

**TANZANIA COMMISSION FOR UNIVERSITIES
(TCU)**



**Evaluation of Foreign Awards and
Recognition of Qualifications**

Appeal Procedures

*[Made under Principle 7 of the Principles and Guidelines for Evaluation of
Foreign Awards and Recognition of Qualifications, 2019]*

September 2020

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PREFACE

Section 5(1)(n) of the Universities Act, Cap. 346 of the Laws of Tanzania mandates the Tanzania Commission for Universities (TCU) to standardise, recognise and equate degrees, diplomas and certificates conferred or awarded by foreign and local institutions. In order to ensure that this mandate is implemented properly, in 2019, the Commission developed and approved the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications. These Principles and Guidelines became operational immediately after they were approved by the Commission in December, 2019.

As most national laws require and bearing in mind the fact that it is the best practice that any establishment that respects the rule of law to give her clients the opportunity to express their discontents against any decision made by the institution, Principle 7 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019 are exclusively on appeals against decisions on recognition of foreign academic awards. Principle 7 expressly requires the Commission to put in place mechanisms to enable any person discontented with a decision on the outcome of evaluation of a foreign academic award and subsequent recognition of the corresponding qualification to express that dissatisfaction by appealing against the decision.

Guideline 7.1 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019 provide information on the need to establish an Appeals Committee, but generally, the Principles and Guidelines are silent on the operationalisation including the modus operandi of the said Committee. This document therefore, provides a set of procedures that need to be followed or adhered to by both parties - the Commission on one hand and the discontented individual (hereafter, the appellant) on the other hand as far as appeals against decisions on recognition of foreign academic awards are concerned.

The development of this document involved benchmarking best practices from sister institutions. It provides among other things, levels of appeal and procedures for appealing against the evaluation and recognition decision of a foreign academic award or qualification made by the Commission.

It is my hope that the document will be of great help. I wish to inform all clients that the Commission will always strive to provide the best services as per the prescribed Principles and Guidelines for Evaluation of Foreign Awards and

Recognition of Qualifications, 2019. In this regard, I appeal to all stakeholders to read the said document carefully in order to understand what it entails to have a foreign academic award recognised by the Commission or vice-versa. Further, the Commission will endeavour to handle all appeal cases in the manner that meets local, regional and international standards guided by the prima facie presumption in her evaluation decisions of academic awards. It is critical therefore that all the procedures described herein are adhered to.

Prof. Charles Kihampa

Dar es Salaam, September, 2020

EXECUTIVE SECRETARY, TCU

DEFINITIONS

Appeal: Is a formal request by an appellant against a decision made by the Commission at any stage of the decision-making process with respect to an application for recognition of a foreign academic award or qualification.

Appeal decision: Is a formal decision issued by the Commission at any stage of the decision-making process with regard to an appeal logged by an appellant.

Appellant: A holder of a foreign academic award or qualification who is discontented with the decision on the outcome of evaluation of his/her foreign academic award.

Academic award: Final decision in the form of a certificate conferred, granted, or given by a recognised institution and which records that a learner has acquired certain standard of knowledge, skills and competence.

Academic programme: Design of learning content, which is multidimensional and includes intentions, structure of content, delivery modes, academic resources and assessment modes.

Academic qualification: Formal outcome of an assessment and validation process, which is obtained when a competent body determines that an individual has achieved learning outcome based on given standards.

1. INTRODUCTION

Under Principle 7 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019, any person who is dissatisfied with the decision of the Commission may appeal against the said decision within a prescribed period of time from the date of receipt of the decision. For effective undertaking of the appeal process, it is important to provide the required procedures that have to be followed when lodging an appeal against the evaluation outcome. Described in the subsequent sections are key issues that need to be considered.

