

# **REPORT OF THE VISITATION PANEL TO THE NATIONAL OPEN UNIVERSITY OF NIGERIA**

**2011 – 2015**



**VOLUME ONE: MAIN REPORT**

**JUNE, 2021**

## TABLE OF CONTENTS

<b>Cover Page...</b>	...	...	...	...	...	...	...	...	...	<b>1</b>
<b>Table of Contents..</b>	...	...	...	...	...	...	...	...	...	<b>2</b>
<b>Signature Page...</b>	...	...	...	...	...	...	...	...	...	<b>3</b>
<b>Executive Summary</b>	...	...	...	...	...	...	...	...	...	<b>4</b>
<b>Chapter 1: Introduction...</b>	...	...	...	...	...	...	...	...	...	<b>8</b>
<b>Chapter 2: Methodology</b>	...	...	...	...	...	...	...	...	...	<b>10</b>
<b>Chapter 3: Implementation of White Paper</b>	...	...	...	...	...	...	...	...	...	<b>17</b>
<b>Chapter 4: Leadership Quality...</b>	...	...	...	...	...	...	...	...	...	<b>34</b>
<b>Chapter 5: Financial Management</b>	...	...	...	...	...	...	...	...	...	<b>48</b>
<b>Chapter 6: Application of Funds</b>	...	...	...	...	...	...	...	...	...	<b>52</b>
<b>Chapter 7: Adequacy of Staff and Development Programmes</b>	...	...	...	...	...	...	...	...	...	<b>57</b>
<b>Chapter 8: Relationship of University with Organs...</b>	...	...	...	...	...	...	...	...	...	<b>62</b>
<b>Chapter 9: The Law establishing the University...</b>	...	...	...	...	...	...	...	...	...	<b>73</b>
<b>Chapter 10: Historical Evolution of the NOUN</b>	...	...	...	...	...	...	...	...	...	<b>83</b>
<b>Chapter 11: General Security in the University</b>	...	...	...	...	...	...	...	...	...	<b>96</b>
<b>Chapter 12: Discipline of Students in the University</b>	...	...	...	...	...	...	...	...	...	<b>99</b>

## SIGNATURE PAGE

### Members of the NOUN Visitation Panel



**ALHAJI ISA BELLO SALI, CFR**  
*Chairman*



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**ARC. JOHN ALKALI, OON, FNIA**



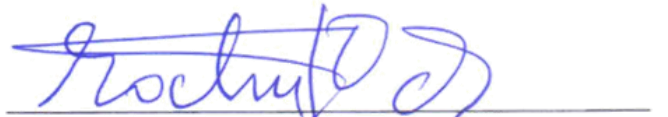
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**AIR CDRE GAMBO MUHAMMAD ILYASU**  
(Rtd), fdc, FCNA



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**BLDR. JUBE JEMIDE, FNIOB**



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**PROF. EPHRAIM O. CHUKWUOCHA**



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**ALHAJI IBRAHIM IDRIS SANKARA**



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**DR. KAREEM OLAWALE LATEEF**  
*Secretary (FME)*

## EXECUTIVE SUMMARY

### 1.00 Preamble

The Panel was inaugurated by the Honourable Minister of Education, Mallam Adamu Adamu on behalf of the Visitor, President Commander-in-Chief of the Armed Forces Federal Republic of Nigeria, His Excellency Muhammadu Buhari, GCFR, on 13<sup>th</sup> April, 2021. The Panel was given sixty (60) days from the date of its inauguration to complete its assignment.

### 2.00 Members of the Panel

- |  |   |           |
|--|---|-----------|
| 1. Alhaji Isa Bello Sali, CFR                      | - | Chairman  |
| 2. Bldr. Jube Jemide, FNIOB                        | - | Member    |
| 3. Arc. John Alkali, OON, FNIA                     | - | Member    |
| 4. Alhaji Ibrahim Idris Sankara                    | - | Member    |
| 5. Prof. Ephraim Chukwuocha                        | - | Member    |
| 6. Air Cdre Gambo Muhammad Ilyasu (Rtd), fdc, FCNA | - | Member    |
| 7. Dr. Kareem Olawale Lateef                       | - | Secretary |

### 3.00 Methodology

The Panel was **guided** by the following activities in order to address the 10-item terms of reference:-

- i. Developed a calendar of activities to guide members on how to conduct the assignment.
- ii. **Placed** Newspaper advertisements in the **Daily Trust** and **The Sun** of 27<sup>th</sup> April 2021 calling for memoranda from stakeholders and the general public.
- iii. **Held** discussions with members of the University Governing Council and Management.

- iv. Requested** the University to submit relevant working documents and reference materials.
- v. Paid** a courtesy visit to the Hon Minister of the Federal Capital Territory, Mallam Muhammad Musa Bello.
- vi. Paid** a courtesy visit to the Chancellor, HRM Igwe Amb Lawrence Agubuzu, OON, to intimate him about its assignment.
- vii. Received** reports and had interactions with serving and retired functionaries of the NOUN.
- viii. Assembled, examined and discussed** relevant documents with appropriate line officers.
- ix. Received** inputs from all the Study Centres regarding the Panel's assignment.
- x. Received** memoranda and interacted with interested persons and the public.
- xi. Met** with and sampled the views of staff and students of some Study Centres.
- xii. Used** technical personnel from the Federal Ministry of Works and Housing to guide fact finding visits to project sites.

#### **4.00 Summary of Recommendations**

Based on the findings and observations of the Panel which were extensively discussed in the main body of the report, the following key recommendations are made for the consideration of the Visitor.

**TOR 1:** The NUC should enforce the approval of the Visitor in the 2011 White Paper that the University should apply and obtain approval from the National Universities Commission before any Study Centre and or Academic Unit are established as contained in the NOUN Act, 2018

**TOR 2:** The Federal Ministry of Education and the National Universities Commission should ensure that the guidelines established for the appointment of Vice Chancellors and other Principal Officers of the Federal Universities are strictly adhered to.

**TOR 3:** The NOUN should explore the vast potential of some of its commercial undertakings such as the Printing Press, the Convocation Arena, and the e-Examination Halls among others, in order to boost its Internally Generated Revenue (IGR) base.

**TOR 4:** The University should ensure that the Paid Services Revenue (PSR)/Paid Services Fund (PSR) are strictly used for the learning needs of students in the following areas:

- Adequate supply of course materials.
- Updating the Library with more recent materials.
- Configuring website for ease of accessibility.
- Provision of larger capacity computer based test (CBT) halls.
- Provision of more computers for writing e-examinations, etc.

**TOR 5:** Government should direct that the University be granted waiver for the recruitment of young brilliant lecturers who are Open and Distant Learning (ODL) compliant to promote pyramidal structure for quality education delivery in all the Study Centres across the Federation.

**TOR 6:** The Federal Ministry of Education should conduct periodic monitoring exercises on the level of implementation of provisions of the National Policy of Education on Open and Distance Learning in the University Headquarters and the Study Centres

JAMB should impose necessary sanctions on the University if it fails to comply with the provisions of the JAMB Act 1978 as amended which stipulates that all admissions into first degree programmes be made through the Board.

**TOR 7:** The NOUN as an academic player should encourage freedom of association among its staff and students in line with national and international protocols.

**TOR 8:** The University should intensify efforts to improve its service delivery capacity in order to advance its position in the NUC's Webometric ranking of Nigerian Universities.

**TOR 9:** In view of the current security challenges facing the country, the University should forge a closer cooperation with the relevant security outfits in all its areas of operations.

**TOR 10:** The University should produce a detailed Handbook for distribution to students during Matriculation Ceremonies for effective guidance and monitoring of their conduct.

## CHAPTER ONE

### INTRODUCTION

#### 1.01. Inauguration of the Visitation Panel

On 13<sup>th</sup> April, 2021, the Visitation Panel to the National Open University of Nigeria (NOUN) was inaugurated by the Honourable Minister of Education, Mallam Adamu Adamu on behalf of the Visitor, President and Commander-in-Chief of the Armed Forces, Federal Republic of Nigeria, His Excellency Muhammadu Buhari, *GCFR*. The Panel was given the task of examining the affairs of the NOUN from 2011 to 2015.

#### 1.02. Members of the Panel

Membership of the Visitation Panel is as follows:-

- |   |             |
|---|-------------|
| 1. Alhaji Isa Bello Sali, <i>CFR</i>                              | - Chairman  |
| 2. Bldr. Jube Jemide, <i>FNIOB</i>                                | - Member    |
| 3. Arc. John Alkali, <i>OON, FNIA</i>                             | - Member    |
| 4. Alhaji Ibrahim Idris Sankara                                   | - Member    |
| 5. Prof. Ephraim Chukwuocha                                       | - Member    |
| 6. Air Cdre Gambo Muhammad Ilyasu( <i>Rtd</i> ), <i>fdc, FCNA</i> | - Member    |
| 7. Dr. Kareem Olawale Lateef                                      | - Secretary |

#### 1.03 Terms of Reference

The Panel was given the following Terms of Reference:-

- i. To enquire into the level of implementation of the White Paper on the last visitation report.
- ii. To look into the leadership quality of each University in terms of the roles of Governing Council, the Vice Chancellors and other Principal Officers.
- iii. To look into the financial management of each institution including statutory allocations and internally generated revenue over the



recommended period and determine whether it was in compliance with appropriate regulations.

- iv.** To investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding.
- v.** To examine the adequacy of the staff and staff development programmes of each University.
- vi.** To determine the relationship between the University and the various statutory bodies it interacts with according to its Law, for the purposes of supervision, planning, finance, discipline, guidance and any other relationship (i.e., the Governing Council, the National Universities Commission and the Federal Ministry of Education).
- vii.** To examine the Law establishing the University including the relationship between the various internal organs, units and offices and indicate the ways the Law has been observed by the competent authorities and also suggest any modifications to the Law.
- viii.** To trace the historical evolution of the University and take stock of its net achievements and problems as well its style and direction.
- ix.** To examine the general security in the University and how the University has dealt with it and recommend appropriate measures.
- x.** To examine the processes and structures of discipline of students in each University in line with due process of the Rule of Law.

## CHAPTER TWO

### METHODOLOGY

**2.01** The Panel developed a work plan detailing a calendar of activities that guided the conduct of the assignment as follows:

S/NO.	ACTIVITIES	PERSON/BODY RESPONSIBLE
<b>1.</b>	<b>PHASE I – PRELIMINARIES AND SET UP      19<sup>TH</sup> – 24<sup>TH</sup> APRIL, 2021</b>	
a)	Take off Meeting of Panel.	Secretariat
b)	Break-up into Sub-Committees.	Panel
c)	Informing the University of the appointment of the Panel	Secretariat
d)	Call for Memoranda from Stakeholders.	Secretariat
<b>2.</b>	<b>PHASE II – INTERACTION/VERIFICATION VISITS/MEETINGS 26<sup>TH</sup> 30<sup>TH</sup> APRIL, 2021</b>	
a)	Meeting with Council and Management of the University.	Panel
b)	Meeting with Stakeholders (Past and Present Principal Officers and top functionaries of the University).	Panel
c)	Visits to Study Centres and Project Sites.	Sub-Committees
d)	Courtesy visit to the Chancellor	Sub-Committee
e)	Courtesy visit to the Hon. Minister FCT.	Panel
<b>3.</b>	<b>PHASE III – DATA COLLECTION/EXAMINATION 3<sup>RD</sup> 15<sup>TH</sup> MAY, 2021</b>	
a)	Collation of Primary Data	Panel
b)	Plenary meeting to discuss findings and observations.	Panel
<b>4.</b>	<b>PHASE IV – PANELS EXAMINATION      17<sup>TH</sup> – 29<sup>TH</sup> MAY, 2021</b>	
a)	Plenary meeting to discuss findings	Panel
<b>5.</b>	<b>PHASE V – REPORT WRITING      31<sup>ST</sup> MAY – 12<sup>TH</sup> JUNE, 2021</b>	
a)	Production of first draft of the report	Sub-Committees
b)	Consideration of the draft	Panel
c)	Production of second draft	Panel
<b>6.</b>	<b>PHASE VI – PRODUCTION AND SUBMISSION OF FINAL REPORT 13<sup>TH</sup> – 30<sup>TH</sup> JUNE, 2021</b>	
a)	Production of final report	Secretariat
b)	Signing of report by members	Panel

The Panel conducted its assignment guided by the following sequence of activities.

**i. Requested the University to Submit Relevant Working Documents and Reference Materials**

The NOUN authorities were written and informed about the appointment of a Visitation Panel to examine its affairs from 2011 to 2015. In addition, the Panel forwarded a tentative calendar of activities, requesting the University authorities to collate and forward to it, relevant working documents and reference materials that would assist in the assignment.

**ii. Advertised in National Dailies**

On Tuesday, 27<sup>th</sup> April, 2021, Newspaper advertisements calling for memoranda from stakeholders and the general public were placed in two national dailies, the **Daily Trust** and **The Sun**. The memoranda were expected to address issues highlighted in the terms of reference.

**iii. Courtesy visit to the Chancellor, HRM Igwe Amb. Lawrence Agubuzu, oon**

The Panel paid a courtesy visit on the Chancellor to intimate him about its assignment.

**iv. Called for and Received Submissions from Various Organs of the NOUN**

The Panel received reports and had interactions with the following organs including serving and retired functionaries of the NOUN:-

- a. The Governing Council represented by Prof Peter Okebukola, Pro-Chancellor.
- b. Senator Ameh Ebute, Pro-Chancellor from 2014 to 2018
- c. Prof. Vincent Ado Tenebe, Vice-Chancellor from 2010 to 2015
- d. Prof. Abdalla Uba Adamu, Vice-Chancellor from 2016 to 2021.
- e. Prof. Olufemi Peters, Vice-Chancellor from 2021 to date.

- f. Prof. Uduma O. Uduma, Deputy Vice-Chancellor (Academics).
- g. Mrs Josephine Olasumbo Akinyemi, Registrar from 2006 to 2016.
- h. Director of Information Technology and Communications.
- i. Director of Management Information Systems.
- j. Director of Learning Management Systems.
- k. Director of Learner Support Services.
- l. Director of Examinations and Assessments.
- m. Director of Regional Training and Research Institute for Open and Distance Learning.
- n. Dean of the Faculty of Law.
- o. Prof. Samaila Mande, Dean School of Post Graduate Studies.
- p. Dr. Ernest Odeigah, the Bursar.
- q. Director of Legal Services.
- r. Directorate of Security Services.
- s. Prof Abubakar Garba Suleiman, Representative of the NOUN Academic Staff.
- t. Usman Shehu, Managing Director NOUN Microfinance Bank Limited.
- u. The Head of Internal Audit.
- v. The Head of Procurement Unit.
- w. The Head of SERVICOM Unit.
- x. The Head of Anti-Corruption and Transparency Unit (ACTU).
- y. Mrs. Grace Doka, Director NOUN Centre for Human Resources Development, Kaduna.
- z. Director of Physical Planning, Works and Services.
- aa. Prof. Stanley Naribo Ngoa, Olusegun Obasanjo Centre for African Studies.

