



STUDY 11.

DRAFT CHARTER AND DRAFT STATUTES
OF THE PALESTINE OPEN UNIVERSITY

by L. K. Meleika

(THIS DOCUMENT WAS PREPARED AS BACKGROUND MATERIAL FOR THE
PALESTINIAN OPEN UNIVERSITY FEASIBILITY STUDY. THE OPINIONS
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U.N.E.S.C.O.
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PALESTINE UNIVERSITY DRAFT CHARTER

In response to the wish of the Palestine National Council to constitute a University for the advancement of learning and knowledge by teaching and research and for the provision of University education to the Palestinian People, and by virtue of the authority vested in the Executive Committee of the PLO by the Palestine National Council, we hereby issue the following Charter :

1. There shall be and is hereby constituted and founded a University with the name of "Palestine University". It shall be an autonomous body under the authority of the PLO.
2. The members of the Board of Governors of the University, the President of the University, the Vice-President of the University, the members of the Academic Council, the members of the Academic Staff, the members of the Regional Centres, the members of the Regional and General Assemblies, the Graduates of the University, the Graduate, Undergraduate and other students of the University, and all others who shall pursuant to this Charter and the Statutes of the University for the time being be members of the University are hereby constituted and from henceforth for ever shall be one Body Politic and Corporate with perpetual succession and a Common Seal by the name and style of "Palestine University" (in this Charter referred to as "the University"), with power to obtain official seal and in that name to sue and be sued, to take, purchase, hold, charge, sell, exchange, demise or otherwise dispose of real and personal property, to invest, lend or borrow money, and to perform such other acts subject to the provisions of this Charter.
3. The objectives of the University shall be :
 - (a) the advancement and dissemination of learning and knowledge by

teaching and research by all means appropriate to higher education such as residential courses, seminars; by correspondence tuition; by technological devices such as radio and television and in other relevant ways.

- (b) the provision of education of University and professional standards for the Palestinians regardless of their location at the time being and in service of the needs of the Palestinian People.
 - (c) fostering the Palestinian identity and the promotion of the well-being of the Palestinian Community generally. Notwithstanding the specific provisions above, the University shall promote the education of the Arab National Community.
 - (d) promotion of international understanding and cooperation.
 - (e) to develop free critical thinking and commitment to work for the public interest as well as to enhance one's own progress.
4. The central and permanent headquarters of the University shall be in Jerusalem, Palestine. For the time-being, the provisional central headquarters shall be located in Beirut, Lebanon. The University shall negotiate for the establishment of the regional educational centres in Arab and Non-Arab Countries where it is justified by the educational needs of the Palestinian People.
5. The University shall be both a teaching and examining body and shall, subject to this Charter and the Statutes, have the following powers :
- (a) to prescribe in the Statutes, Ordinances or Regulations the conditions under which persons shall be admitted to the University or to any particular study or program therein.

- (b) to grant and confer under conditions laid down in the Statutes, Ordinances or Regulations, Degrees, Diplomas, Certificates and other academic distinctions to and on persons who shall have pursued a course of study approved by the University and shall have passed the examinations, tests or other assessments prescribed by the University.
- (c) To confer distinctions including Honorary Degrees on persons approved by the University and subject to any provisions which are or may be made in reference thereto by the Statutes, Ordinances or Regulations.
- (d) to provide instruction by appropriate means in the various branches of learning and in particular those deemed to be most relevant to the Palestinian needs.
- (e) to make provision for research and for the advancement and dissemination of knowledge and for the enhancement of the rights and aspirations of the Palestinian People.
- (f) to provide for the discipline of the students of the University by such means as may be prescribed in the Statutes, Ordinances and Regulations.
- (g) to institute such colleges, departments, institutes, centres and offices whether academic or not as may be required by the University; to appoint persons to and to remove them from such colleges, departments, institutes, centres and offices and to prescribe their conditions of service.
- (h) to demand and receive fees.
- (i) to raise money in such manner as the University may deem fit.

- (j) to enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, property and liabilities and for any other purpose not in conflict with this Charter.
- (k) to do all such other acts and things whether incidental to the powers aforesaid or act as may be requisite in order to further the objectives of the University as the Palestine institution of higher education and learning.
6. There shall be a Board of Governors of the University (in this Charter referred to as "the Board") which, subject to the provisions of this Charter and of the Statutes, shall be the executive governing body of the University and shall have general control over the conduct of the affairs of the University, including the power to delegate authority.
7. (1) There shall be a President of the University who shall be its Chief Executive Officer. The President shall be appointed by the Board for a seven-year term. He is eligible for re-appointment.
- (2) The President may resign by writing addressed to the Board.
8. There shall be Vice-President who shall be appointed by the Board each for a specified term, on recommendation of the President. In the absence of the President or during a vacancy in the office of the President, the Vice-President for Academic Affairs, shall exercise and perform, subject to the Statutes, all the functions of the President.
9. The Board, on recommendation of the President subject to the Statutes shall appoint the Senior Academic and Professional Staff; and such other officers as it may deem necessary with such duties, at such remuneration and upon such terms and

conditions as the Board may deem fit.