2. CONDITIONS UNDER WHICH A HOLDER OF A FOREIGN ACADEMIC AWARD MAY APPEAL AGAINST THE RECOGNITION DECISION MADE BY THE COMMISSION

Consistent with best practices, a holder of a foreign academic award or qualification may submit an appeal against the evaluation decision of his/her award or qualification if he/she suspects that either of the following situations is likely to be true:

Conditions

- (a) The facts presented in the letter communicating the decision not to recognise the award or qualifications are inappropriate;
- (b) Some facts to support the application were not considered during the evaluation process of the foreign academic award or qualification in question;
- (c) The evaluation process of the submitted foreign academic award or qualification deviated from the prescribed Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019; and
- (d) Other reason(s) related to recognition decision of the foreign award(s) in question.

3. APPEALS LEVELS

In keeping with Guidelines 7.3 and 7.4 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019, there will be two levels of appeals as described hereunder:

3.1 LEVELS

- (a) **Level 1:** Appeals handled at the level of the Executive Secretary of the Commission through an independent Appeals Committee.
- (b) **Level 2:** Appeals handled at the level of the Commission (Apex) constituting appeals against the decision made at Level 1.

4. STRUCTURES OF THE APPEAL LEVELS

4.1 Level 1 Appeals

- (a) As per Guideline 7.1 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019, there shall be an Appeals Committee, which shall consist of not less than four (04) and not more than five (05) members who shall be appointed by the Executive Secretary of the Commission.
- (b) The composition of the Appeals Committee shall be as follows:
 - (i) One senior academician who has extensive knowledge of the national (including the University Qualifications Framework), regional and global higher education systems and conversant with contemporary issues of higher education with proven experience on the processes required to attain academic awards and qualifications, and their classifications, evaluation and recognition. This shall be the Chairperson of the Committee.
 - (ii) One member who is conversant with contemporary issues of higher education with proven experience on the processes required to attain academic awards and qualifications, and their classifications, evaluation and recognition.
 - (iii) A lawyer who is conversant with contemporary issues of higher education, with experience in the provision of foreign qualification evaluation and advisory services.
 - (iv) One member from TCU Secretariat appointed from the Directorate of Accreditation who shall be the Secretary.
 - (v) One member who may be appointed for a specific purpose or specific appeal as the case may be as deemed necessary by the Executive Secretary.

- (c) The Appeals Committee shall:
 - (i) have power to co-opt one person upon approval of the Executive Secretary for a specific appeal depending on his/her relevant skills, knowledge and experience for purposes of proper determination of an appeal.
 - (ii) be guided by the standard appeals procedures and principles of natural justice.
 - (iii) be a standing Committee, that shall meet when required and shall be appointed for a duration of two years.
 - (iv) handle appeals against the initial recognition decision issued to the appellant.
 - (v) review the submitted appeal and advise the Executive Secretary on whether to uphold or rescind the previously made recognition decision.

4.2 Level 2 Appeals

- (a) This will involve reviewing appeals submitted in case the appellant is dissatisfied by the recognition decision made in level 1 appeal.
- (b) The outcome of the review by the Commission shall form the final and binding recognition decision.
- (c) Level 2 Appeals shall:
 - (i) consider the appeal to be submitted to the Commission through the Accreditation Committee.
 - (ii) not consider any evidence beyond what was presented at Level 1 of the appeals hierarchy.

5. APPEAL PROCEDURES

5.1 Levels 1 Appeals

- (a) Consistent with Guideline 7.2 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019, a person dissatisfied with the recognition decision shall submit a written appeal

within **21** days from the date of receipt of the decision on the evaluation and recognition status of an award.