## **v.Examined Relevant Documents**

Relevant documents were assembled, examined and discussed at plenary sessions and in close consultation with relevant line offices and their principal officers. These, among others were:-

1. The NOUN Enabling Acts and subsequent related legislations.
2. The NOUN Conditions of Service.
3. The NOUN Academic Brief.
4. The NOUN Schemes of Service.
5. The NOUN Management Guidelines.
6. The NOUN Handbooks.
7. The NOUN Organogram.
8. The NOUN Master Plan.
9. Records of the Composition of Governing Council, Meetings and Standing Orders.
10. Minutes of Meetings of the Governing Councils held from 2011 to 2015.
11. Minutes of Senate Committee Meetings.
12. Minutes of Meetings of Committees of the Council.
13. Records of Management Meetings.
14. Records of Disciplinary Proceedings.
15. Records of Litigations.
16. Records of Advertisements and Tenders Board Meetings.
17. Records of Budget Proposals and Budgetary Appropriations.
18. Staff Capacity Building Programmes.
19. Annual Reports.
20. Work Plans.
21. Procurement Plans and Records.
22. Budget Performance Reports.

23. Report on 2018 Joint Council/Senate Disciplinary Committee.
24. Record of Governing Council Composition, Meetings, Standing Orders and Council Extracts.
25. Records of Employments/Recruitments/Due Process.
26. Public Private Partnership Arrangements/MOUs for Specific Projects.
27. Application of Special Grants.
28. Staff Disposition List.
29. Auditors Reports for the Period under Review/Policy on Appointment of External Auditors.
30. Fixed Assets Register (vehicles, equipment).
31. Records of auctioning of assets.
32. Records of cash advances and loans.
33. Bank Reconciliation Statements.
34. Records of financial inflows to the University.
35. Allocation of funds for recurrent and capital items.
36. Records, sources and remittance of IGR to Government.
37. List of Standing and Ad-Hoc Committees.
38. Records of Disciplinary Action for Students.

**vi. Received Inputs from all the Study Centres**

The Panel received and perused detailed inputs from Directors of all the Study Centres regarding:

- general administration;
- academic programmes implementation standards;
- quality assurance measures;
- relationship between management, staff and students; and
- challenges and the ways forward.

## **vii. Held Meetings with Relevant Stakeholders**

Interactive sessions were held for presentation of memoranda from the public to assess public opinion on the operations of the NOUN from 2011 to 2015.

## **viii. Visited Study Centres**

Visits were made to some Study Centres in the six geo-political zones of the country to inspect facilities and interact with the students and the managements. The Study Centres included those in Port Harcourt, Owerri, Kano, Abuja, Makurdi, Jos, Dutse, Hadejia, Benin, Enugu, Bauchi, Gombe, Yola, Lagos, and Jalingo. Data collected from these Centres included:-

- a. Record of Staff and Facilitators.
- b. Student Enrolment.
- c. Staff Welfare and Capacity Building.
- d. State of ICT facilities, Libraries, Course Materials, Laboratories, Moot court, Studios and Entrepreneurship Centres.
- e. Relationship with Host Community.
- f. Ownership of Operational Premises.
- g. Achievements.
- h. Challenges etc.

## **ix. Meetings with Staff and Students of Study Centres**

The Panel met with staff and students of some Study Centres. At such meetings, the staff and students expressed their views and assessment of teaching and learning activities in the NOUN including what they considered to be the infrastructural, management and other challenges of the Study Centres. They also made suggestions on the ways forward.

## **x. Technical Support of Other Government Agencies**

The Panel used technical personnel from the Federal Ministry of Works and Housing to guide fact-finding visits to projects initiated between 2011 and 2015 to inspect and verify completed and commissioned projects, assess the status of on-going projects and the state of abandoned projects as well as reasons for abandonment. The following contract details were established:

- The nature of the contracts.
- Location of projects.
- Dates of contract awards.
- Names of contractors. Revised contract sums, and
- Funding.

#### **xi. Courtesy Visit to the Hon. Minister of the Federal Capital Territory**

A courtesy visit was paid to the Hon Minister of the Federal Capital Territory, Mallam Muhammad Musa Bello to apprise him of the assignment of the Panel and to seek his support and blessing.



## CHAPTER THREE

### TERM OF REFERENCE ONE

#### *To enquire into the level of implementation of the White Paper on the last Visitation Report*

#### **3.0.0. The Panel**

On 14<sup>th</sup> February 2011, the then Honourable Minister of Education, Prof. Ruqayyatu Ahmed Rufai CON, inaugurated a Visitation Panel to examine the affairs of the National Open University of Nigeria (NOUN) for the period 2004 – 2010. Members of the Panel were:-

1. Prof. Segun Oke - Chairman
2. Engr. M. Oke - Member
3. Prof. Victor Peretomode - Member
4. Mr. Yaya Ogunrinde - Member
5. Dr. Paul Adebayo - Member
6. Alhaji Shehu Usman - Member
7. Felix O. Olaniyan - Secretary

#### **3.1.0 Terms of Reference**

- i.** To enquire into the level of implementation of the White Paper on the last visitation report.
- ii.** To look into the leadership quality of the University in terms of the role of the Governing Council, the Vice-Chancellor and other Principal Officers.
- iii.** To look into the financial management of the institution including Statutory Allocations and Internally Generated Revenue over the recommended period and determine whether it was in compliance with appropriate regulations.

- iv.** To investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding.
- v.** To determine the adequacy of staff and staff development programmes of the University.
- vi.** To determine the relationship between the University and the various statutory bodies it interacts with according to its Law, for the purposes of supervision, planning, finance, discipline, guidance and any other relationship the University may have in dealing with said bodies including the Governing Council, National Universities Commission, and the Federal Ministry of Education as well as the Visitor.
- vii.** To examine the Law establishing the University including the relationship between the various internal organs, units and offices and indicate the ways the Law has been observed by competent authorities and also suggest any modifications to the Law considered necessary or desirable to enable the University to better achieve the objectives set for it.
- viii.** To trace the historical evolution of the University and take stock of its net achievements and problems as well as its style and sense of direction and advise on what fundamental or expedient corrections are needed to enable the University to better achieve the objectives set for it.
- ix.** To examine the general security in the University, how the University has dealt with it and recommend appropriate measures to deal with it, and

- x. To examine the processes and structures of the mechanisms for the discipline of students and staff in the University in order to ascertain compliance with due process of the rule of Law.

### **3.1.1. Level of Implementation of the Recommendations of the White Paper**

After examining the Report of the Visitation Panel, in June 2011, Government released a White Paper conveying its views. From the one hundred and six (106) recommendations made by the Visitation Panel, the Visitor accepted fifty-one (51), noted forty-nine (49) and rejected six (6).

In a joint meeting with the Pro-Chancellor, the Vice-Chancellor and other Principal Officers of the University, the level of implementation of the report.

In doing this, the meeting concentrated on the recommendations accepted by the Visitor on each term of reference. Table 3.1 below shows the status of implementation and the Panel's remarks.

**3.1 : STATUS OF IMPLEMENTATION OF VISITOR'S APPROVAL**

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
<b>1</b>	<b><i>TOR 1: To enquire into the level of implementation of the White Paper on the last visitation report</i></b>	This term of reference was not applicable to the NOUN as the institution had not been subjected to an earlier Visitation Panel.	The Panel noted this.
<b>2</b>	<b><i>TOR 2 To look into the leadership quality of the university in terms of the roles of Governing Council, the Vice-Chancellor and other Principal Officers.</i></b> 4.1.1 Governing Council (b) Council should ensure that	Criteria for appointment and promotion have been	Although the University implemented the

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	young academic staff are attracted, appointed and retained in the Service of the University by reviewing the criteria for promotion to include teaching while the contracts with the retired Professors who are seventy years and above, are not renewed upon their expiration.	reviewed and younger academics with PhDs have been employed. Professors that are seventy years old and above on contracts are no more in the service of the NOUN.	Visitor's directive on the retirement of Professors who are over 70 years of age, there was no evidence that holders of Bachelors and Masters degrees were employed by the University.
	(c). University through the Council be cautioned against establishment of Study Centres without adequate planning in terms of Cost implication and spread. Furthermore, it is recommended that any state Government that makes special request for the establishment of Study Centre(s) should be ready to provide all infrastructural facilities.	The reviewed NOUN law provides that States or Communities requesting for Study Centres are to provide 80% of the requirements for the establishment of Study Centres.	The Panel noted the 80% commitments expected of States and Communities requesting for Study Centres, but also advised that in the on-going review of the requirements for the establishment of study centres, long term commitments must be added in order to guarantee stable funding and ensure the operational prospects of such supporting agencies.
	(d). Council should consolidate and no new Centres or programmes should be introduced until consolidation is completed.	Consolidation is complete and new Centres and programmes have been introduced.	The Panel noted the consolidation efforts of the University. However more centres were established within the period.
	(e). The NOUN should, henceforth, apply and obtain approval from the National Universities Commission before any Study Centre and/or academic unit are established as dictated by NOU Act No. 6 of 1983, section 3, sub-section 1(a).	All new academic units have NUC approvals.	The University has not been able to provide evidence that all Study Centres established are approved by the NUC as evidenced by the disparity in the number provided by the NOUN and the number of approved Centres by the NUC.

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	(f). Council to ensure reporting continuous absence of members of meetings for replacement.	Council members have been consistent in attending Council meetings.	Contrary to the assertion of the University, the Panel discovered a case of a member of the Governing Council from 2009 to 2013, Dr. Saidu Balarabe Sambawa who was consistently absent without replacement.
	4.1.4 Vice-Chancellor (d). The NUC should accredit all the NOUN programmes like other Universities.	The NUC accredited all the NOUN programmes like other Universities.	The Panel confirmed that all the academic programmes of the NOUN have been subjected to the NUC's accreditation.
	4.1.9 SERVICOM Office. (i). The university should retain the SERVICOM Office in the Office of the Vice-Chancellor and also be supervised directly by the Vice-Chancellor.	The SERVICOM Office is still in the office of Vice-Chancellor.	Visitor's approval implemented
	4.2.3. Nursing Programme (a). The University should place embargo on admission into the programme until it is accredited by NUC and the Nursing and the Midwifery Council of Nigeria.	Embargo was placed on admission immediately and the programme was accredited later by the NUC and Nursing and Midwifery Council.	Visitor's approval implemented
	4.2.7. (c). The Directorate of Academic Planning of the NOUN should produce a better Academic Brief for the University which must be adequate in terms of depth, coverage and direction, and be sent to the NUC for its consideration and approval.	An Academic brief has been produced and approved by the NUC.	Visitor's approval implemented
	4.3.5. The Registrar (a). The panel strongly recommends that the Governing Council should direct the University to set up a committee to evolve parameters for determination	Staff Audit was carried out immediately and employment was put on hold.	Visitor's approval implemented.

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	of staff numbers for all categories of staff.		
	(b). Furthermore, adequate provision should be made for pyramidal structure for staff positions so as to guide against stagnation of staff.	Staff Audit was carried out immediately and employment was put on hold.	Visitor's approval not fully implemented as there was no employment to address the imbalance in staff structure.
	(c). For now, it is strongly suggested that, if it is established that the staffing situation on ground is more than what the system could take as revealed by the staff ratios, the Council should carry out a staff audit exercise.	Staff Audit was carried out and number of staff discovered to be in deficit.	Visitor's approval implemented.
	(d). Panel also recommend that Anti-Corruption and Transparency Unit (ACTU) which is presently resident in the Registrar's Office be moved to, and be supervised directly by the Office of the Vice-Chancellor in line with the NUC directives to the University in 2002.	ACTU is now in the Office of the Vice-Chancellor and directly supervised by the Office of the Vice-Chancellor.	Visitor's approval implemented.
	4.3.9.(a). The University should, as a matter of priority, set up a committee to evolve equitable criteria to enable determination of required number of staff for the bursary staff department.	Staff Audit was carried out.	Visitor's approval implemented.
	(b). Furthermore, it is recommended that, all the accounting staff with university degree(s) should make efforts for, and pass professional examination in order to belong to a professional body of their choice.	Most Accounting Staff with degrees possessed professional qualifications. Appointment and promotion of Accounting staff is based on the possession of professional qualification.	Visitor's approval implemented.
	4.4.0. The University Librarian (c). In view of the uniqueness	Audit was carried out and more library staff have	Visitor's approval implemented.

S/N	RECOMMENDATION ACCEPTED BY THE VISITOR	UNIVERSITY IMPLEMENTATION REPORT	PANEL'S REMARKS
	of the Library profession, it is strongly recommended that more staff be employed to beef up the strength on ground.	been employed.	
3.	<p><b>TOR 3 - To look into the financial management of the institution including Statutory Allocations and Internal Generated Revenue over the recommended period and determine whether it was in compliance with appropriate regulations</b></p> <p>5.3. Bursary Department – (b). Council should examine the bank accounts maintained and close the accounts wherein no defined or significant activities are being operated.</p>	Most bank accounts were closed and only the ones with significant operations were maintained.	Visitor's approval implemented.
	5.7. (c) The unexplained difference of N307,928,740.00 (Three hundred and seven Million, Nine Hundred and Twenty Eight Thousand, Seven Hundred and Forty Naira) only should be critically investigated and disclosed in the Audited Financial statements as prior to the adjustment.	This involves revaluation of asset which has been taken care of in the prior year adjustment 2010.	Visitor's approval implemented.
	(d). Visitor should investigate the accounts wherein these donations were paid into; after which;	This was investigated but the money was not redeemed by the donor.	The panel observed that the cheque issued was not honoured.
	(e). The funds so recovered be recorded as part of the revenues and incomes in the audited financial statements in the relevant years they were received.	No money recovered as the donation was not redeemed by the donor.	The panel observed that the cheque issued was not honoured.
	(f). Council should direct that the breakdown of what constituted the general	The amount to the general advances have been retired.	Visitor's approval implemented.

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	advances be made and included in the audited financial statements of 2009.		
	(g). The staggering amount of N248,716,389.00 claimed to have been spent or released as general advances should be critically investigated.	The staggering amount of N248,716,389.00 was investigated and established that it was a cumulative advance given.	Visitor's approval implemented.
	(h). All cash advances must be retired and individuals who defaulted in retiring advances as at when due should be brought to book.	All advances had been retired	Visitor's approval implemented.
	(i). the current external Auditor was not thorough and did not exhibit professional competence and should not further be entrusted with the job.	The External Auditor was disengaged based on the recommendation.	Visitor's approval implemented.
	5.10(c) Council should ensure that future grants allocated by Government for approved projects are utilized without delay.	Allocated grants are being utilized without delay as none of the University fund was mopped up after 2010.	Visitor's approval implemented.
	(e). The present payment system where a third party (e-Tranzat) is used to coordinate the collection of students' fees should be audited and then terminate the contract.	The e-Tranzat payment system was audited and contract terminated.	Visitor's approval implemented.
	(f). There should be in place student's ledger to be maintained electronically and with a back-up	Student ledger is being maintained with electronic back-up.	Visitor's approval implemented.
	g). Students should pay their fees into not more than five accounts officially opened by the University.	Management has complied with CBN directives.	Visitor's approval implemented.
	(h). The banks to be used should be selected in a such a way that there is branch in all the study centres across the nation, and bank must clearly capture the particulars of	Management has complied with CBN directives.	Visitor's approval implemented.