10. There shall be an Academic Council of the University (in this Charter referred to as "the Academic Council") which shall, subject to the powers of the Board as provided in the Statutes, be responsible for the academic work of the University both in teaching and in research, and for the regulation and superintendence of the education and discipline of the students of the University.
11. (1) There shall be Regional Assemblies of the University which shall consist of the Professional Staff and the students in the respective Region.

(2) There shall be a General Assembly of the University which shall be representative of the Regional Assemblies.

(3) The Regional Assemblies and the General Assembly shall have a constitution and duties determined in the manner prescribed in the Statutes.
12. (1) In addition to the Academic Units (Disciplines, Departments, and Faculties) there shall be a Graduate school in charge of graduate studies and research and related institutes, centres and units.

(2) There shall be constituted, subject to the provisions of this Charter and of the Statutes, such other bodies and Standing Committees as the Board may from time to time consider necessary for the administration of teaching and research and other work and activities of the University.
13. There shall be an organization of students of the University whose constitution, powers and functions shall be prescribed

by Ordinance.

14. Subject to the provisions of this Charter, the Statutes may prescribe or regulate as the case may be :
 - (1) The Status, appointment, functions and continuance in office of all Academic and Non-Academic Staff.
 - (2) The constitution, powers, duties and functions (as the case may be) of the Board, the Academic Council, the Regional Assemblies and the General Assembly, the Standing Committees, and the Academic and Non-Academic Units.
 - (3) All such other matters as the Board may deem fit and meet with respect to or for the governing of the University, its members and constituent parts or otherwise for the promotion of the objectives of this Charter.
15.
 - (1) The Statutes set out in the First Schedule to this Charter shall be the First Statutes of the University and shall remain in force until they have been added to, amended or repealed in the manner prescribed in paragraph (2) of this Article.
 - (2) The Board may make Statutes for the University which may add to, amend or repeal the Statutes for the time-being in force, provided that no such Statutes shall be in conflict with the provisions of this Charter.
16.
 - (1) The Statutes may direct that any of the matters prescribed or regulated by Statutes as authorized or directed in this Charter shall be further prescribed or regulated by Ordinance, provided that any such further prescription or regulation shall not be in conflict with this Charter.

- (2) The Board may at any time by a majority of not less than three quarters of those present and voting at a meeting attended by not less than three quarters of the members, add to, amend or repeal this Charter and such addition, amendment or repeal shall when allowed by the PLO Executive Committee become effectual so that this Charter shall thenceforth continue and operate as so added to, amended or repealed in the manner aforesaid.

This Act shall be effectual as from this appointed day.

FIRST SCHEDULE
DRAFT STATUTES OF PALESTINE UNIVERSITY

Definitions:

1. 1. In these Statutes,

"The University" means Palestine University;

"The Charter" means the Charter of the University;

"The appointed day" means the date upon which the Charter becomes of force and effect.

"The Board" means the Board of Governors of the University;

"The Academic Council" means the Academic Council of the University;

"The Regional Assemblies" means the Regional Assemblies of the University;

"The General Assembly" means the General Assembly of the University;

"The Academic Staff" means the Academic Staff of the University and shall include the Academic Professional Staff and such other categories of staff as may be appointed whether full-time or not, including tutorial staff, as shall from time to time be recognized for the purpose by the Board on the recommendation of the Academic Council.

"Student" means an enrolled graduate, undergraduate or other student of the University, being a person registered for a course of study or research.

"Ordinances" means Ordinances made pursuant to the Charter or these Statutes.

"Regulations" means Regulations made pursuant to the Charter, these Statutes or the Ordinances.

"Year" means a calendar year;

Words importing the masculine shall include the feminine, words in the singular shall include the plural and words in the plural shall include the singular unless the contrary intention appears.

2. Words defined in the Charter or these Statutes shall have the same meaning in the Ordinances and the Regulations unless the context indicates otherwise.

The Members of the University:

2. 1. The following persons shall be members of the University:

The Officers of the University, namely:

The President, the Vice-President ;

The Members of the Board, the Members of the Academic Council;

The Members of the Academic Staff, administrative and such other members of the staff of the University as may be granted the status of members by the Board;

Members of the Regional and General Assemblies;

The Graduates of the University;

The Students of the University;

2. The Board shall have the power to declare such other persons members of the University as the Board may deem fit.

The Board

3. 1. The Board shall consist of the following members, namely:

Ex-Officio Voting Member:

The President

Ex-Officio Non-Voting Members:

The Vice President

Appointed Members:

Twelve noted Palestinians appointed for a five-year term by the PLO Executive Committee from various sectors of the Palestinian Community such as: business, labor, professions and education.

