

ACCESS DENIED? EXAMINING THE LOANS BOARD FACILITY FOR HIGHER LEARNING STUDENTS IN TANZANIA

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Abstract

In 2004 the government of Tanzania introduced the Loans Board in order to manage funding for students in higher education. The main goal of this board is to identify poor and needy students so as to assist them in accessing higher education. This article examines the key instruments in providing loans to students, that is, the Higher Education Student's Loans Board Act No. 9 of 2004 and its related regulations and how they impact the access to education. Based on interviews, documents, and newspapers it is argued that the Loans Board has failed to meet its grand objective. Instead, it has turned to be a mechanism for limiting poor and needy students' access to higher education.

Key Words: Tanzania, Loans Board, higher education, access, means testing

1. Introduction

Education is one of the basic human rights as provided for in the Second Generation Rights. It should therefore be accessed and enjoyed by everyone without discrimination; this is the essence of inclusive education. The United Nations Educational, Scientific and Cultural Organization (UNESCO) defines inclusive education as a process of addressing and responding to the diverse needs of all learners by increasing participation in learning and reducing exclusion within and from education.⁶² In increasing participation

62 Overcoming Exclusion through inclusive approaches in education: A challenge and a vision, UNESCO, 2003.

various interventions might be applicable such as increasing the number of education providers and diversifying the financing of education through the private sector, students and /or their parents, government, and Non-Governmental Organizations (NGOs). The main goal of inclusive education is to accentuate education for all with clear emphasis on elimination of barriers to participation by disadvantaged groups like the poor, women, and people with disabilities. The world conference on higher education that was held in 1998 at Paris recalled the Universal Declaration of Human Rights which states in article 26 paragraph 1: "Everyone has the right to education" and that "higher education shall be equally accessible to all on the basis of merit." The same conference endorsed the basic principles of the Convention against Discrimination in Education (1960), which by Article 4, commits member states to "make higher education equally accessible to all on the basis of individual capacity."

Since one of the ingredients of democracy is fair and equal treatment of everyone in a society⁶³ it was therefore hoped that any government which claims to be democratic should treat all individuals equally. In order to comply with the international instruments that safeguard and promote human rights in individual countries, the World Education Forum, held in Dakar, Senegal in 2000, reaffirmed education as a fundamental human right and underlined the importance of "Rights-Based Education" system where governments need to apply a rights-based approach to education in their policies, programming and planning processes.⁶⁴ A rights-based education requires knowledge of human rights standards where promotion and protection of such rights at national level is done by respective governments. This point was recapitulated by the Vienna Declaration of the World Conference on human rights (1993) where it was held that "human rights and fundamental freedoms

63 Oxford Advanced Learners Dictionary, 7th edition, 2006.

64 ISEC:2005 Strengthening Inclusive Education by Applying A Rights-Based Approach to Education programming.

are the birthright of all human beings; their protection and promotion is the first responsibility of the governments⁶⁵.”

In this context, then, this article examines the impact of the law and regulations with regard to accessing education in Tanzania. It argues that the Higher Education Student's Loans Board Act No. 9 of 2004 and its related regulations limit poor and needy students to access higher education. In executing the study, the relevant population of key stakeholders in higher education were involved. These included students, service providers, government and experts. The selected sample size was 232 people. It constituted 8 service providers out of 19 universities,⁶⁶ four being from public and the other four from private universities⁶⁷. The rationale behind this selection was that these universities had an operation of more than seven years, which is a reasonable period in order to have established links with the Loans Board. 30 people were purposely selected for this study to represent owners, management, and experts. Two (2) respondents were selected from the Ministry of Higher Education and the Loans Board. Moreover, a total number of 202 students were randomly selected through a stratified sample from each university. In soliciting data, the study utilized a number of techniques such as interviews, document analysis, and questionnaires. However, questionnaires were administered to students mostly and a guided interview through a face to face technique was administered to university owners, management, experts, and government people. To accomplish this work, the article is divided into four sections: theoretical framework, the Loans Scheme, means testing, the policy and conclusion.

65 The World Conference on Human Rights (1993) Vienna Declaration and Programme of Action, adopted by the Conference in Vienna on 25th June 1993

66 Inter-University Council for East Africa Newsletter No.33, 2006; expanding access to higher education in Tanzania: A Reflection, (Abeli, S.W 2007).

67 These universities were the University of Dar es Salaam (UDSM), Mzumbe University (MU), Sokoine University (SU), and Open University of Tanzania (OUT) as public providers and Tumaini University (TU), Saint Augustine University (AU), Zanzibar University (ZU) and International Medical and Technological University (IMTU) as private ones.