S/N	RECOMMENDATION ACCEPTED BY THE VISITOR	UNIVERSITY IMPLEMENTATION REPORT	PANEL'S REMARKS
	students when fees are lodged		
	<p><b>TOR 4</b>  <i>To investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding</i></p> <p>6.4 Application of Funds  (a-j) a. The panel strongly recommends that the financial records in respect of the payments made should be examined critically.</p>	The Accounting System and Internal Control Mechanism has been greatly strengthened and public funds have been protected.	Visitor's approval implemented.
	b. The understatement of investment by ₦2,000,000.00 (Two million naira) should be investigated.	It was recorded based on the market value	Visitor's approval not implemented.
	c. This should be investigated to ascertain the reason(s) why students were not given their course materials and to find out whether at the time of the award of contracts for the production of course materials, the NOUN have the capacity to produce a significant percentage of the contract awarded.	At this period the NOUN did not have the capacity to produce the course materials since the Publishing house had not been established.	Visitor's approval not implemented.
	d. Government should set up a committee to investigate all the financial transactions relating to contractor from inception – date.		Attention of the FME should be drawn to the need to set up the Committee as directed by the Visitor.
	e. Henceforth Council should ensure all Contractors have files for proper documentation, and the existing Contractors' files should be updated.	Contractor files are now being maintained.	Visitor's approval implemented.
	f. Council should look into this document and ensure that	The University maintains fixed assets register and it	Visitor's approval implemented.

S/N	RECOMMENDATION ACCEPTED BY THE VISITOR	UNIVERSITY IMPLEMENTATION REPORT	PANEL'S REMARKS
	fixed asset register be updated.	is fully integrated with the Accountant General of the Federation (AGF) and Computerized Fixed Asset Register (CFAR).	
	g. Bank Reconciliation Statement should be prepared on a monthly basis. Professional/Consultant should be engaged to train the accounts staff of the NOUN on how to prepare Bank Reconciliation Statements electronically. Electronic preparation of Bank Reconciliation Statements would go a long way to address the challenges of high volume of transactions peculiar to the NOUN.	The University now reconciles its accounts monthly.	Visitor's approval implemented.
	h. All payments must be supported by Payment Vouchers (PV) or documents with pre-listed numbers which must be captured while preparing the cash book. Even in the case of e-payment, beneficiaries should only be credited by the various banks when they produce a copy of a cash receipt to be issued by the University.	All the University Financial transactions are supported by payment voucher and relevant documents	Visitor's approval implemented.
	i. Spending on this overhead should be checked and controlled by Council.	This has been done.	Visitor's approval implemented.
	j. The University should maintain a Vote book henceforth and follow it religiously.	Vote book is now being maintained in expenditure unit of Bursary Department.	Visitor's approval implemented.
	<b>TOR 5 – To determine the adequacy of staff and staff development programmes of the University.</b> 7.3 Academic Staff	NUC parameters for the determination of staff requirements and equitable distribution of internal resources are in	Visitor's approval implemented.

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	(a). The Council should, as a matter of urgency, constitute a Committee which will liaise closely with the NUC to evolve parameters that will suit the peculiarities of the NOUN for determination of staff requirements and equitable distribution of internal resources.	use.	
	(b). The Council should make deliberate efforts to attract and retain academic staff so as to drastically reduce the number of retired senior academics in its employment. In addition, it should also make contact with the Government at the highest level in securing some of its abandoned buildings littered about in Ikoyi and Victoria Island in Lagos in order to address the problem of acute accommodation confronting the University while incentives are worked out to cushion the effects of high cost of transportation in Lagos.	Staff audit carried out in line with establishment needs. Council and Management explored BOT noting the fact the movement of NOUN Head Office to Abuja was on course.	Visitor's approval implemented.
	(c) The criteria presently in used for the promotion of academic staff in the University to be reviewed to an acceptable level in the University system.	Management adapted NUC guidelines on promotion and imbibed best practices and procedures in the University system.	Visitor's approval implemented.
	7.7 (b). The University should make deliberate efforts at ensuring that more academic staff benefit in the programme than other cadres.	Management had always ensured that more academic staff benefitted from staff development than other cadres.	Visitor's approval implemented.
6.	<b>TOR 6</b> <b><i>To determine the relationship between the</i></b>		

S/N	RECOMMENDATION ACCEPTED BY THE VISITOR	UNIVERSITY IMPLEMENTATION REPORT	PANEL'S REMARKS
	<p><b><i>University and the various statutory bodies it interacts with according to its Law, for the purposes of supervision, planning, finance, discipline, guidance and any other relationship (i.e. the Governing Council, National Universities Commission, and the Federal Ministry of Education).</i></b></p> <p>8.1 Study Centres` (a). As a matter of urgency, the Panel recommends that NOUN should begin to establish a good working relationship with such statutory bodies as the NUC and other professional accreditation bodies in Nigeria.</p>	<p>The NOUN had robust working relationships with all the relevant statutory bodies especially FME, the NUC, Nursing and Midwifery Council of Nigeria, Council of Legal Education, Association of National Accountants of Nigeria (ANAN) etc.</p>	<p>Visitor's approval implemented.</p>
	<p>(b). Relate with NUC and other professional agencies to develop immediately an acceptable and workable instrument for the accreditation of NOUN programmes.</p>	<p>Workable instruments for accreditation of the NOUN programmes have been developed with NUC and Professional bodies and all programmes of the NOUN are accredited by the relevant accreditation bodies.</p>	<p>Visitor's approval implemented.</p>
	<p>(c). Ensure that all relevant accrediting bodies such as the NUC, Council of Legal Education, Nursing and Midwifery Council of Nigeria etc, pay accreditation visits to all its programmes at the earliest possible time.</p>	<p>All relevant accreditation bodies have been paying programme accreditation visits to the NOUN.</p>	<p>Visitor's approval implemented. However, the problem of the NOUN with the CLE is still lingering in view of the stoppage of law programmes by the CLE.</p>
	<p>(d). Be made to come under the ambit of the NUC for proper supervision, planning, finance, budgetary provisions and guidance like any other</p>	<p>The University is fully under the ambit of the NUC for proper supervision, planning, finance, budgetary</p>	<p>Visitor's approval implemented.</p>

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	Federal University	provisions and guidance like any other Federal University.	
	(e). Work with NUC to make analysis of admission patterns to determine which courses and programmes to run and where and how to plan for the location and development of study centres as required by law	All the NOUN programmes are fully approved by the NUC.	The Panel noted that the programmes of the NOUN were accredited by the NUC. However, the issue about admission patterns, location and development of Study Centres were not resolved between the NOUN and the NUC during the period under review.
	(f). In conjunction with the NUC, the University should work out staff ratio to enable the University keep proper track of staff strength so as to avoid heavy overhead cost	The NUC has provided Benchmark Academic Standard which contains ratios for the recruitment of staff	Visitor's approval implemented.
	(g). Work with NUC so as to know the required facilities that are needed to be put in place in each Study Centre to ensure success during NUC accreditation exercise. The resources prescribed should then serve henceforth as the minimum that must be in place for a Study Centre to begin to operate.	Checklist of the facilities that are required to be put in place in the Study Centres have been provided by the NUC for accreditation.	Visitor's approval implemented.
	(h). The pursuit of regional agency, such as ACDE-QAAA for the accreditation purposes should be discouraged while attention should focus on NUC and other professional bodies in Nigeria.	All the NOUN programmes have been accredited by the NUC and Professional bodies only.	Visitor's approval implemented.
7.	<b>TOR 7</b> <b><i>To examine the Law establishing the University including the relationship</i></b>		

S/N	RECOMMENDATION ACCEPTED BY THE VISITOR	UNIVERSITY IMPLEMENTATION REPORT	PANEL'S REMARKS
	<p><i>between the various internal organs, units and offices and indicate the ways the Law has been observed by competent authorities and also suggest any modifications to the Law considered necessary or desirable to enable the University to better achieve the objectives set for it.</i></p> <p>9.1 (a). NOUN should pray through the Ministry of Justice and FME for the National Assembly to pass an Act repealing the NOU Act No. 6 of 1983 and enacting the National Open University of Nigeria Act (2011), which is the proposed Law embodying all of Council's proposed amendments and clarifications to the earlier Law.</p>	<p>This has been done with the signing into law of the National Open University (Amendment) No.19, Act 2018.</p>	<p>Visitor's approval implemented.</p>
	<p>(g). The nomenclature of Assistant Course Co-ordinator, Course Co-ordinator 1 and 2, and Programme Leader 1 and 2 are alien to the Nigerian University System in the terms of ranking of lecturers. They should therefore be discarded immediately and replaced with the title of Assistant Lecturer, Lecturer 1 and II, Senior Lecturer, Associate Professor and Professor.</p>	<p>All nomenclatures approved by the NUC for Academic Staff in the University system in Nigeria has been fully complied with by the NOUN.</p>	<p>Visitor's approval implemented.</p>
	<p>(h). The number of Directorates should be greatly reduced from eleven (11) to five by combining some Directorates i.e Directorate of Computing and Networking Services and Information Technology Support Services could be merged to be one.</p>	<p>This has been complied with as the NOUN currently has five Directorates.</p>	<p>Visitor's approval implemented.</p>

S/N	RECOMMENDATION ACCEPTED BY THE VISITOR	UNIVERSITY IMPLEMENTATION REPORT	PANEL'S REMARKS
	The Directorate of Procurement is unknown to University Setup. It is more or less a nomenclature in use in Ministries and Government parastatals. The so called Directorates of Procurement the Internal Audits, Academic Planning, and Protocol units in the Vice-Chancellor's Office should be so considered.		
8.	<p><b>TOR 8</b>  <i>To trace the historical evolution of the University and take stock of its net achievements and problems as well as its style and sense of direction and advise on what fundamental or expedient corrections are needed to enable the University to better achieve the objectives set for it.</i></p>	Recommendations on this term of reference were merely noted by the Visitor and no action was directed.	The Panel noted this.
9.	<p><b>TOR 9</b>  <i>To examine the general security in the University, how the University has dealt with it and recommend appropriate measures to deal with it.</i></p>	Recommendations on this term of reference were merely noted by the Visitor and no action was directed.	The Panel noted this.
10.	<p><b>TOR 10</b>  <i>To examine the processes and structures of the mechanisms for the discipline of students and staff in the University in order to ascertain compliance with due process of the rule of Law.</i>  <b>RECOMMENDATIONS</b>  (a). Check into the work history of any former employee to be engaged,</p>	This is being done	The Panel noted this.

<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	including Study Centre Directors, contract staff, adjunct professors etc.		
	(b). Verification of all certificates claimed by all staff (full time or part time) from the institutions they claimed to have been obtained.	This is being done	The Panel noted this.
	(c ). Ensure that study centres and their staff, including the centre Directors should be closely supervised and monitored and strict financial guidelines developed and put in place for handling monies and imprest (at the Study Centres).	This is being done	The Panel noted this.
	(d). NOUN should ensure that only approved or appointed facilitators should handle tutorials or mark answer scripts at the Study Centres.	This is being done	Visitor's approval implemented.
	(e). Ensure that responsible people are used as Referees.	This is being done	Visitor's approval implemented.
	(f). Ensure that all reported cases of examination malpractice should be handled with dispatch while following due process of the law. Note; Justice delayed is justice denied.	This is being done	Visitor's approval implemented.
	(g). Should work out an establishment for the study centres to ensure that they are not overstaffed by junior non-	This is being done	Visitor's approval implemented.



<b>S/N</b>	<b>RECOMMENDATION ACCEPTED BY THE VISITOR</b>	<b>UNIVERSITY IMPLEMENTATION REPORT</b>	<b>PANEL'S REMARKS</b>
	academic staff or any other categories of staff.		
	(h). Salaries of staff that absconded or abandoned their duty post should not take more than two months to be stopped.	This is being done	Visitor's approval implemented.
	(i). NOUN must ensure that punishment for misconduct must actually severe or appropriate to serve as deterrent. In order words; the University should avoid mild and laughable punishments for very serious cases of gross misconduct by staff.	This is being done	The Panel noted that the disciplinary measures taken against erring staff were not consistent with the approved guidelines.
	(j). NOUN should continue her good work of strictly adhering to the principles of natural justice or fair hearing or due process of the law in her staff and student discipline.	This is being done	The Panel noted this.

## **CHAPTER FOUR**

### **TERM OF REFERENCE TWO**

***To look into the quality of the leadership of the University in terms of the roles of the Governing Council, the Vice-Chancellors and other Principal Officers***

#### **4.0.0. Preamble.**

The National Open University (Amendment) Act 2018 provides that the Governing Council shall be the highest decision making body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.

#### **4.1.0. Composition of Council**

The members of the University Council according to the Act are:

- i.** Pro-Chancellor and Chairman (Appointed by the Visitor).
- ii.** Vice-Chancellor.
- iii.** Two Deputy Vice-Chancellors (Academic and Administration).
- iv.** A Representative of the Federal Ministry of Education.
- v.** Four persons representing the Public interest (Appointed by the Visitor).
- vi.** Four Representatives of the Senate of the University.
- vii.** Two Representatives of Congregation.
- viii.** A representative of Convocation.

Statutorily, the members of the Governing Council of the NOUN are sixteen (16).

#### **4.1.1. Findings:**

- a)** Between 2011 and 2015, the University was administered by two Governing Councils:

- The Council headed by the now late Prof. Greg O. Iwu, OON, from 2009 to 2013 and
  - The other headed by Senator Ameh Ebute, CON, from 2014 to 2018.
- b)** The two Governing Councils had a Representative of the National Universities Commission (NUC), contrary to the provisions of the University Act.
- c)** The Prof. Greg O. Iwu led Council (2009-2013) comprised of three members of Congregation as against two members stipulated in the Act.
- d)** No member of the University Convocation was elected into the two Councils.
- e)** The Senator Ameh Ebute led Council (2014 – 2018) had only three (3) Representatives of the University Senate instead of the four (4) stipulated.

#### **4.1.2. Observations**

- a)** The involvement of the NUC in the meetings of the Governing Council, the three instead of two representatives of the Congregation and the non-representation of the Convocation were at variance with the provisions of the Act.
- b)** The two Governing Councils that served the University between 2011 and 2015 were accordingly not properly constituted in line with the law establishing the University.

#### **4.1.3. Recommendations**

- a)** In view of the important regulatory role of the NUC over Nigerian Universities, the Law of the University should be amended to allow

the National Universities Commission attend the meetings of the Governing Council in advisory capacity.

- b)** The University Council should ensure that its internal members such as the Representatives of Senate, Congregation and Convocation are properly represented as provided for in the Act (ratio 4:2:1 respectively).
- c)** The Federal Ministry of Education should ensure that the University Council is always properly constituted.

#### **4.2.0. Pro-Chancellor**

The Pro-Chancellor is the Chairman of Council. He is appointed by the President of the Federal Republic of Nigeria along with other external members.

#### **4.2.1. Quality of Pro-Chancellor and External Members of Council**

The University Act provides that the Pro-Chancellor and other external members of Council shall be appointed or removed by the Visitor who is the President of the Federal Republic of Nigeria. In exercising this power, the Visitor is guided by the need to appoint the Pro-Chancellor and external members of Council from among people with proven integrity and experience in administration to enhance good governance in the University.