2. The Board shall elect from among its own appointed members a Chairman, a Vice-Chairman and a Secretary. The Secretary shall be assisted by a Recording Officer who shall be appointed by the Board on recommendation of the President.

4. The Board shall meet at least four times each year. A special meeting may be convened at any time on the written request of seven members of the Board. A quorum for all meetings of the Board shall be seven members.

Powers of the Board

5. Subject to the Charter and the Statutes, the Board shall in addition to all other powers vested in it, have the following powers and functions:

1. to appoint the President of the University, and on recommendation of the President, to appoint the Vice-President, the Deans; the Deputy Deans; the Professors, Associate and Assistant Professors; the Directors and Heads of all units; academic and non-academic, subject to the provisions of this Charter and Statutes.

2. to approve the procedures for the appointment, retention, promotion

and termination of appointment of all members of the staff:
academic and non-academic and their salaries and conditions of
service.

3. subject to the provisions of this Charter, to make Statutes and Ordinances in the exercise of the powers set out in the Statutes.
4. to determine the over-all policy of the University and to approve the general and annual plans and budgets, and to govern, and regulate the finances, accounts, property, business and all affairs whatsoever of the University.
5. on recommendation of the President and the Academic Council, to approve the establishment of academic and non-academic units, to prescribe their constitution and functions, and to modify or revise the same.
6. on recommendation of the President and the Academic Council, to approve courses of study, the academic and research program and activities, and to institute and to confer degrees and to modify and revise the same.
7. to determine all University fees and to authorize the President to enter into, carry out or cancel contracts on behalf of the University.
8. on recommendation of the President and the Academic Council to provide as necessary for the student organizations, their welfare and discipline.
9. on recommendation of the President and the Academic Council, to institute Fellowships, Scholarships, Studentships, Prizes and other aids to study and research.

10. to select a Seal and Insignia for the University and to have the sole custody and use of the Seal and to prescribe forms of official and academic dress.
11. to review the work of the University and to take such steps as it thinks proper for the purpose of advancing the interests of the University, maintaining its efficiency, encouraging teaching, the pursuit of learning and the prosecution of research therein.

The Academic Council

6. 1. The Academic Council shall consist of the President, who shall preside over meetings of the Academic Council; the Vice-Presidents and the Senior Academic and the Senior Professional Administrative Staff who shall be named and appointed by the Board, and who shall maintain their membership in the Academic Council as long as they hold their Offices.
2. The Academic Council shall elect its own Vice-Chairman and Secretary and shall appoint its Recording Officer. The Academic Council shall meet at least four times each year and as often as required.

Powers of the Academic Council

7. The Academic Council shall consult with the relevant Bodies and shall subject to the Charter and the Statutes have the following powers:
 1. to recommend to the Board all matters related to regulation and control of teaching, courses of study, the conditions qualifying for admission to the various titles, Degrees and other distinctions offered by the University, the establishment of such academic bodies and posts as may be required and the institution of Degrees.

2. to appoint members of the various "instructional design teams" or "course teams" responsible for the framing of instructional objectives of the respective course, identification of the alternative means by which such objectives can be realized, structuring the sequence of courses and determining the appropriate mix of media to use. To supervise and to evaluate the work of such teams.
3. to recommend to the Board all matters related to regulation of University examinations, and appointment of examiners whether internal or external.
4. to recommend to the Board the granting of Degrees, Diplomas, Licences or Certificates to persons who have pursued in the University a course of study approved by the Board under conditions laid down by it. To recommend to the Board the granting of distinctions including Honorary Degrees, and equivalence of courses of study and examinations in other institutions. To recommend to the Board what formalities shall attach to the conferment of Degrees and other distinctions.
5. to recommend to the Board policies related to continuing education programs (not necessarily leading to degrees) and the public services programs.
6. to recommend to the Board policies related to students work experiences which constitute an integral part of their education and training.
7. to advise the Board on the allocation of resources for teaching and research, the institution of Fellowships, Scholarships, Studentships, Prizes, research contracts and other aids to study and research.

8. to recommend to the Board policies related to publication and methods of implementation and evaluation.
9. to regulate the discipline of the University in accordance with a Code of Practice to be approved by the Board on the recommendation of the Academic Council.
10. to take such steps as it thinks proper for supervising organization of students and students services including counseling services.
11. generally to exercise all such powers as are or may be conferred on the Academic Council by the Charter and the Statutes including the power to make Statutes for approval by the Board and to make Regulations in the exercise of the powers expressly set out in the Statutes.

The Advisory Committees

8. The President may on approval of the Board appoint Advisory Committees with representation from Arab Countries and Regional and International Organizations.