2. Theoretical Framework

This study is founded on public good theory. In economics, public good is the one that is non-rival or non-excludable.⁶⁸ This means, consumption of the good by one individual does not reduce the amount of the good available for consumption by others; no one can be effectively excluded from using that good⁶⁹. For example, if one individual eats a cake there is no cake left for anyone else; but breathing air or drinking water from a stream does not significantly reduce the amount of air or water available to others. Musgrave explains that

the condition of non-rivalness in consumption (or, which is the same, the existence of beneficial consumption externalities) means that the same physical output (the fruits of the same factor input) is enjoyed by both A and B. This does not mean that the same subjective benefit must be derived, or even that precisely the same product quality is available to both. Due to non-rivalness of consumption individual demand curves are added vertically rather than horizontally as in the case of private goods.⁷⁰

There are actually two major categories of public goods; pure public goods and non-pure public goods. Pure public goods are like national defense.⁷¹ The other category is that of service provision and thus can be provided by either public or private. The main difference between public good and private good revolves around the issue of who should pay for service. In the case of the public good, the citizen enjoys the service without any direct costs. But in non-pure public good the citizen has to pay for the service under market forces of supply and demand. The question of education and more specifically higher education, as a

68 Kaul, Inge. (2000) *Global Public Goods: A New Way to Balance the World's Books*, New York, Oxford University Press; also see Paul, Samuelson (1954) "The Pure Theory of Public Expenditure" *A Review of Economics and Statistics* 36(4): 387-389.

69 Paul Samuelson, "The Pure Theory of Public Expenditure"...1954

70 Musgrave, Richard.A (1969) "Provision for Social Good" in Margolis, J. and Guitton, H. (eds.), *Public Economics*, London, McMillan.

71 Johnson, P.M (1994-2005) *A Glossary of Economy Terms*, Haley Center, University of Auburn.

public good has been debated for some time. However, the debate has ended justifying higher education as a public good. This is well illustrated by Kaul, *et al.* under what they call, 'A triangle of publicness' which is put as follow:

The triangle looks at public good from three perspectives. The first is *publicness in consumption*: is a good consumed by all? The second is *publicness in net benefits*: are the goods' net benefits equitably distributed? The third is *publicness in decision making*: who decided to place this good in the public domain?⁷²

The above illustration justifies higher education as a public good in two main ways. The first is the availability of higher education to all members of the society. It is necessary for majority of citizens to receive education, especially in this era of globalization, in order to realize individual as well as national development. The second is the relation between higher education provision and the realization of a democratic polity. The aspects of equity of access and people's participation in decision making on issues that are for people's benefits can only be maintained when higher education is for all. This proposition is well summarized by Lumumba-Kasongo who asserted that, "the issues of democratization of education and collective well-being are related to the notion of public good."⁷³ In a way of simplifying, Kent explains that "public good requires that the individual has a place in society, a basis for belongingness, for self-esteem and self-support."⁷⁴ It can be argued thus, that higher education as a public good for national development should be accessible by all members of the society.

Moreover, higher education as public good is also justified by the existence of a government which is capable of maintaining accessibility, equity and affordability of the service to be

72 Kaul, Inge. et al., eds., (2003) *Providing Global Public Goods: Managing Globalization*, New York, Oxford University Press.

73 Lumumba-Kasongo, T., (2000) *Dynamics and Policy Implications of the Global Reforms* at the end of the second millennium, Brill, Leiden, Boston.

74 Kent, T. ed., (1997) *In Pursuit of the Public Good: Essays in honour of Allan J. MacEachen*, Montreal, Buffalo, McGill-Queen's University Press.

provided. One of the justifications for the existence of the state is the provision of services like education, transport, health and water. Similarly, Gandhi argues that, the key basic justification remained for the role of government is the provision of public goods.⁷⁵ Thus, the main financier of these services is the government on behalf of the citizens. For example, Omari asserted that traditionally education in general and higher education in particular is to a large extent funded by the state in all countries of the world, and that about an average of 85% of the fund is provided in the USA and Europe (not UK).⁷⁶ Again, it is in Lockean perspective that the state is legitimated by its redistribution and provision of public goods to the whole society. From his theory of human nature and contract theory this justification is in two parts: teleological and emergent⁷⁷ as it is perceived in moral philosophy. It is via both avenues that the state is justified in the provision of public goods. Garrett has expounded the state's justification to provide public goods as follows:

The public goods justification for the state, so impressive to economists and political scientists, goes roughly like this. While a market system may allow self-interested individuals to create and allocate many goods optimally, there exists a class of goods collective or public goods that are not produced adequately in a market system. These collective goods are goods that all individuals want but for whose production it is often not individually rational for people voluntarily to do their part to secure a collectively rational outcome. The state can step in and force us all to contribute toward the production of these goods, and we can all thereby be made better off.⁷⁸

75 Gandhi, M. (2000) "Improving Public Administration in a competitive World," in ADB (2000), *To Serve and To Preserve*.