#### **4.2.2. Findings**

- a)** The Pro-Chancellor of the University between 2009 and 2013, the now late Prof. Greg O. Iwu was adjudged to be a person of unmatched experience in management and of immense experience in University administration. He was a Dean of Faculty of Science, University of Benin, a Sole Administrator and Managing Director of Nigerian Coal Corporation, Enugu and former Pro-Chancellor, Nnamdi

Azikwe University, Awka (2005-2007) before becoming the Pro-Chancellor of the NOUN in 2009.

- b)** According to Prof. Godwin Sogolo, a member of that Council, Prof. Iwu's tenure was characterized by harmony among Council members and good working relationship with the University management.
- c)** Other external members of Governing Council between 2009 and 2013 such as Prof. Godwin Sogolo, Alhaji Habeeb Allasue and Mrs. Lillian Nwakwo were equally adjudged as persons of impeccable character and versatile in educational administration.
- d)** The Pro-Chancellor of the University between 2014 and 2018, Senator Ameh Ebute, CON is a Nigerian Lawyer, a former Magistrate, an astute politician and the President of the Senate of the Federal Republic of Nigeria in the Third Republic. He was adjudged to be a person of sterling qualities in public administration and governance.
- e)** Other external members of the Governing Council between 2014 and 2018 such as Prof. Godwin Sogolo, Dr. Matthew Achiegbe, Mrs. Lillian Nwakwo and Honourable Ibrahim Kaita were also adjudged to be people who added immense value to the governance of the University during the period under review.

#### **4.2.3. Recommendations**

- a)** The appointment of persons with impeccable character into the Governing Council as was done in 2011-2015 should be sustained by the Visitor.
- b)** The University Community should ensure that only credible members are elected from the Senate, Congregation and Convocation to the Governing Council in order to complement the efforts of Visitor's appointees.

#### **4.3.0. Vice-Chancellor**

The Vice-Chancellor is the Chief Accounting Officer of the University and responsible for directing its affairs. He is also the Chairman of the Senate which is the body responsible for the formulation of academic policies including the organization and control of all academic activities of the University.

#### **4.3.1. Appointment of Vice-Chancellor**

According to the University Miscellaneous Act (2003), the power to appoint principal officers in the Universities such as the Vice-Chancellor, the Registrar, the Bursar and the Librarian is vested in the Governing Council.

#### **4.3.2. Findings**

- a)** Prof. Vincent Ado Tenebe was appointed as Vice-Chancellor of the NOUN in October 2010 for a 5-year single tenure only. This implies that his tenure ended in October 2015.
- b)** The Council renewed the appointment of Prof. Tenebe in October 2015, contrary to the provisions of the University Act.
- c)** In February 2016, the Visitor appointed Prof. Abdalla Uba Adamu of Bayero University, Kano to succeed Prof. Tenebe as Vice-Chancellor. This led to protests by ASUU, NANS and other interest groups who maintained that the appointment was an abuse of due process since it was the mandate of the Governing Council to appoint the Vice-Chancellor under the University Miscellaneous Act (2003) as amended.

#### **4.3.3. Observations**

- a)** The renewal of the appointment of Prof. Tenebe by the Council was irregular as it violated the NOUN Act.

- b)** The appointment of Prof. Adamu as Vice-Chancellor by the Visitor was irregular as it violated the NOUN Act.

#### **4.3.4. Recommendations**

- a)** The Governing Council should always abide by the provisions of the law in the appointment of the Vice-Chancellor and other Principal Officers.
- b)** The Visitor should be properly advised on the procedures for the appointment of the Vice-Chancellor in order for peace and harmony to reign in the institution.

#### **4.3.5. Prof. Tenebe's Tenure**

- a)** Prof. Tenebe's tenure was an era of consolidation and expansion of the foundation laid by Prof. Olugbemiro Jegede.
- b)** However, Prof. Tenebe was initially confronted with the following challenges inherited from his predecessor:
  - i.** The University was thrown into financial crisis due to irregular receipt of subvention from the Federal Government which was also compounded by the dwindling state of the University's Internally Generated Revenue (IGR). According to the report made available to the Panel, the IGR had never dropped below One Hundred Million Naira (₦100,000,000) since the inception of the University, but during the period under review, it had dropped to below Ten Million Naira (₦10,000,000).
  - ii.** Poor public understanding and appreciation of what the National Open University of Nigeria was all about.
  - iii.** The refusal by the Council of Legal Education to admit the Law graduates of the University into the Nigerian Law School, because of the University's failure to abide its guidelines.

- iv.** The delisting of the University from the beneficiaries of the TETFund intervention fund due to non-compliance with the NUC Benchmark Minimum Academic Standards (BMAS) in its operations.
- c)** Prof. Tenebe addressed the above challenges by embarking on the following measures:
- i.** setting up a Committee on Advocacy and Marketing for the popularization of the University;
  - ii.** engaging the Council of Legal Education in a bid to remove the impediments created by the non-recognition of Law graduates of the NOUN;
  - iii.** meeting officials of the Federal Ministry of Education, the NUC and the TETFund on the University's readiness to be properly regulated by the NUC in line with the extant laws. This led to the restoration of the TETFund Annual Intervention in 2012.
- d)** These initiatives by Prof. Tenebe culminated in the following achievements:-
- i.** increase in student enrollment from 16,000 in 2010 to 308,000 in 2015 with over 200,000 active students;
  - ii.** increase in the number of Study Centres established across the Federation from a total number of 32 in 2010 to 70 in 2015;
  - iii.** commissioning of the University Headquarters in Abuja on 15<sup>th</sup> January 2016 which was constructed through high impact TETFund's Special Intervention;
  - iv.** the NOUN being ranked 20<sup>th</sup> out of 132 Universities assessed by Webometric Rating of Universities in Nigeria, and 172<sup>nd</sup> out of 1,306 Universities in Africa in July 2014; and
  - v.** increase in staff strength from 963 in 2010 to 2,463 in 2014.



#### **4.3.6. Recommendations**

- a)** The University should sustain its cordial relationship with the NUC and the TETFund to ensure unhindered operations and quality education delivery.
- b)** The University should redouble its efforts towards securing the approval of Council of Legal Education for admission of the NOUN Law graduates into the Nigeria Law School.
- c)** The NOUN should develop a 5 – 10 year Strategic Plan on how to address its challenges.

#### **4.4.0. Deputy Vice-Chancellors**

The Deputy Vice-Chancellors (Administration and Academic) are responsible for assisting the Vice-Chancellor in the day-to-day running of the University. The Deputy Vice-Chancellor Administration is charged with the responsibility of overseeing administrative matters while the Deputy Vice-Chancellor Academic is charged with academic activities and the operations of Study Centres across the Federation.

#### **4.4.1. Findings**

- a)** Professors Mba Okoronkwo (DVC Academic) and Nebath Tanglang (DVC Administration) served between 2010 and 2013 while Professors Patrick Eya (DVC Academic) and Victor Adedipe (DVC Administration) served between 2014 and 2015 under Prof. Tenebe's tenure.
- b)** The performance of the Deputy Vice-Chancellor (Administration) and Deputy Vice-Chancellor (Academic) during the tenure of Prof. Tenebe could not be divorced from his activities, as there was a good rapport and excellent working relationship between the Vice-Chancellor and his Deputies.

c) The Deputy Vice-Chancellors Academic and Administration, other Principal Officers and Faculty Officers are majorly based in the NOUN Headquarters, Abuja.

#### **4.4.2. Recommendation**

The University should explore the possibility of creating an additional office of a Deputy Vice-Chancellor to oversee the Zonal/Regional Coordinators of the Study Centres and the advancement and management of ICT infrastructure.

#### **4.5.0. The Senate**

In line with the provisions of the University Act, the Senate has the general function of organizing and controlling teaching in the University, the admission of students, their discipline and the promotion of research. It also has the responsibility for the establishment, organization and control of the Headquarters, Regional Offices, Local Study Centres, Faculties, Departments and other Teaching and Research Units of the University.

#### **4.5.1. Findings**

- a) The Vice-Chancellor who was the Chairman of the Senate during the period under review, reported that many members of the Senate “strolled in and out” of regular meetings and other occasions.
- b) It was also reported that fewer meetings of Senate were held in a year. This led to a Senate resolution in 2013 that regular meetings should be held once in two months to enable Study Centre Directors to attend. In spite of this decision, the Senate held as few as four meetings in a year.

- c) There was also the practice by which the Senate applauded the report of accreditation programmes by NUC without deliberating extensively on the grey areas highlighted in such reports.

#### **4.5.2. Observations**

- a) The meetings of the Senate were irregular and inadequate.
- b) The applauding of the NUC's reports without serious scrutiny by the Senate is an unacceptable behaviour.

#### **4.5.3. Recommendations**

- a) Members of the Senate should take their responsibilities seriously in order to advance the course of teaching, learning and research.
- b) The Senate should hold its meetings regularly with at least, a minimum of six meetings (once in two months) in a year excluding extraordinary meetings.
- c) The Senate should address the various challenges of the University especially those arising from the deficiencies observed by the regulating agencies on academic programmes in the Study Centres to ensure sound academic pursuits.
- d) The University should discontinue its Law Degree programme and fashion out the running of Paralegal certificate programmes pending the time it complies with guidelines of the Council of Legal Education for full-fledged Law programmes.

#### **4.6.0. The Registrar**

The Registrar is responsible for keeping records of the University and provision of support services. He is the Secretary of all the Statutory Committees of the Council. These include the Finance and General Purposes Committee (F&GPC), the Appointment and Promotion Committee (A&PC), and the Staff Disciplinary Committee. The Registrar

could however, be supported by other Deputy Registrars on Council matters at the meetings of the Committees.

The Registrar during the period under review, Mrs. Josephine O. Akinyemi, was appointed in September 2006, as the first substantive Registrar of the University and her tenure ended in September 2016.

#### **4.6.1. Findings**

- a)** There was a good working relationship between the Registrar and members of Council and Management which led to her appointment for a second term.
- b)** The minutes of the Statutory Committee meetings revealed that the Registrar delegated other Deputy Registrars to serve as Secretaries of the Statutory Committees such as Appointment and Promotion Committee (Senior non-academic) and Council Disciplinary Committee.

#### **4.6.2 Observations**

- a)** The Registrar had the habit of delegating her duties in the meetings of the Statutory Committees of the Council to her deputies.
- b)** The absence of the Registrar in such statutory Committees deprived the members of getting high quality guidance and the benefit of institutional memory in handling issues before them.

#### **4.6.3. Recommendations**

- a)** The Registrar should personally serve as the Secretary of all the Statutory Committees of Council for proper guidance.
- b)** He/She should ensure that extracts of minutes of all Council and Management meetings are produced and circulated to members for information and necessary actions ahead of the next meeting.

#### **4.7.0. The Librarian**

The Librarian is responsible to the Vice-Chancellor for the administration of the Library of the University. Mr. Ukoha O. Igwe served as the University Librarian from 2011 to 2015.

#### **4.7.1. Findings**

- a)** The University Main Library at the Headquarters had been digitalized and over 20,000 volumes of books in various disciplines were procured for distribution to the different Study Centres across the country.
- b)** The NOUN Virtual Library was established at the Headquarters and some Study Centres such as Abeokuta, Enugu, Benin, Abuja, Asaba, Jos and Kaduna. In all, about 80 new computers and accessories were mobilized to the libraries.
- c)** One of the major ingredients for successful implementation of Open and Distance Learning is the deployment of Library automation and e-library which require computer networking, software installation and training.

#### **4.7.2 Observations**

- a)** The internet facilities of the University could not be deployed appropriately due to absence of ICT infrastructure.
- b)** It was also reported at one of the meetings of the Governing Council in 2011, that the Company engaged to supply Notebooks under the Student Computer Ownership Scheme backed out of the arrangement.

#### **4.7.3 Recommendations**

- a)** The University should seek the assistance of the Federal Ministry of Communication and Digital Economy and the National

Information Technology Development Agency (NITDA) on the provision of ICT infrastructure for effective implementation of ODL and development of e-library of the NOUN.

- b)** The University should ensure that all staff and students are trained and retrained in using automation/internet facilities to access information for teaching, learning, research and administration.
- c)** The University should seek specific intervention from TETFund for the development of e-library and provision of ICT infrastructure.

#### **4.8.0. Congregation and Convocation**

##### **4.8.1. Findings**

**The Congregation** is a body of persons who hold Bachelor Degrees or its equivalent of the University recognized by the Vice-Chancellor and meet periodically for the advancement of the University by proffering solutions to various academic and administrative problems that affect its members. Two (2) representatives of the Congregation are elected to be on the Council of the University.

**The Convocation** is a body of persons who hold at least a Bachelor Degree or equivalent from the University.

##### **4.8.2. Observations**

- a)** There was always delay in the elections of the representatives of the Congregation and the Convocation whenever a new Council was inaugurated.
- b)** Between 2011 and 2015, three members of the Congregation were elected to the Council instead of two as provided for in the University Act.
- c)** No member of the Convocation was elected into the Governing Council between 2011 and 2015.

- d)** The Panel noted the poor quality of contributions of representatives of the Congregation at the Council meetings.

#### **4.8.3. Recommendations**

- a)** The University should abide by the provisions of the enabling Act by holding regular meetings of Congregation and Convocation for quality contribution to the affairs of the University during the Governing Council meetings.
- b)** The University community should differentiate Congregation from Convocation to ensure that each is properly represented on the Governing Council as provided for by the Act.
- c)** The Vice-Chancellor should ensure that the meetings of the Convocation and the Congregation are convened as at when due in order to hold elections to fill their slot in the Governing Council.

## CHAPTER FIVE

### TERM OF REFERENCE THREE

***To look into the Financial Management of each Institution including statutory allocations and internally generated revenue over the recommended period and determine whether it was in compliance with appropriate regulations.***

#### **5.0.0. Preamble**

The National Open University Amendment Act No. 19, 2018 provides for the Finance and General Purposes Committee which exercises control over the finances, expenditures, accounts and the general financial management of the University. The Committee has Pro-Chancellor as Chairman with all the other Councilors as Members.

The Council is the highest authority on the general financial management of the University. However, the day-to-day financial management of the NOUN rests with the University Management with the Vice-Chancellor as the Chief Accounting Officer and the Bursar as the Chief Finance Officer. The Financial Year of the National Open University of Nigeria (NOUN) is from 1<sup>st</sup> January to 31<sup>st</sup> December of each year.

#### **5.1.0. Findings**

Since the establishment of the NOUN, it has been funded through annual budgetary allocations, special grants and interventions as well as internally generated revenue.

**The budgetary allocations of the University are:**

- a) Recurrent.
- b) Capital.



**The Special grants and interventions come from:**

- a)** Tertiary Education Trust Fund (TETFund).
- b)** Federal Government Special Needs Assessment (Needs Assessment).

**Other sources:**

- a)** Internally Generated Revenue (IGR).
- b)** Paid Services Revenue/Paid Services Fund (PSR/PSF).

**i) The sources of the IGR are:**

- contractors' registration;
- bidding fees; and
- disposal of assets.

**ii)** The Paid Services Revenue/Paid Services Fund (PSR/PSF) is made up of money paid by students for specific services which the University is obliged to render to the students through a third party arrangement.