The Regional Assemblies and the General Assembly

9. 1. Each Regional Assembly shall consist of all full-time, part-time and tutorial academic and professional staff and representatives of registered students in that Region. For the purpose of this Statute, the Provisional Central Headquarters is considered a Region. Each Regional Assembly shall have a constitution to be determined by Ordinance made by the Board.
2. Each Regional Assembly shall elect the following members of the General Assembly:
Five members of the full-time academic and professional staff;

Two members of the part-time academic and professional staff;
Two registered students.

3. The General Assembly shall consist of the elected representatives of the Regions. The President is the Ex-Officio Chairman and the Vice-Presidents are Ex-Officio members.
4. The Regional Assemblies and the General Assembly shall be entitled to express an opinion to the Board on any matter affecting the work and interests of the University.

Removal of Officers

10. The President may be removed from office by the Board. Holders of other posts specified for this purpose by the Board may be removed from office by the Board on recommendation of the President for what the Board after due consideration shall deem to be good cause, provided that the Resolution for such removal be passed by a majority of not less than three-quarters of those present and voting at a meeting attended by not less than three-quarters of the members. No person shall be removed by the Board in exercise of the powers conferred by this paragraph unless he shall be given a reasonable opportunity to be heard by the Board, which opportunity shall include the right to be represented at such a hearing, to call and to question witnesses and to have reasons assigned (if asked for) for any decision that may be taken by the Board leading to his removal from office.

Procedure

11. 1. The following provisions shall, except where other provision is expressly made in these Statutes, apply to the Board, the Academic Council, The Advisory Committees, any other Committees specified for this purpose by the Board, the Regional Assemblies and the

General Assembly (which bodies are in this Statute called "the Statutory Bodies") and each of them:

- (a) Any Appointed Member and the Chairman (other than an ex-officio Chairman) may resign his office. An Appointed Member need not be a member of the body which appoints him.
- (b) Any Appointed Member and the Chairman (other than an ex-officio Chairman) shall be eligible for re-appointment.
- (c) Any Appointed Member who is required by these Statutes to possess any qualification shall vacate office if he ceases to possess that qualification.
- (d) At meetings of any of the Statutory Bodies, except where other provision is expressly made in the Charter or these Statutes, every matter shall be determined by the majority of the members present and voting on the question. In case of equality of votes, the Chairman or other presiding officer shall have a casting vote whether or not he has voted before on the motion.
- (e) Any of the Statutory Bodies may determine the time and place of its meetings and the procedure to be followed thereat.
- (f) Any casual vacancy occurring in any of the Statutory Bodies by resignation, incapacity or death among its Nominated, Appointed or Representative Members shall be filled by the person who or body which nominated or appointed the member whose place has become vacant. A member of any of the Statutory Bodies who is nominated or appointed to fill a casual vacancy shall hold office for the unexpired term of office of the member in whose place he is nominated or appointed.

(g) Any of the Statutory Bodies may appoint and dissolve such and so many committees consisting either wholly or partly of its members as it may think fit; and the provisions of this Statute shall apply to any committee of any of the Statutory Bodies.

(h) Any of the Statutory Bodies may make Standing Orders for the purpose of regulating its procedure.

(i) The proceedings of any of the Statutory Bodies shall not be invalidated by any vacancy in its member or by any defect in the appointment or qualifications of its members.

2. Any person appointed or nominated to an office under these Statutes shall, except as otherwise provided in these Statutes, be eligible for re-appointment or re-nomination.

Saving for Temporary Provisions

12. These Statutes shall take effect as from the appointed day subject to the temporary provisions set out in the Appendix hereto.

APPENDIX

Temporary Provisions

1. The appointed members of the First Board of Governors shall hold office at the earliest possible date after the appointed day.
2. As soon as possible after the appointment of the members of the Board, the PLO Executive Committee shall invite them to convene and to elect the Chairman of the Board, the Vice-Chairman and the Secretary and to appoint the President of the University.
3. As soon as possible after his appointment, the President of the University shall recommend to the Board for appointment, the Vice-President .
4. In consultation with the Vice-President , the President shall recommend to the Board for appointment, the Senior Academic and Administrative Officers of the University.
5. At the earliest possible date, the Board shall appoint the members of the Academic Council. The said members shall meet as soon as possible after their appointment. The major business to be transacted at the first meeting of the Academic Council shall be the recommendation for approval by the Board, of the dates for completion of the following tasks :
 - (a) design and approval of the academic plan;
 - (b) constitution of the Course Teams and their Terms of Reference;
 - (c) completion of the initial tasks assigned to the Course Team;
 - (d) completion of the University Handbook including its Calendar;
 - (e) completion of the essential physical preparations requisite for the operation of the University activities and the conduct of the courses, both at the Provisional Central Headquarters and the Regional Educational Centres.