- (b) The appeal must be submitted to the Executive Secretary of the Commission **stating clearly** the grounds for the appeal against the decision.
- (c) The appeal shall be delivered physically (not submitted online) as one pack including the following documentation, which must be stated in the appeal letter and Appeal Form (**Appendix 1**) in form of an enumerated list:
 - (i) Evidence (Bank pay-in slip) of payment of a non-refundable appeal fee, the amount of which shall be determined by the Commission from time to time and included in his/her appeal paper pack.
 - (ii) A copy of the letter that communicated the outcome of evaluation of the award to which the appeal refers that was issued by the Commission.
 - (iii) All required documents to support the appeal. Such documents must be the same, which were previously submitted at the initial application for recognition of the award in question. Whenever the appellant requires evidence from a third-party to support his/her appeal, which was not originally included in the online application, the said documents must be legally binding and physical addresses (including emails and telephone numbers) of the respective institutions must be provided.
- (d) Besides submitting a written appeal letter accompanied with all relevant documents, the appellant shall be required to fill in the Appeal Form (**Appendix 1**).
- (e) The Commission shall register all appeals and keep a register of the same.
- (f) Any appeal submitted without stating clearly the grounds for the appeal shall be disregarded and the recognition decision of the Commission issued previously shall remain intact.
- (g) Any appeal submitted after the predetermined period of 21 days as provided for in Guideline 7.2 of the Principles and Guidelines for Evaluation of Foreign Awards and Recognition of Qualifications, 2019 shall not be entertained. Accordingly, the recognition decision of the Commission issued previously shall remain intact.

- (h) The Executive Secretary shall within **30** working days from the date of receipt of the appeal, issue a notification to the appellant about the outcome of his/her appeal. In case of delays due to reasons that are beyond the control of the Commission such as waiting for information from a third-party, the appellant will be informed of such delays.

5.2 Levels 2 Appeals

- (a) Within **30** days from the date of receipt of the outcome of the appeal at Level 1, a person dissatisfied with the decision shall submit a written appeal.
- (b) The appeal must be submitted to the Executive Secretary of the Commission **stating clearly** the grounds for the appeal against the decision made at Level 1 of the appeal process.
- (c) The appeal shall be delivered physically (not submitted online) as one pack including the following documentation, which must be stated in the appeal letter and Appeal Form (**Appendix 1**) in form of an enumerated list:
 - (i) Evidence (Bank pay-in slip) of payment of a non-refundable appeal fee, the amount of which shall be determined by the Commission from time to time and included in his/her appeal paper pack.
 - (ii) A copy of the letter issued by the Commission that communicated the outcome of appeal at Level 1 of the appeal process to which the appeal refers.
- (d) Besides submitting a written appeal letter accompanied with all relevant documents, the appellant shall be required to fill in the Appeal Form (**Appendix 1**).
- (e) The Commission shall not accept any new evidence apart from what was presented at Level 1 of the appeal process.
- (f) The Commission shall register all appeals and keep a register of the same.
- (g) Any appeal submitted without stating clearly the grounds for the appeal shall be disregarded and the recognition decision of the Commission issued at Level 1 of the appeal process shall remain intact.
- (h) Any appeal submitted after the predetermined period of **30** days as provided for in Section 5.1 (a) herein shall not be considered. Accordingly,

the recognition decision of the Commission issued at Level 1 of the appeal shall remain intact.

- (i) The Commission shall within **90** working days from the date of receipt of the appeal, notify the appellant about the outcome of his/her appeal. In case of delays due to reasons that are beyond the control of the Commission such as waiting for information from a third-party, the appellant will be informed of such delays.

Appendix 1: Appeal Form

TANZANIA COMMISSION FOR UNIVERSITIES (TCU)



Evaluation of Foreign Awards and Recognition of Qualifications

APPEAL FORM

A. Particulars of the Appellant

- 1. Name *(as it appears in the foreign award in question)*:
- 2. Sex: Male Female
- 3. Name of the foreign award in question:

B. Major reasons for appealing

- 1.
- 2.
- 3.

C. List of supporting documents attached (including copy of the appeal fee pay-in-slip/receipt)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

D. Declaration by the Appellant

I, the undersigned, declare that the information provided is true to the best of my knowledge and I stand to be held responsible for any false information that appears in my appeal pack.

Name:

Signature:

Date: |__|__|/|__|__|/20