**iii)** Tables 5.1 and 5.2 show the inflows and outflows of the University finances for the 5 years under review. The funds were utilized for the purposes intended and in accordance with extant rules and regulations.

**iv)** In compliance with the statutory requirements, the accounts were audited every year and submitted to the Office of the Auditor General for the Federation and other supervisory bodies within the first quarter of each succeeding year.

**v)** The Agencies the University interfaced with on financial matters included:

- a.** Office of the Auditor General for the Federation.
- b.** The National Planning Commission.
- c.** Office of the Accountant General of the Federation.
- d.** Federal Ministry of Education.

e. Federal Ministry of Finance.

f. The National Assembly.

### **5.1.1 Observations:**

- i. The University's account was fully integrated into the Accountant General of the Federation Computerized Fixed Assets Register (CFAR).
- ii. The audited accounts were prepared in line with the International Public Sector Accounting Standard (IPSAS).
- iii. The University's remittances of withholding Tax (WHT), Value Added Tax (VAT) and Operating Surpluses to Government were timely made during the period under review.
- iv. Based on the steady remittances, the University enjoys a healthy relationship with the Federal Inland Revenue Service (FIRS).
- v. The University suffered shortfalls in all the account heads during the period under review especially the personnel cost.
- vi. The payment of salary was handled by the Office of the Accountant General of the Federation through the Integrated Payroll and Personnel Information System (IPPIS) gateway and the shortfall in the allowances persisted.
- vii. Proceeds from the University's Internally Generated Revenue (IGR) were insignificant.

### **5.1.2. Recommendations:**

- a) The University should continue to sustain the timely remittances of WHT, VAT and operating surpluses to the appropriate authority.
- b) The University should seek the intervention of the Federal Ministry of Education, National Assembly and the Budget Office of the Federation to resolve the shortfalls in all the budgetary allocations especially the personnel cost.

- c) The NOUN should explore other sources of revenue to improve its IGR.

**TABLE 5.1 - SUMMARY OF INFLOWS 2011 - 2015**

Sources	2011	2012	2013	2014	2015
Bal b/f	979,487,130	350,810,200	898,724,208	1,326,721,895	2,164,378,119
Personnel	1,889,071,909	2,280,424,103	2,683,554,428	2,505,008,873	2,544,567,793
Overhead	852,157,570	664,172,745	506,812,745	441,450,097	761,641,841
Capital	414,449,757	226,814,408	144,443,868	-	-
Special Capital Grant	-	-	187,083,394	-	-
IGR	20,141,947	6,956,277	20,900,655	5,276,800	249,200,200
PSR	1,818,058,704	2,582,980,196	2,972,981,735	4,550,821,398	5,396,007,923
Dividends	18,894,778	10,653,246	18,630,635	1,054,947	-
TETFund	-	139,240,359	389,868,034	1,382,333,512	8,763,543,703
Needs Assessments	-	-	-	2,098,981,822	-
<b>Total</b>	<b>5,992,261,778</b>	<b>6,262,051,534</b>	<b>7,822,999,702</b>	<b>12,311,649,344</b>	<b>19,879,339,579</b>

**TABLE 5.2 -SUMMARY OF OUTFLOWS 2011 - 2015**

Sources	2011	2012	2013	2014	2015
Personnel	2,128,212,498	2,210,326,858	2,505,783,147	3,207,110,007	3,981,321,118
Overhead	852,157,570	664,172,745	506,812,745	441,450,097	761,641,841
Capital	414,449,757	226,814,408	144,443,868	-	-
Special Capital Grant	-	-	187,083,394	-	-
IGR/PSR	1,308,705,784	1,706,766,487	2,505,783,147	2,802,990,076	7,459,357,567
Capital Expenditure from PSR	937,925,986	416,006,469	983,248,089	1,343,061,971	841,701,069
TETFund	-	139,240,359	389,868,034	11,082,333,512	5,948,446,492
Needs Assessments	-	-	-	1,270,325,560	828,656,262
<b>Total</b>	<b>5,641,451,595</b>	<b>5,363,327,326</b>	<b>6,496,277,807</b>	<b>10,147,271,223</b>	<b>19,821,124,349</b>

## CHAPTER SIX

### TERM OF REFERENCE FOUR

*To investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding.*

#### 6.0.0. Preamble

In addition to its budgetary provisions, the NOUN benefits from Special Grants and interventions to fund its projects.

#### 6.1.0. Sources of Funds

- a. Annual Capital Budgetary Allocation
- b. The Special grants and Interventions
  - i). Tertiary Education Trust Fund (TETFund).
  - ii). Federal Government Special Needs Assessment.
- c. Internally Generated Revenue (IGR).
- d. Paid Services Revenue/Paid Services Fund (PSR/PSF).

#### 6.1.1. Findings

Table 6.1 shows the inflows of the University finances for the 5 years under review. The funds were judiciously utilized for the purposes intended and in accordance with the rules and regulations.

**TABLE 6.1: SUMMARY OF INFLOWS 2011 - 2015**

Sources	2011	2012	2013	2014	2015	TOTAL
Capital	414,449,757	226,814,408	144,443,868	-	-	785,708,033
Special Capital Grant	-	-	187,083,394	-	-	187,083,394
IGR	20,141,947	6,956,277	20,900,655	5,276,800	249,200,200	302,475,879
PSR	1,818,058,704	2,582,980,196	2,972,981,735	4,550,821,398	5,396,007,923	17,320,849,956
TETFund	-	139,240,359	389,868,034	1,382,333,512	8,763,543,703	10,683,985,608
Needs Assessments	-	-	-	2,098,981,822	-	2,098,981,822

### 6.1.2. Observations

- a) The yearly Capital allocation to the NOUN was inadequate.
- b) The NOUN enjoyed a moderate grant from the TETFund and a fair intervention from the Needs Assessment.
- c) The IGR of the NOUN was insignificant.
- d) The NOUN had a robust PSR/PSF.
- e) The University did not take any loan to fund its projects and hence it was not indebted during the period under review.

### 6.1.3 Recommendations

- a) The Federal Government should increase the capital allocation of the NOUN to enable it improve its infrastructural development.
- b) The University should devise strategies to attract more grants and interventions from the TETFund and Needs Assessment.
- c) The Management should explore more areas to augment its IGR in order to improve its infrastructural development.
- d) The University should judiciously utilize the PSR/PSF in order to achieve the objectives of the ODL Scheme.

## 6.2.0. Application of Funds

### 6.2.1. Findings

- a) The summary of application of funds by the University between 2011 and 2015 is as indicated in the table 2 below.

**TABLE 6.2: SUMMARY OF OUTFLOWS 2011 – 2015**

Sources	2011	2012	2013	2014	2015	TOTAL
Capital	414,449,757	226,814,408	144,443,868	-	-	415,708,033
Special Capital Grant	-	-	187,083,394	-	-	187,083,394
IGR/PSR	1,308,705,784	1,706,766,487	2,505,783,147	2,802,990,076	7,459,357,567	15,783,603,061
Capital Expenditure from PSR	937,925,986	416,006,469	983,248,089	1,343,061,971	841,701,069	4,521,943,584

Sources	2011	2012	2013	2014	2015	TOTAL
TETFund	-	139,240,359	389,868,034	11,082,333,512	5,948,446,492	17,559,888,397
Needs Assessments	-	-	-	1,270,325,560	828,656,262	2,098,981,822

- b) An analysis of Table 6.2 overleaf revealed that the appropriations for Capital projects for the period between 2011 and 2015 were fully and judiciously utilized.
- c) The TETFund grants and the Needs Assessment interventions were fully utilized in completing the projects in the years under review.
- d) The balances left in the TETFund grants, the Needs Assessment Interventions and the PSR were rolled over to the subsequent year.

### **6.2.2. Observations**

- a) There was a serious deficit in the funding of some significant projects of the NOUN.
- b) The quality of some of the capital projects was below standard due to poor supervision.
- c) The nominal roll submitted by the Directorate of Physical Planning, Works and Services revealed a shortage of requisite professionals in some of the specialized fields required for the effective supervision of projects.
- d) Most of the Senior Technical staff of the Directorate were not registered with their Professional bodies.

### **6.2.3. Recommendations**

- a) The University should explore additional sources of revenue to fund its capital projects by seeking for grants from individuals, Corporate bodies, National and International organizations for special projects and programmes.

- b)** The Zonal Offices should be properly manned by duly registered professionals in the built environment.
- c)** The University should update and upgrade its Asset Register in line with IPSAS standards by making sure all Landed Properties are covered by Certificates of Occupancy, letters of grants etc.
- d)** The NOUN should comply with the Federal Government’s directives that all Public Buildings must have facilities for the physically challenged.
- e)** The Directorate of Physical Planning, Works and Services should be restructured to enable it perform more efficiently and deliver on its mandate.

### **6.3.0. Completed Projects**

#### **6.3.1. Findings**

The University has the following completed projects:

- a)** 59 projects funded from the Federal Government Capital Allocation.
- b)** 22 projects under the TETFund.
- c)** 13 projects under Needs Assessment.

The breakdown is as in Table 3 below:

**TABLE 6.3: COMPLETED PROJECTS**

<b>S/N</b>	<b>FUNDING SOURCE</b>	<b>QUANTITY</b>	<b>LOCATION</b>	<b>COMPLETED</b>	<b>REMARK</b>
<b>1.</b>	<b>Budgetary Provision (Capital Appropriation)</b>		<b>Spread across the Country</b>	<b>59</b>	<b>There is need to provide further funding for the provision of more Study Centres across the Country.</b>
<b>2.</b>	<b>TETFund</b>		<b>Spread across the Country</b>	<b>22</b>	<b>Funding for these projects were fully covered by the TETFund to completion and as such there is no need for further funding.</b>
<b>3.</b>	<b>Needs Assessment</b>		<b>Spread across the Country</b>	<b>13</b>	<b>The NOUN need to request for more NEEDS intervention projects.</b>

#### **6.4.0. Uncompleted/Abandoned Projects**

##### **6.4.1. Findings**

The abandoned project in the Model Study Centre, Kubwa Abuja was funded by the TETFund and awarded to Messrs CCECC by the Federal Ministry of Education.

##### **6.4.2. Observations**

- a)** The project was funded by the TETFund, and awarded to Messrs CCECC by the Federal Ministry of Education.
- b)** The Contractor abandoned the site in 2003 at 30% completion due to nonpayment.

##### **6.4.3. Recommendation**

The NOUN should liaise with the Federal Ministry of Education to see to the completion of this important project.



## CHAPTER SEVEN

### TERM OF REFERENCE FIVE

*To examine the adequacy of the staff and staff development programmes of each University.*

#### **7.0.0. Preamble**

The quality and strength of the staff of any University are key to its optimum performance. The National Universities Commission as a regulatory agency has established standards to ensure the adequacy of staff in Nigerian Universities. The standards set up for the academic staff mix by rank are as follows:

- Professorial 20%.
- Senior lecturer 35%.
- Lecturer 1 and below 45%.
- Facilitator, Tutor/learner ratio is 1:50.

The National Open University of Nigeria (NOUN) as an ODL institution has a mode of operation different from the conventional Universities. Staff development is imperative for building sustainable capacity in any University. It enables a University attain a level of excellence in its general performance. The operation of the NOUN has made it mandatory for continuous training and retraining of its staff to build their capacity and enhance performance.

#### **7.1.0. Academic Staff**

##### **7.1.1. Findings**

- a) During the period under review (2011 – 2015), the total number of staff in the NOUN was 2,289. This was made up of 216 (9.5%) academic staff and 2,073 (90.5%) Non-academic staff.

- b) The Panel noted that the NOUN academic staff performed the following functions:
- Developing learning materials.
  - Setting tests and examinations.
  - Grading students' submissions.
  - Undertaking research activities.
  - Providing online student facilitation.
- c) The academic staff strength of the NOUN was inadequate while the number of facilitators on ground was fairly adequate. From the data provided to the Panel, the level of adequacy of academic staff is 60%. An additional 250 academic staff are needed to complete the academic staff requirement.

### **7.1.2. Observations**

- a) The NOUN had put in place a number of practices which enabled the academic staff in the system to adequately meet the student's needs. These included:
- online facilitation;
  - e-examinations;
  - pen-on-paper examinations;
  - students' project moderation;
  - writing of course materials, and
- b) The teaching, learning and research are majorly carried out by the academic staff who engage in instructional delivery.
- c) The facilitators are engaged in learner support, supervision of projects, assessment of students Tutor Marked Assignment (TMA) and Pen on Paper examinations (POP).

d) The ratio of academic staff to non-teaching staff is 1:11 which leaves most activities in the NOUN to non-academic staff.

### **7.1.3. Recommendations**

- a) The NOUN should ensure that more academic staff are employed for required staff mix in line with NUC guidelines.
- b) The University should set up a Task Team to examine all the complaints that border on academic delivery at the Study Centres across the Federation for appropriate action.
- c) The NOUN should institute a policy of having more academic staff at the Zonal Offices and Study Centres.

### **7.2.0. Non-Academic Staff**

#### **7.2.1. Findings**

- a) During the period under review (2011 - 2015) the total number of staff of the NOUN as at December 2015 was 2,289 out of which 2,073 (90.5%) were non-academic staff.
- b) The 2,073 (90.5%) non-academic staff were made up of the following:
  - Library staff - 41 (1.8%)
  - Senior non-teaching staff - 1,252 (54.7%)
  - Junior non-teaching staff - 780 (34.0%)

#### **7.2.2. Observations**

The reports from the Study Centres revealed that:

- a) The Library staff were inadequate.
- b) Counsellors were inadequate.
- c) Records available to the Panel revealed a general shortage of staff in the Study Centres.

### **7.2.3. Recommendations**

- a)** The University should embark on a comprehensive personnel audit to determine its manpower requirements.
- b)** Thereafter, the NOUN should seek for a special waiver through the Federal Ministry of Education and other relevant Government agencies to recruit more staff.

### **7.3.0. Staff Development**

#### **7.3.1. Findings**

- a)** The University had a comprehensive staff development programme. The programmes included:
  - sponsorship for Higher degrees;
  - attendance at workshops;
  - TETFUND sponsored conferences; and
  - Needs Assessment training and workshops.
- b)** During the period under review (2011 - 2015), the University sponsored the following:
  - i. 539 staff for workshops and conferences.
  - ii. 133 staff for higher degree trainings in various universities across the world, out of which 123 were academic staff trained for their PhDs.
- c)** The NOUN enjoyed sponsorship by the TETFUND and Needs Assessment for various training and retraining on ODL for the staff of the University.
- d)** Some of the facilitators assigned to various Study Centers lacked the necessary ODL skills required to effectively interact with students online.

### **7.3.2. Observations**

- a)** The number of staff, academics and non-teaching staff trained each year was encouraging.
- b)** The University stated clearly that it had no business recruiting young graduates and instead preferred recruiting PhD holders.

### **7.3.3. Recommendations**

- a)** The University should intensify efforts at ensuring that more academic staff are trained in ODL than other cadres.
- b)** The NOUN should ensure that all facilitators to be engaged by the University are proficient in ODL mode of delivery.
- c)** The directive of the Visitor that young graduates be employed and trained to scale the Academic ladder should be effectively implemented.
- d)** The services of all Professors and facilitators that are over 70 years should immediately be dispensed with to give room for young academics.
- e)** The NOUN should address the lopsidedness in its staff mix to ensure that academic staff are given prominence in future recruitments.

