which is the most expensive. This proposal doesn't talk about who is going to develop the materials.

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JUDGE HEHER: That's why he proposed that it should be the universities themselves that produce as I understood it.

MR. PATEL: Yes. So, we've got the document out and it was ready for public comment. I think the fundamental philosophical issue is, if you are going to substitute, because his proposal is substitute your current funding in terms of using IT and you will be able to provide education at a cheaper cost. Part of the implication is that it will have impact on the organisations and structures of our education system. Personnel implications, those are those issues that we at the moment are dealing with. The two issues is; it has to be affordable, we don't have the funds. Secondly, is regards to policy issues which the department is dealing with regards to broadening the access to education. That has been the response and reply to him that we have looked at but it has budgetary and policy implications.

ADV. G. ALY: When was this response given to him taken into account that he came to us probably September or so and we weren't aware that he actually met with you? From introduction point of view, you must recall that he wanted an exemption. In order to get an exemption he had to go and meet you. Because in terms of the procedure that he gave to us, there were certain exemptions... so, the question is when did you response to him? Would it have been the time he was here already?

MR. PATEL: I was sure the date he was here with the commission. You said September last year.

ADV. G. ALY: We started hearing in August. I am thinking September more or less. He was with us. It was the time Jenny came and we were asking about open learning.

ADV. K. PILAY: Chair, it was 28<sup>th</sup> of September.

MR. PATEL: His first contact with me was on the 3<sup>rd</sup> of July. We the met on the 19<sup>th</sup> of August. We presented the proposal to our bid adjudication committee on the 21<sup>st</sup> of August. We received response from procurement on the 7<sup>th</sup> of September and he was then informed 21<sup>st</sup> of January, and that his welcome to use proscribed processes. In summary chair, the issue is that the treasury regulations that we must give consideration to and there is no force.

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JUDGE HEHER: But no what struck me in what you been saying is that you have not addressed what I thought you were going to address which to say distance education has its problems which are manifested in the results that are produced by distance education. And that this sort of unsupervised access to university materials was hardly going to be any more successful has distance education has proved to the University of South Africa for example.

MR. PATEL: Chairperson. That alone is a debatable issue to the availability of technology in modern methodology. There is a difference in distance education in the way UNISA delivers it and open learning. Open learning is a well-supervised activity using technology. So, it is a policy issues that we are looking at. We are looking at efficacy. It cannot be a substitute for classroom.

JUDGE HEHER: That is just what I am trying to understand. You just said to me open learning is a very supervised activities. I thought you would come to the narration of what he has proposed. I am trying to, but perhaps may be you can do better than I. What sorts of supervision does his system propose?

MR. PATEL: Not very much supervision, it was internet cafes. I think the supervision that he provides is self-learning and direction and that is not the way we look at open learning. Dr. Parker can speak to you about open learning and output of UNISA

JUDGE HEHER: What I am trying to say, if you forgive me, is this, that it seems to me that the sort of proposal has a future. I am not in position to say the future is now. But it seems to me also that the sorts of proposal in order to be successful, needs certain controls. I am not sure I understand what controls are going to be exercised over his proposal or how the department will exercise controls over his proposal.

MR. PATEL: Chair, the issue is we haven't accepted his proposal.

JUDGE HEHER: I understand that but I am not to be blinded by procedures or the fact that you are not ready for it. My position is that do I have to look at the innovation of the ideas to see whether it produces something to which we should give some consideration.

MR. PATEL: So, Chair, I propose that we give the commission a presentation on where we are with policy and the development of open learning goals. We have

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whole draft of evidence. We have been participating commonwealth opening learning discussions.

JUDGE HEHER: That's great. I am very pleased to hear that, but are you telling me that this sort of proposal from Mr. McDonald could not be accommodated within your open learning scheme?

MR. PATEL: Yes, for now.

ADV. K. PILAY: Chairperson, we would appreciate having a summary of the department's policy on open learning.

JUDGE HEHER: If it can be done fairly, you don't have to go into details. Thank you for your trouble and to all of you. We enjoyed as well as it has been instructive. Thank you.

ADV. K. PILAY: Thank you Chair, we have no further questions.

MR. PATEL: Sorry chair, I just want to know that they were some clarity you wanted with regards to the transcript.

JUDGE HEHER: I think I have to put in writing.



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**SET 7 – HEARING 1 – DAY 9**

**COMMISSION OF INQUIRY INTO HIGHER EDUCATION AND TRAINING**

<b>CASE NO:</b>	<b>Inquiry</b>
<b>RECORDED AT</b>	<b>Pretea Hotel, Pretoria</b>
<b>TRANSCRIBER:</b>	<b>I. Oshin</b>
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