76 Omari, Issa. M. (1991) *Higher Education at Crossroads in Africa*, Nairobi: Mangraphics Ltd.

77 Schmitz in Garrett, D. (1992) A Review of David Schmitz's, *The Limit of Government: An essay on The Public Goods Argument*, Westview Press, in *Humane Studies Review*, Vol. 7 No. 2 Spring 1992.

78 Garrett "The Limit of Government: An essay on The Public Goods Argument, 1991.

The above submission explains two important issues as a way of justifying the financing of public goods by the state. The first explanation is anchored on tax collection by the state. The tax collected by the state is meant to improve the well-being of the society and this can be realized through quality service provision, with education as one example. The second explanation is directed towards the producer of the service and it is assumed that the state is better able to distribute equally services to all people than the other private producers. Therefore, with state provision of public goods, there are many considerations over the accessibility, equity and affordability in the society concerned.

In advancement of the same, Samuelson puts a contrast between private and public goods that "many though not all of the realistic cases of government activity can be fruitfully analyzed as some kind of a blend of these two extreme cases"; the mixtures of private and public goods (education, the courts, public defense, highway programs, police and fire protection) have an "element of variability in the benefit that can go to one citizen at the expense of other citizens".⁷⁹ This argument suggests the inability of private provision of the public goods to realize equitable access of the goods by every citizen. Education as a public good once provided and/or financed by the private, equity of access is under arrest and the majority poor can't access higher education.

Generally, public good theory explains largely the role of the government in the provision of basic social services like education but it is silent on the part of weak governments; in terms of policy making, resource mobilization and allocation and political stability which, where lacking, do not guarantee every citizen to access higher education. However, the problem of free riders has been one of the major weaknesses of this theory even though it has been neutralized by taxes that are applied by government in securing revenues for the provision of the service.

79 Paul Samuelson, "The Pure Theory of Public Expenditure"...1954

3. The Loan Scheme

Accessing loans is very challenging since it concerns opportunities and ability. Usually every person struggles in order to have such an opportunity. Sometimes, cheating might be a strategy. In light of this, it became necessary to establish a students' Loans Board that would guarantee the poor's access to loans. The Loans Board was established under the Act No. 9 of 2004 of the parliament for the purpose of distributing loans to the poor and needy students who would otherwise be denied access to the commercialized higher education.

However, the main rule that regulates students' access to loans is contained in section 16 (1) of the Loans Act. This rule provides that for a student to qualify for a loan from the Loans Board she/he must be a needy and eligible student. Surprisingly, the term "needy student" is neither defined in the Loans Act nor in the associated regulations. It was only in the 2006/2007 Guidelines⁸⁰ that the term "needy student" came to be defined. It means a student who really deserves financial assistance. This definition presupposes a poor student to be from a low economic class (socio-economic status) Contrary to this, the guidelines provide further in paragraph 3.10, groups of students who fall within the definition of the term "needy student." There are five groups, these are: (a) an orphan, (b) a disabled student or a student who has disabled poor parents, (c) a student from a poor single family, (d) a student from marginalized and disadvantaged groups and, (e) a student from a low income threshold family earning national minimum wage or below. Similarly, the 2007/2008 and 2008/2009 Guidelines⁸¹ define the term needy student to mean a student who really deserves financial assistance.⁸² However these guidelines slightly modified the groups of students who fall within the definition of the term

80 See paragraph 2.3.1 of the Revised Guidelines and Criteria for Granting Student Loan Starting 2006/2007 Academic Year.

81 See Guidelines and Criteria for Granting Student Loan for 2007/2008 and 2008/2009 Academic Years.

82 See paragraphs 2.3 and 2.3.1 of 2007/2008 and 2008/2009 guidelines respectively.

needy student. In these guidelines, a poor orphan and a poor disabled student have been substituted for an orphan and a disabled student respectively.

It is clear, then, that the term "needy student" has been somewhat dynamic. While the 2006/2007 Guidelines define the term needy student with reference to "physical disability," "orphanage" and "low income", the 2008/2009 Guidelines qualified 'physical disability' and 'orphanage' with the "poor." This means, students from lower social status (i.e. students from low income threshold that are not orphans or disabled would have lesser priority and chances to access higher education, and may even be denied access). Furthermore the term "needy student" under the guidelines is not clear and simple. Therefore, in its current form, it is restrictive and exclusive to a great number of needy students who really deserve financial assistance.