## CHAPTER EIGHT

### TERM OF REFERENCE SIX

*To determine the relationship between the University and the various statutory bodies it interacts with according to its law, for the purposes of supervision, planning, finance, discipline, guidance and any other relationship (i.e., the Governing Council, the National Universities Commission and the Federal Ministry of Education)*

#### **8.0.0. Preamble**

During the period under review the University related with the following statutory bodies, among others, in the discharge of its mandate:

- i.** Federal Ministry of Education (FME).
- ii.** National Universities Commission (NUC).
- iii.** Governing Council.
- iv.** Joint Admissions and Matriculation Board (JAMB).
- v.** Tertiary Education Trust Fund (TETFund).

#### **8.1.0. Federal Ministry of Education**

The Federal Ministry of Education is responsible for:

- a)** The provision of a National Policy on Education in collaboration with States and relevant stakeholders.
- b)** Harmonizing educational policies and procedures of all the States of the Federation through the instrumentality of the National Council on Education.
- c)** Collecting and collating data for purposes of educational planning and financing.
- d)** Maintaining uniform standards of education throughout the country.

- e) Developing curricula and syllabuses at the national level in conjunction with other bodies.
- f) Coordinating non-formal education including adult education, vocational improvement centres, correspondence courses etc.
- g) Instituting a process for periodic review and alignment of manpower produced by the educational system with the national manpower need.
- h) Providing appropriate education laws and ensuring their enforcement.

#### **8.1.1. Findings**

- a) The National Open University Act (1983) provides that the Federal Ministry of Education is represented on the Governing Council by the Permanent Secretary of the Ministry or his Representative. During the period under review, the Ministry was appropriately represented at Council meetings to ensure that it was properly guided in its deliberations.
- b) The University fully complied with the circulars from the Ministry, one of which stated that its representative should be a member of Statutory Committees such as Finance and General Purposes, Appointments and Promotions and Senior Staff Disciplinary Committees. This was evident in the minutes and decisions of Councils made available to the Panel.
- c) The University collaborated with the Ministry by making inputs into the Draft National Policy on Education especially on Open and Distance Learning. The Policy was approved at the 59<sup>th</sup> meeting of National Council on Education held in Abuja in 2013.

- d)** From the record made available to the Panel, the Ministry mediated and resolved the impasse between the University and NUC over accreditation issues.
- e)** The Ministry also intervened in the disagreement between the University and the TETFund which led to the restoration of the TETFund Annual Intervention Fund in 2012.
- f)** The University also participated in the yearly meetings of Federal Tertiary Institutions on the annual budget matters coordinated by the Ministry.

### **8.1.2. Observations**

- a)** The extension of the tenure of the former Vice-Chancellor, Prof. Tenebe by Council in October, 2015 in contravention of the provision of the extant law was a clear indication of the failure of the representative of the Federal Ministry of Education at that meeting to advise Council appropriately.
- b)** Since the inception of the University, it had never submitted any memorandum at the Joint Consultative Committee on Education (JCCE) Reference Committee Meetings on Tertiary Education. The JCCE serves as the clearing house for policies to be approved by the National Council on Education under the Chairmanship of the Honourable Minister on Education.

### **8.1.3. Recommendations**

- a)** The University should sustain its cordial relationship with the Federal Ministry of Education.
- b)** The Permanent Secretary, Federal Ministry of Education should ensure that only competent persons are delegated to represent



the Ministry in the meetings of the Governing Council of the NOUN in view of its unique nature.

- c)** The University should ensure that it is always represented at the JCCE Reference Committee meetings on Tertiary Education in order to make professional inputs on policy matters that border on strengthening the ODL in Nigeria especially the development of a stand-alone National Policy on ODL.
- d)** The Federal Ministry of Education should conduct periodic monitoring exercises on the level of implementation of provisions of the National Policy on Education on ODL in the University Headquarters and its Study Centres.

#### **8.2.0. The National Universities Commission (NUC)**

The NUC is a Parastatal under the Federal Ministry of Education that is saddled with the mandate of accrediting degree awarding institutions and their academic programmes.

The main functions of the Commission include:

- i.** granting approval for all academic programmes run in Nigerian Universities;
- ii.** granting approval for the establishment of all higher educational institutions offering degree programmes in Nigeria;
- iii.** ensuring quality assurance of all academic programmes offered in Nigerian Universities; and
- iv.** serving as channel for all external support to the Nigerian Universities.

The above functions are performed in conjunction with designated professional bodies and agencies such as the Medical and Dental Council of Nigeria (MDCN), the Institute of Chartered Accountants of Nigeria

(ICAN), Association of National Accountants of Nigeria (ANAN), the Council of Legal Education (CLE), Architects Registration Council of Nigeria (ARCON) and the Council for Registration of Engineering in Nigeria (COREN), among others.

### **8.2.1. Findings**

- a)** The NOUN had secured NUC's approval for the accreditation of some of its academic programmes. It had also set up the necessary processes required for the introduction of new programmes and establishment of new Study Centres through resource verification by the NUC.
- b)** The University interfaced with the NUC and the Nursing and Midwifery Council of Nigeria and ensured speedy resolution of the impasse that had delayed the graduation ceremony of 2012 until the accreditation of the Nursing programme was concluded.
- c)** In a bid to meet up with the NUC requirements for accreditation, the University invited Mock Accreditation Team and the external assessors who visited all the Study Centres to ensure that all the issues relating to the accreditation were addressed.
- d)** Following series of meetings between the Vice-Chancellor and the NUC officials, a Joint Committee of the NOUN and NUC was constituted to address matters relating to Resource Verification; Programme Audit; and Accreditation of Programmes.
- e)** In compliance with NUC policy that Federal Universities operating on temporary sites should, within fifteen (15) years, commence development of their permanent sites, the NOUN was able to relocate to its permanent campus in Jabi, Abuja under fourteen (14) years after its resuscitation in 2002.

### **8.2.2. Observations**

- a)** The University involved the NUC in its governance by inviting its representative to the meetings of the Governing Council contrary to the provision of the University Act.
- b)** Assessment of the implementation of the White Paper on Visitation Panel recommendations on the University 2004-2010 showed that the NOUN did not comply with the approval of the Visitor that new Study Centres must be approved by the NUC before they are established.

### **8.2.3. Recommendations**

- a)** The University should sustain its cordial relationship with the NUC by ensuring compliance with the agency's regulatory provisions to ensure that its graduates are globally competitive.
- b)** The University should not establish any new Study Centre or commence academic activities in any Study Centre until NUC grants approval after necessary resource verification.
- c)** The University should urgently put machinery in motion for the deployment of its Academic staff to the Zonal/State Study Centres in line with NUC's requirement.

### **8.3.0. The Governing Council**

The Governing Council is the body charged with the general control of the policy, finances and property of the University. The functions of the Council are:

- a)** governs, manages and regulates the finances and accounts of the University;
- b)** oversees the investments, properties and businesses of the University;

- c) appoints the Principal Officers of the University; and
- d) exercises powers of removal from office and other disciplinary control on the staff.

### **8.3.1. Findings**

Between 2011 and 2015, the University was administered by two Governing Councils viz; the Council headed by the now late Prof. Greg O. Iwu, OON, from 2009 to 2013 and the other one headed by Senator Ameh Ebote, CON, from 2014 to 2015.

- a) The Council played supportive roles in holding meetings with the Federal Ministry of Education and NUC for the University to be properly regulated in line with the extant law and NUC Benchmark for Minimum Academic Standards (BMAS).
- b) The Council also played crucial roles in facilitating the TETFund Annual Intervention Fund to the University for infrastructural development in 2012.
- c) The Council worked in harmony with the University management for the development of University Campus in Jabi, Abuja through a high impact TETFund's Special Intervention and the subsequent relocation of the University Headquarters from Lagos to Abuja campus on 15<sup>th</sup> January 2016.
- d) The roles of the two Governing Councils during the period under review with regards to finance, appointments, promotions, discipline and academics in conjunction with the management of the University demonstrated cordiality.
- e) The Governing Councils during the period under review appeared to be unaware of the investments and business ventures of the University especially the activities of the NOUN Microfinance Bank

and the NOUN Consult Investment Limited (NOUNCIL).

### **8.3.2. Recommendations**

- a)** The cordial relationship between the Governing Council and the University Management should be sustained.
- b)** The Management of the University should at all times brief the Council on the investments, properties and business ventures of the University as a matter of deliberate policy.
- c)** The Governing Council should institute an Audit Panel to look into the activities of the NOUN Microfinance Bank and NOUNCIL for possible resuscitation or liquidation.

### **8.4.0. The Joint Admissions and Matriculation Board (JAMB)**

The JAMB was established in 1978 with the responsibility for ensuring a uniform standard for the conduct of matriculation examinations and placement of suitable candidates into the nation's Universities. The JAMB Act was amended in order to add the conduct of Polytechnics/ Monotechnics and Colleges of Education matriculation examinations so as to tackle the issues of lack of standards and uniformity in admission processes.

Specifically, the functions of JAMB include:

- a)** Conducting Unified Tertiary Matriculation Examination (UTME) which acts as a requirement for gaining admission into all the tertiary institutions in Nigeria.
- b)** Ensuring that candidates seeking admission into tertiary institutions are eligible by possessing the prescribed qualifications or its equivalent.

- c) Working with other academic bodies to prescribe requirements such as five/four credits relevant subjects and cut off marks to distinguish students suitable for Universities from others.

#### **8.4.1. Observations**

- a) The Representatives of the NOUN met with the Registrar of JAMB and agreed on the terms and conditions for the regularization of their students.
- b) JAMB subsequently created a special facility on the Central Admissions Processing Systems (CAPS) to have accurate records of the NOUN students.
- c) For the 2020 admission exercise for instance, a provision of 109,105 spaces were made for the NOUN. However, the provision had not been significantly utilized as only 150 of the 109,105 spaces were utilized for 2020/2021 admission. The implication of the above is that the University was yet to properly comply with the provisions of the Law (JAMB Act 1978, as amended) which mandated that all admissions into first degree programmes be made through JAMB.
- d) The Panel equally discovered from the report of accreditation of the University by NUC, that some of the candidates admitted by the NOUN did not meet the National minimum requirement of five (5) credits for admission into first degree programmes.

#### **8.4.2. Recommendations**

- a) The University should utilize the JAMB online customized facility for the registration of its candidates on the Central Admission Processing System (CAPS) which is a system that has transformed and harmonized the entire admission process into all the tertiary institutions in Nigeria.

- b)** The JAMB should impose necessary sanctions if the NOUN fails to comply with the provisions of the JAMB Act (1978) as amended.

### **8.5.0 The Tertiary Education Trust Fund (TETFund)**

The Tertiary Education Trust Fund (TETFund) is an intervention agency set up to provide supplementary support to all public tertiary institutions. The main objective of the Fund is to use funding alongside project management for the rehabilitation, restoration and consolidation of Tertiary Education in Nigeria. Funds are disbursed for the general improvement of education in the Federal and State tertiary institutions for the provision or maintenance of:

- i.** essential physical infrastructure for teaching and learning;
- ii.** instructional materials and equipment;
- iii.** research and publications;
- iv.** academic staff training and development; and
- v.** any other needs which, in the opinion of the Board of Trustees, are critical and essential for the improvement and maintenance of standards in the higher educational institutions.

#### **8.5.1. Observations**

- a)** The University was initially delisted as a beneficiary of the TETFund intervention due to non-compliance with the NUC Benchmark Minimum Academic Standards (BMAS) in its operation.
- b)** As a result of the intervention of the Federal Ministry of Education, the TETFund enlisted the University as a beneficiary of the Annual Intervention Fund beginning in 2012.
- c)** Following the intervention of the Federal Ministry of Education, the issues that militated against TETFund's intervention to the University were resolved. This led to the TETFund funding of the

projects involving renovation and building of halls in Abeokuta, Benin, Enugu, Jos, Kano and Maiduguri Study Centres.

- d)** A new campus for the University was developed between 2011 and 2015 and commissioned on 15<sup>th</sup> January 2016 through high impact TETFund's Special Intervention for the development of Headquarters in Jabi, Abuja.

#### **8.5.2. Recommendations**

- a)** The University should sustain its cordial relationship with the TETFund to ensure regular funding of capital projects and capacity building.
- b)** The NOUN should redouble its effort in developing the capacity of its academic staff to be able to present innovative research proposals to the TETFund and other intervention agencies on how to address pressing national challenges.
- c)** In view of the volume of Procurement activities and processes in the NOUN, especially the projects funded through budgetary allocations, TETFund grants and the Special Needs Intervention, the Procurement Unit should be upgraded to a Directorate.



## CHAPTER NINE

### TERM OF REFERENCE SEVEN

***To examine the law establishing the University including the relationship between the various internal organs, units and offices and indicate the ways the law has been observed by the competent authorities and also suggest any modifications to the law***

#### **9.0.0. Preamble**

The National Open University of Nigeria (NOUN) was established pursuant to the National Open University Act, No. 6, 1983. The University continued to be known as the National Open University up to when its operations were suspended in 1984.

The University was resuscitated in 2002 with its name changed to the National Open University of Nigeria (NOUN) but without a legal backing. However, the operations of the University are being guided by the following statutes:

- i.** Universities (Miscellaneous Provisions) Amendment Act, 1993
- ii.** Universities (Miscellaneous Provisions) Amendment Act, 1996
- iii.** Universities (Miscellaneous Provisions) Amendment Act, 2003
- iv.** Universities (Miscellaneous Provisions) Amendment Act, 2012

The statutes listed above have been extensively used by the University in its operations.

The combined provisions of the above statutes seem not to be adequate for the smooth operations of the University. There is therefore, the need to amend the National Open University Act 1983 in the Sections identified below for effective governance and management of the Institution.

### **9.1.0. Constitution and Object of the University and its constituent bodies**

**Section 1 (Sub-section 3a)** of The National Open University Act 1983, provides, among others, that the object of the University shall be to encourage the advancement of learning throughout Nigeria by means of tuition carried out **mainly by correspondence** and closely supplemented by lectures, broadcast by radio and television etc.

#### **9.1.1. Observations**

- a)** The mode of delivery in the NOUN provides full-time and teaching delivered through Open and Distance Learning System using new and improved communication technologies and the provision of Seminars, Special clinics, Professional Internship, Facilitation and robust counseling services, among others.
- b)** The provision of the Act that the NOUN **carries out tuition mainly by correspondence** accounts largely for the non-recognition of its certificates by the Regulatory Bodies of some professional associations such as Council of Legal Education and non-admittance of the NOUN graduates by some conventional Universities for postgraduate studies.

#### **9.1.2. Recommendation**

The NOU Act (1983) should be amended to reflect that the University provides full-time learning and teaching delivered through Open and Distance Learning (ODL) System using new and improved communication technologies and the provision of Seminars, Special clinics, Professional Internship, Facilitation and robust counseling services.

### **9.2.0. Constitution and Principal Officers of the University**

Section 2 of the Universities (Miscellaneous) Provisions Act 1983 provides that the University shall consist of:

- i.** Chancellor
- ii.** Pro-Chancellor and a Council
- iii.** Vice-Chancellor and a Senate
- iv.** A body to be called Congregation
- v.** A body to be called General Assembly
- vi.** A body to be called Convocation

#### **9.2.1. Observation**

The provision for a body to be called "General Assembly" is alien to the Universities (Miscellaneous) Provisions Act 2003 as amended. There is currently no Federal University in Nigeria that has a body called General Assembly in its composition.

#### **9.2.2. Recommendation**

The provision for "General Assembly" as contained in the Universities (Miscellaneous) Provisions Act 1983 should be expunged in the reviewed NOU Act.

### **9.3.0. Functions of Finance and General Purposes Committee**

Section 2(5) of the Universities (Miscellaneous) Provisions Act 1983 provides for Finance and General Purposes Committee as the only statutory committee which shall exercise control over the property and expenditure of the University.

#### **9.3.1 Observations**

Based on the circular of the Federal Ministry of Education, forwarded to all Federal Tertiary Institutions under its purview, there shall be three Statutory Committees for the Governing Councils. These are:

- a)** Finance and General Purposes Committee (Pro-Chancellor, Chairman)
- b)** Appointment and Promotions Committee (Vice-Chancellor, Chairman) ; and
- c)** Staff Disciplinary Committee (External Member of Council, Chairman)

### **9.3.2 Recommendation**

The amendment of NOU Act 1983 should reflect three Statutory Committees of Council i.e. Finance and General Purposes, Appointment and Promotion, and Staff Disciplinary Committees.

### **9.4.0. Powers of the University**

Section 3 (7) of the NOU Act 1983 provides that there shall be paid to members of Finance and General Purposes Committee allowances in respect of travelling and other reasonable expenses at such rate as may from time to time be fixed by the Minister.

### **9.4.1 Observations**

Based on the subsisting Financial Regulations of the Federal Government, the allowances of members of Boards/Governing Councils of Parastatals and Institutions are fixed from time to time by the National Salaries, Incomes and Wages Commission (NSIWC).

### **9.4.2 Recommendation**

The NOU Act (1983) should be amended to reflect that the fixing of the allowances of members of Finance and General Purposes Committee and other Statutory Committees be done by the National Salaries, Incomes and Wages Commission (NSIWC) and not the Minister.

### **9.5.0 Appointment of Principal Officers**

Schedule 1 Section 2 of NOU Act 1983 provides that:

- a)** The Vice-Chancellor shall be appointed or removed from his office by the President after consultation with the University Council.
- b)** The Vice-Chancellor shall hold office for Four (4) years in the first instance and shall be eligible for reappointment for a second term of Three (3) years.

#### **9.5.1. Observations**

The University Miscellaneous Act (2003) as amended, also referred to as University Autonomy Act, has conferred the power for the appointment of the Vice-Chancellor and other Principal Officers to the Governing Council of the University.

The University Autonomy Act (2012) as amended also provides that the tenure of the Vice-Chancellor and other Principal Officers shall be five-year single tenure and no more.

#### **9.5.2. Recommendations**

Based on the University (Miscellaneous Provision) Amendment Act 2012, the NOU Act of 1983 should be amended to provide that:

- a)** The Vice-Chancellor shall be appointed or removed from his office by the Governing Council.
- b)** The Vice-Chancellor shall hold office for a Five-year single tenure and no more.

#### **9.6.0 Selection of Principal Officers**

The NOU Act 1983 stipulates that when a vacancy occurs in the office of the Deputy Vice-Chancellor, Registrar, Bursar, Librarian, Director of Works, a Selection Board shall be constituted to include the following:

- a)** The Pro-Chancellor (Chairman)

- b)** The Vice-Chancellor
- c)** Two members appointed by the Council not being members of the Senate; and
- d)** Two members appointed by the Senate

#### **9.6.1. Findings**

In the Amended University (miscellaneous) Act 2003,

- a)** the appointment of Deputy Vice-Chancellors is done on the recommendation of Vice-Chancellor to the Senate and for onward transmission to Council for approval.
- b)** The Selection Board for Registrar, Bursar and Librarian shall be constituted to include the:
  - i.** The Pro-Chancellor (Chairman)
  - ii.** The Vice-Chancellor
  - iii.** Four members appointed by the Council not being members of the Senate; and
  - iv.** Two members appointed by the Senate

#### **9.6.2 Observation**

It has been observed by the Panel that certain provisions of the Act of 2003 are yet to be accommodated in the NOU Act (1983).

#### **9.6.3 Recommendation**

The NOU Act of 1983 should be amended to reflect 9.6.1. (a) and (b) above.

#### **9.7.0 Observation of the law by the competent Authority**

##### **9.7.1 The Governing Council**

The National Open University (Amendment) Act 1983 provides that the members of the Governing Council shall be:

- a)** Pro-Chancellor and Chairman (appointed by the Visitor)

- b)** Vice-Chancellor
- c)** Two Deputy Vice-Chancellors (Academic and Administration)
- d)** A Representative of the Federal Ministry of Education
- e)** Four persons representing Public interest (appointed by the Visitor)
- f)** Four Representatives of the Senate of the University
- g)** Two Representatives of Congregation
- h)** A representative of Convocation

### **9.7.2 Findings:**

- a)** Between 2011 and 2015, the University was administered by two Governing Councils viz; the Council headed by the now late Prof. Greg O. Iwu, OON, from 2009 to 2013 and the other one headed by Senator Ameh Ebute, CON, from 2014 to 2018. The two Governing Councils had the Representative of the National Universities Commission (NUC), contrary to the provision of the University Act.
- b)** The Prof. Greg O. Iwu led Council (2009-2013) comprised three members of Congregation as against two members stipulated in the Act;
- c)** No member of the University convocation was elected into both Prof. Greg O. Iwu led Council (2009-2013) and Senator Ameh Ebute led Council (2014 - 2018) in contravention of the Act;
- d)** The Senator Ameh Ebute led Council (2014 - 2018) had only three (3) members of the University Senate as against the four(4) members stipulated in the Act.
- e)** Arising from (b)-(e) the two Governing Councils that served the University between 2011 and 2015 were not properly constituted

in line with the law establishing the University as contained in the Appendix (Vol. 2).

### **9.7.3 Recommendations**

- a)** In view of the need to properly regulate the activities of Council, the National Universities Commission should attend the meetings of the Governing Council as a co-opted member without voting right.
- b)** The University Council should ensure that its internal members such as the Representatives of Senate, Congregation and Convocation are properly represented (ratio of 4:2:1 respectively) as provided for in the Act.
- c)** The Federal Ministry of Education should perform its oversight function of ensuring that the University Council is always properly constituted.

### **9.8.0 Appointment of Vice-Chancellor**

According to University Miscellaneous Act (2003), the appointment of principal officers in the University system such as Vice-Chancellor, Registrar, Bursar and Librarian is vested in the Governing Council.

#### **9.8.1. Findings:**

- a)** Prof. Vincent Tenebe was appointed as Vice-Chancellor of the NOUN in October 2010 for a 5-year single tenure only. This implies that his tenure ended in October, 2015.
- b)** Council however renewed the appointment of Prof. Tenebe in October, 2015 contrary to the University Act (2003).

#### **9.8.2. Observation**

The Governing Council acted beyond its powers by extending the five-year single tenure of Prof. Tenebe.



### **9.8.3. Recommendation**

The Governing Council should ensure that it abides by the provisions of the law in appointment of Vice-Chancellor and other Principal Officers.

### **9.9.0. Powers of the Senate**

Section 6.1 of the NOU Act 1983 provides that it shall be the general function of the Senate to organize and control teaching in the University; the admission (where no other enactment provides to the contrary) of students in the University.

### **9.9.1. Findings**

The NOU Act (1983) provides that the Senate shall give consideration to other extant laws on admission of students. Another provision on admission of students into undergraduate programmes of the University is that of the JAMB Act 1978 (as amended) which provides that all admission into first degree programmes be made through JAMB.

### **9.9.2. Observations**

- a)** The Panel discovered from the report of accreditation of the University by the NUC, that some of the candidates admitted by the NOUN did not meet the National minimum requirement of five (5) credits for admission into first degree programmes.
- b)** The University Senate did not comply with the provisions of the Law (JAMB ACT 1978, as amended) which mandates that all admissions into first degree programmes be made through JAMB.

### **9.9.3. Recommendation**

The University Senate should always ensure that all candidates to be admitted for undergraduate programmes pass through JAMB to avoid sanctions, maintain the integrity of the certificates of the University and produce graduates in line with demands of national planning.



## CHAPTER TEN

### TERM OF REFERENCE EIGHT

*To trace the historical evolution of the University and take stock of its net achievements and problems as well as its style and direction*

#### **10.0.0. Preamble**

Open and Distance Learning (ODL), on which the National Open University of Nigeria (NOUN) anchors its mode of teaching and learning is an educational process designed to promote self-learning as an alternative to campus-based learning. It is an educational method by which the teacher and learner are separated by physical distance and contact. Effective use of printed course materials, audios, videos, CDs, and internet connectivity are deployed. ODL provides an educational method that is convenient for learners who cannot embark on full-time studies because of career constraints, distance or absence of opportunity to secure admission into conventional academic institutions.

#### **10.1.0. Findings**

Documentary evidence revealed that for a long time, Nigerians have had access to distance learning programmes.

- This mode of learning was either through correspondence by which non-resident-based learners prepared for the General Certificate of Education (GCE).
- Nigerians sought admissions in Universities and institutions in the United Kingdom as students of Correspondence Colleges.
- The **English by Radio** distance learning programme by the Nigeria Broadcasting Corporation; the **Schools Educational Broadcast** by Radio Nigeria; the extra mural classes and correspondence courses approved by Nigerian Universities and the

National Teachers' Institute provided the bedrock for part-time and distance-based learning.

### **10.1.1. The Take off of the National Open University of Nigeria**

The National Open University of Nigeria (NOUN) is a Federal Open and Distance Learning (ODL) institution. The University was first established as the National Open University on 22<sup>nd</sup> July 1983 by then President of Nigeria, Alhaji Shehu Usman Aliyu Shagari GCFR, following the enactment of the Open University Act (No. 6, 1983 CAP N63). Prof. Gabriel Afolabi Ojo was appointed the first Vice-Chancellor. The operations of the University, amongst other government agencies, were however suspended on 25<sup>th</sup> April 1984 by then Military Head of State, Major General Muhammadu Buhari, GCFR. It was the decision of Major General Buhari's Government that the infrastructure needed to make the programme successful was inadequate.

Efforts to resuscitate the University during the regime of General Ibrahim Badamasi Babangida GCFR, Nigeria's Military President from 1985 to 1993 did not materialise. Reviving the operations of the University was eventually brought to fruition when in 2002, the then President of the Federal Republic of Nigeria, Chief Olusegun Obasanjo GCFR, resuscitated the National Open University. Prior to that, Prof. Olugbemiro Jegede had been appointed National Coordinator and Chief Executive of the National Open and Distance Learning Programme in October, 2001.

In 2002, the suspended National Open University Act of 1983 was reactivated. This was followed by the enactment of the National Open University Act Cap N63 Laws of the Federation of Nigeria 2004. Prof. Olugbemiro Jegede's appointment as National Coordinator and Chief

Executive of the National Open Distance Learning Programme, was changed to Vice-Chancellor and the University renamed National Open University of Nigeria (NOUN) with effect from October 2003. The University commenced full operations in 2004 with 9,700 students in 23 Study Centres spread across Nigeria. The 2004 Act was later amended to bring into effect, the National Open University (Amendment Act No. 19, 2018). Prof. Jegede held office as Vice-Chancellor of the NOUN up to 2010 when he was succeeded by Prof. Vincent Ado Tenebe.

As Open and Distance Learning was the dominant mode of teaching and learning in the NOUN, and bearing in mind the pitfalls the University faced at inception, the use of technology in delivering quality teaching and learning in the form of e-learning, teleconferencing, video, and Open Educational Resources (OERS) were developed over the years.

#### **10.1.2. Operational Status of the National Open University of Nigeria by 2011**

The Panel discovered that by the year 2011, the NOUN had gained appreciable success. However, the University was still confronted with the challenges of proving its capability to provide high quality programmes to match the standards in the existing conventional campus-based Universities. Those challenges were reinforced by others, all of which required attention to facilitate seamless operations. The immediate challenges were:-

- a)** The need to reinvigorate the political will that informed the establishment of the National Open University of Nigeria.
- b)** The need to reverse the negative public perception about assumed inadequacies in the quality assurance measures and acceptability of open and distance learning.

- c) The need to adequately communicate the relevance of the ODL mode of education to Nigerians.
- d) The skepticism of conventional Universities, policy makers and professional bodies about the standards and quality of the University which militated against its prospects as an ODL institution.
- e) The perceived incapacity of the NOUN to attract, train and retain quality academic and non-academic staff for ODL which constituted a stumbling block to the growth and development of the Institution.
- f) Fears about the prospects of the NOUN in securing accreditation for courses offered by open and distance learning.
- g) The proliferation of Satellite and Outreach Campuses of conventional Nigerian Universities had compounded the dwindling prospects of an Open University since the link to a conventional University was considered more attractive and secure.
- h) Limited, unsteady and dwindling funding slowed down the growth and development of the University.
- i) Inadequate physical infrastructure especially in the Study Centres.
- j) Inadequate staffing (academic and non-teaching) to match the NOUN's expanding academic programmes and increasing students' enrolment.

### **10.1.3. Response to the Pre-2011 Challenges**

The Panel examined the operations of the University from 2002 with a view to identifying the strategies adopted towards giving it a smoother and assured take-off. From documents and reports submitted to the Panel, Government and the pioneer managements of the NOUN might

have realised the need for policy reviews and strategic actions in order to successfully forge ahead. Evidence pointed to the fact that the pioneer managements were resolved on surmounting the odds. They kept faith with the need to remain focused in attaining the Vision and Mission of the Institution.

Prof. Vincent Ado Tenebe was appointed Vice-Chancellor of the NOUN in 2010. Reports available to the Panel, physical inspections and interactions with staff and students revealed that, the NOUN had gotten out of its pioneer take-off challenges and was consolidating on its achievements during Prof. Tenebe's tenure. The achievements recorded included expanded academic structures and programmes, administrative reforms, improved working conditions, expanded physical and ICT infrastructure as well as staff welfare.

Through deliberate liaison and collaboration with the Federal Ministry of Education (FME), the National Universities Commission (NUC), the Tertiary Education Trust Fund (TETFund) and the Joint Admissions and Matriculation Board (JAMB), the NOUN was able to secure government's renewed political will to safeguard the growth and development of the Institution. The restoration of cordial relations with the FME and the TETFund facilitated the goodwill and special project grants that followed. The NOUN embarked on public sensitisation to communicate the relevance and advantages of the ODL mode of education to Nigerians.

#### **10.1.4. Growth and Development of the NOUN from 2011 to 2015**

The Panel discovered that the NOUN expanded in physical infrastructure, ICT, student population, academic programmes and staff strength when Prof. Vincent Ado Tenebe was Vice-Chancellor from 2010 to 2015. This was evident in the following achievements:-

## **i. Physical Infrastructure**

Through the TETFund Special Intervention Projects, the permanent site of the University was developed at Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi, Abuja. The NOUN thereafter, relocated from its temporary headquarters at the Federal Ministry of Education Building, 14/16 Ahmadu Bello Way, Victoria Island, Lagos to Abuja. The former temporary headquarters became the NOUN Lagos Liaison Office and provided accommodation for two Study Centres in Lagos. This development was apt not just for operational convenience but for status and a re-assurance that the University had come to stay.

The structure that housed the National Educational Technology Centre, Kaduna, was transferred to the NOUN. This became the official premises of the NOUN Centre for Human Resources Development, Kaduna. Similarly, some of the Political Party Offices of the defunct National Republican Convention and the Social Democratic Party in the former 21 State Capitals were handed over to the University for use as Study Centres.

## **ii. Academic Structures**

After the resuscitation of the NOUN in 2002, Faculties were named as Schools and Departments as Units. Deans were appointed by the Vice-Chancellor and the Deans appointed Heads of Units. This was sustained until April 2016 when, in line with the practice in conventional Universities, the nomenclatures were changed from Schools to Faculties, Units to Departments, and their headships were by elections and not appointments. An audit of academic programmes up to 2015 showed that the NOUN was running 58



academic programmes, out of which only 31 had NUC accreditation. At the Post Graduate level, the University was running 40 postgraduate programmes with only 22 having met NUC regulations. More academic staff were thus employed and facilities improved.

### **iii. Academic Programmes**

For the period 2011 – 2015, the NOUN ran 45 undergraduate degree programmes in 8 disciplines as listed below.

- Agricultural Sciences (6)
- Arts (3)
- Education (12)
- Health Sciences (2)
- Law (1)
- Management Sciences (7)
- Science (8)
- Social Sciences (6)

The University offered 28 programmes at Postgraduate Diploma, Masters' and Doctoral levels as listed below.

- Agricultural Sciences (1)
- Arts (3)
- Education (10)
- Management Sciences (7)
- Science (2)
- Social Sciences (5)

#### iv. Students Enrolment

The students' enrollment increased from 5,035 in 2004 to 75,078 by 2015. From this number, 42,900 were actually registered and active learners by 2015. Graphic details on students' enrollment from inception in 2004 to 2015 are shown in the table below.

**TABLE 10.1 - RECORDS OF STUDENT ENROLMENT, ACTIVE AND GRADUATION FROM 2004 TO 2015**

S/N	Year	Number of Enrolment		Number of Registered /Active Students		Graduation Statistics		
		Under graduate	Post graduate	Under graduate	Post graduate	Pre-Degree	Under graduate	Post graduate
1.	2004	4,308	727	2,525	472	-	-	-
2.	2005	-	-	-	-	-	-	-
3.	2006	8,919	1,656	5,228	1,076	-	-	-
4.	2007	11,511	1,395	6,748	906	-	-	-
5.	2008	-	-	-	-	13	-	72
6.	2009	9,634	1,346	5,647	874	-	-	-
7.	2010	6,522	963	3,823	626	-	-	-
8.	2011	41,658	9,288	23,047	6,033	-	-	-
9.	2012	30,383	5,910	16,809	3,839	-	-	-
10.	2013	65,334	11,552	36,145	7,504	77	3,483	5,052
11.	2014	90,783	16,556	50,224	10,754	-	2,712	1,577
12.	2015	60,920	14,158	33,703	9,197	21	3,783	3,607

#### v. ICT Infrastructure

The ODL mode in the NOUN involved the use of self-learning materials (course materials), face-to-face and online and radio facilitation. The self learning materials were made available in print, CDs, and online formats. Up to 2015, ICT services were outsourced to two private ICT companies. Messrs **CyberSpace** was responsible for admissions, examinations and processing of results with a profit sharing formula for the services at 75:25 in its favour. Messrs **Emerging Platforms** was responsible for Learner Management Support (LMS) and video facilitation with a profit sharing formula for the services at 85:15 in its favour. As a result of the lopsided sharing formula, the NOUN suspended and eventually opted

out of the agreement. This paved way for an internal solution through the establishment of the Directorate of Management Information Systems.

The NOUN improved investment in Information Technology to accommodate instructional delivery through online facilitation. Provision of multimedia support to Units, Directorates and Departments during workshops, seminars, conferences, University Senate meetings, and University Examination Committee was put in place. Other services included e-Portal Registration, e-Wallet, Semester Registration System, Course Registration System, Examination Registration System, Project Registration System, Online Continuous Assessment System, Script Submission System, Examination Processing and Display System, Credentials Upload System, Secure TMA Quiz Engine, Transcript Upload and Management System, Inmates Admission and Verification System, POP Script Management System and Reporting System.

#### **vi. Staffing During the Period 2011 - 2015**

By December 2015, the NOUN had a total of 2,289 permanent staff consisting of teaching, non-teaching, Library and Junior staff. From this number, 216 were teaching staff who developed learning materials, set test items, graded students and provided the bulk of the online facilitation of the University. The teaching staff were supported by 41 Library staff who provided critical information services. Senior non-teaching staff were 1,252 and Junior non-teaching staff were 780.

#### **vii. Staff Capacity Development**

In view of the requirement for critical skills and competencies, the University sustained a policy of staff development by which members of staff were sponsored to attend conferences and workshops. The

academic members of staff were sponsored for higher degrees in Universities within and outside Nigeria. Between 2011 and 2015, 539 staff were sponsored for workshops and conferences. From this number, 277 were academic staff and 262 were non-teaching. A total of 133 members of staff were sponsored for higher degrees out of which 123 were academic staff and 10 were non-teaching.

#### **10.1.5. Achievements During the Period 2011 – 2015**

During the period 2011 – 2015, the NOUN recorded remarkable achievements in physical and ICT infrastructure, academic programmes and improved working conditions. Some of the achievements were:-

- a)** Development of the NOUN Headquarters at Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi, Abuja, was commissioned in January 2016.
- b)** Increase in the number of Study Centres from 32 to 70.
- c)** Establishment of two more Faculties of Health Sciences and Agricultural Sciences.
- d)** Equipping and commissioning of four demonstration laboratories in the School of Science and Technology.
- e)** Establishment of the NOUN Virtual Libraries at the headquarters and some Study Centres such as Abeokuta, Enugu, Benin, Abuja, Asaba, Jos and Kaduna. Eighty computers and accessories were mobilised to the Libraries.
- f)** Digitalization of the University Main Library at the Headquarters and procurement of 20,000 volumes of books in various disciplines. The books were distributed to the different Study Centres.

- g)** Establishment of three demonstration Laboratories and Diagnostic Centres for Physics, Chemistry and Biology.
- h)** Transmuting the administration of examinations from manual to e-Examination.
- i)** Securing accreditation for all the academic programmes offered.
- j)** Emergence of the NOUN Law students as the best at the National Champions of Moot Court Competition in their very first outing. Subsequently, they represented Nigeria in international competitions in 2012 and 2013.
- k)** Sponsoring of 539 for workshops and conferences. Out of which 277 were academic staff and 262 were non academic. During the same period, 133 were sponsored for higher degrees out of which 123 were academic and 10 were non-teaching staff.
- l)** Maintaining affiliations, linkages, collaboration and partnership with the National Teachers Institute, Kaduna; the African Council for Open and Distance Learning, Nairobi, Kenya; the International Council on Distance Education, Oslo, Norway; the Commonwealth of Learning, Burnaby, Canada; UNESCO; the Association of African Universities; African Network of Scientific and Technological Institutions; and Association of West African Universities for peer review and best practice.

#### **10.1.6. Observations**

- a)** From documents examined and reports received from principal organs of the University, the pioneering managements and supervisory organs kept faith with the need to remain focused in attaining the Vision and Mission of the Institution.

- b)** Reports from various Study Centres showed similarities in the challenges experienced. These include:-
- i.** inadequacy of functional Laboratories and Libraries;
  - ii.** poor internet connectivity and other communication links between Study Centres and the NOUN Headquarters;
  - iii.** inadequate classroom and examination halls for Pen-on-Paper and e-Examinations;
  - iv.** slow response to students' requests;
  - v.** lack of access to un-editable portal for students to constantly access personal, academic and financial records etc;
  - vi.** absence of graduation requirement updates in Study Centres to help students know the status of their academic progress or constraints; and
  - vii.** inadequate number of Counsellors in the Headquarters and Study Centres.

#### **10.1.7. Recommendations**

- a)** The Federal Government should improve on the funding and institute enabling policies for the sustenance of steady growth of the University.
- b)** The University should exploit its potentials as a veritable tool for the realization of increasing access to tertiary education in line with SDG Goal 4.
- c)** The University should reach out to relevant government agencies, development partners, ICT service providers and philanthropists in order to improve its ICT infrastructure.

- d)** The NOUN should engage the relevant regulatory bodies such as JAMB, NUC, and the CLE to facilitate the improvement of its service delivery and the quality of its graduates.
- e)** The NOUN should intensify efforts on its advocacy and mobilization drive to institutionalize the concept of ODL as a veritable tool for access to quality education delivery in Nigeria.
- f)** The Federal Ministry of Education should initiate the development of a stand-alone national policy on ODL.
- g)** The University should seek the buy-in of the National Assembly in its effort to popularize and strengthen the practice of ODL.

## CHAPTER ELEVEN

### TERM OF REFERENCE NINE

*To examine the general security in the University and how the University has dealt with it and recommend appropriate measures.*

#### **11.0.0 Preamble**

The Security Unit of the NOUN is charged with the responsibility of protecting lives and property. The Unit has subsidiaries in all the Study Centres of the NOUN located in the thirty-six States of the Federation and the FCT as well as Special and Community Study Centres.

#### **11.1.0. Findings**

The Unit during the period under review was headed by a Chief Security Officer, a retired Chief Superintendent of Police and was supported by some administrative staff. The number of security staff at the Headquarters in Lagos and across all the Centres of the Federation was 200 during the period under review.

#### **11.1.1. Activities of the Security Unit**

The activities of the security Unit are:

- a)** Provision of security services to the NOUN Headquarters and all the Study Centres.
- b)** Closures of Study Centres illegally established.
- c)** Prosecution of cases on behalf of the University.
- d)** Provision of Police protection during examinations at strategic and densely populated centres.
- e)** Provision of security during University programmes like inaugural lectures, matriculation etc.



- f)** Provision of security for in-house programmes held within the University environs, like conferences, seminars, workshops, elections, etc.
- g)** Liaison with other security agencies on behalf of the University, as the need arises.
- h)** Intelligence gathering and security tips and dissemination of same to all staff at the Headquarters and all Study Centres nationwide.
- i)** Provision of uniforms to operatives in the NOUN Headquarters, Lagos office and some Study Centres.

#### **11.1.2. Observations**

- a)** The Unit was understaffed with some Centres having only 1 or 2 operatives which were inadequate.
- b)** The Unit lacked some basic security devices like torch lights, batons, catapults, CCTV cameras, metal scanners, walkie talkies etc., to enable it perform optimally.
- c)** Most of the operatives lacked basic security training.
- d)** There was no technical support at some of the Study Centres across the country.
- e)** Lack of cooperation of some members of staff when checked at the point of entry into the University. For instance, some staff refused to display their Identification Cards for proper identification when accessing the premises.
- f)** Low perimeter fences at some Study Centres and absence of fences in some which gave room for trespassing, burglary and break-ins.
- g)** Lack of fire station/fire equipment at the NOUN Headquarters and most Study Centres.
- h)** Lack of training in firefighting technique/drill by the Security Staff.

### **11.1.3. Recommendations:**

- a)** The University should improve the strength of its security at the Headquarters and the Study Centres.
- b)** The Security Unit should be properly equipped with basic security devices like torch lights, batons, catapults, CCTV cameras, metal scanners, walkie talkies, etc.
- c)** The University should increase the service delivery capacity of its security operatives through seminars, workshops and in-house training to enable them to be abreast with current security trends.
- d)** The University should seek technical support and cooperation with appropriate security and firefighting agencies in their areas of operation.
- e)** The NOUN should carry out periodic enlightenment campaigns to sensitize the University Community on the need to be security conscious always.
- f)** The University should provide adequate perimeter fences at all of the Study Centres to prevent trespassing, burglary and break-ins.
- g)** The University should establish fire stations at its Headquarters and some of the Study Centres.
- h)** The University should train the Security personnel in the technique of firefighting.
- i)** The security unit of the University should collaborate with their counterparts in the neighbouring offices to augment the general security of the area.

## CHAPTER TWELVE

### TERM OF REFERENCE TEN

***To examine the processes and structures of discipline of students in each University in line with due process of the rule of law.***

#### **12.0.0 Preamble**

The National Open University Act No 6, 1983 provides a comprehensive procedure to be adopted in the discipline of students in the University.

#### **12.1.0. Findings**

- a)** The section quoted above vests the powers for discipline of students on the Vice-Chancellor. The provision in this section says, *"where it appears to the Vice-Chancellor that any student of the University is guilty of misconduct may, without prejudice direct:*
- i. That the student shall not, during such period as may be specified in the direction, participate in such activities of the University.*
  - ii. That the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified.*
  - iii. That the student be expelled from the University".*
- b)** The Vice-Chancellor may delegate his powers under this section to a Disciplinary Board.
- c)** The Vice-Chancellor during the years under review (2011-2015) appointed a five member Examination Misconduct Committee (EMC) chaired by the now late Prof. Israel F. Adu.
- d)** The Committee recommended the following sanctions to address cases of students found guilty of examination misconduct:-

- i. Issuance of warning letters.
  - ii. Loss of one semester for possession of incriminating materials.
  - iii. Loss of one session for impersonation.
- e) Cases of examination misconduct against students at various Study Centres were examined and treated by the Study Centre Directors' Committee. Serious cases were then forwarded to the EMC.
  - f) The EMC met at the end of every semester examination and considered reported cases of examination misconduct.
  - g) The recommendations of the EMC were forwarded to the Senate for consideration before a new semester/session, and the outcome was then communicated to the students.
  - h) In cases where the Senate could not meet before the new semester/session, the Vice-Chancellor was mandated to communicate to the students the decision of the EMC.

#### **12.1.1. Observations**

- a) The NOUN unlike other conventional Universities did not have residential facilities for students. Consequently, incidents of classroom contact were minimal hence cases of examination misconduct, internet fraud, plagiarism were the major cases of indiscipline.
- b) The EMC met regularly at the end of every semester in line with the provisions of the law.
- c) The sub-EMC set up by the Study Centre Directors collated the cases immediately after examinations.

- d)** All the cases considered major by the sub-committee were forwarded immediately to the NOUN EMC for deliberations.

#### **12.1.2. Recommendations**

- a)** CCTV cameras should be installed and made operational for better monitoring of all e-examinations.
- b)** The University should ensure that all Study Centres have competent personnel for effective conduct of pen-on-paper (POP) and e-examinations to minimise examination malpractices.
- c)** The NOUN should ensure that all cases of examination malpractices are expeditiously disposed of.
- d)** The Management should protect the integrity of the certificates awarded by the University by ensuring that staff and students fully comply with the rules and regulations guiding the conduct of examinations.
- e)** The University should produce Students Handbook that will guide their conduct and circulate same during matriculation.