Like "needy student", the term "eligible student" is not defined in the Loans Act and in the regulations. However section 17(1) of the Loan Act provides criteria for determining an eligible student. However, eligibility and conditions for loans are governed by sections 17 and 18 of the Loans Act as well as rule 38 of the regulations. Section 17 lays down the criteria for eligibility for loans while section 18 outlines conditions for access to loans. However, rule 38 of the regulations governs criteria for eligibility for the advancement of loans to postgraduate students.

Section 17 of the Loans Act lays the foundation of determining equitable access among students. Specifically, there are five criteria under section 17(1) of the Loans Act for eligibility for a student loan: (a) he is a Tanzanian student (b) he has been admitted to an Accredited Institution (c) he has made a written application in the prescribed form (d) he is a person who has no financial assistance from any other source or sources to cover the item or items of cost for which the application is made (e) he is a continuing student applicant, who has passed the examinations necessary to enable him to advance to the following year or stage of study. As can be seen, these criteria are cumulative. This means, any loan applicant must fulfil all criteria in paragraphs (a)

to (e) before he/she can be considered for loan. It is quite astonishing, then, that the Loans Board invites applications even before students who intend to apply for loans have received their final results in order to qualify for the university admission. One may depict this as the beginning of a trend to deny access to education to the majority poor. A closer examination of the criteria for student loans provides an assessment of the poor's chance to access university.

A deeper analysis of the above criteria indicates exclusion. To be sure, the first criterion for eligibility is that the loan applicant must be a Tanzanian student.⁸³ By the term Tanzanian student, it simply means that the student must be a citizen of the United Republic of Tanzania (URT) whether or not he is a resident of the URT.⁸⁴ Since Tanzania has currently no citizenship identification cards, it is practically difficult to determine which applicant is a Tanzanian and which one is not just on the basis of information supplied by the loan applicants. The second criterion is that the loan applicant must have been admitted to an accredited institution.⁸⁵ An accredited institution may be a university or college. Admission to any of these institutions automatically fulfils the requirements of section 17(1)(b) of the Loans Act. It must be pointed out that admission criteria vary from one institution of higher learning to another. Verghese⁸⁶ submits that "in many countries, the competition for admission to public universities is very high. In general, those who do not get admission to public universities seek admission in private universities. In other words, chances are that the academic profile of the participants may be lower when compared to those of their counterparts in the public universities."⁸⁷ Admission officers in private universities

83 Section 17(1) (a) of the Loans Act.

84 Ibid, section 3.

85 Section 17(1) (b) of the Loan Act.

86 Verghese "Private Higher Education in Africa, UNESCO grant or IIEP, International Institute for educational Planning" <http://www.Unesco.org/> (accessed: 03.03.2008).

87 The Exception is with the USA where private universities outrank public universities in quality of applicants

admitted this during my field research⁸⁸. It suggests that the entry qualifications or cut-off points for admission in private universities are lower than those in public universities. However, such variations are not supposed to deviate from the entry qualifications for admissions approved by the Tanzania Commission for Universities (TCU).⁸⁹ Thus, admission to an accredited institution puts all applicants at an equal level.

Inconsistently, the guidelines⁹⁰ include academic merits as one of the criteria for eligibility for a loan. There are two categories of academic qualifications. The direct academic qualifications for Advanced Secondary School Leavers (ASSL) or form six leavers⁹¹ and equivalent qualifications for holders of an Ordinary Diploma and Full Technician Certificate (FTC). The 2006/2007 Guidelines provide that first applicants with direct qualifications must possess academic scores between 6 and 15 for physical sciences and between 8 and 15 points⁹² for humanities to be eligible for a loan.⁹³ The score points are weighed out of three highly performed principle subjects giving a maximum of 15points. However, academic scores between 6 and 15 points are classified as first and second divisions/classes. Applicants with equivalent academic qualifications must possess a minimum of second class grades or an average of a "B" score, if the equivalent qualification is not graded.⁹⁴ Based on the above argument of varying criteria in admitting students, it is appropriate to say students admitted with third division/class like those in private universities and the Open University of Tanzania (OUT) are definitely denied access to loans.⁹⁵ One may conclude that most students from poor families

88 The research was done among these private universities; Tumaini University in Dar es Salaam, Saint Augustine University of Tanzania in Mwanza, International Medical and Technological University in Dar es Salaam, and Zanzibar University in Zanzibar

89 TCU is a statutory body charged with the function of accrediting higher learning institutions in Tanzania.

90 2006/2007; 2007/2008 and 2008/2009

91 Form six leavers are also known as A-level students.

92 The score points are weighed as A=5, B=4, C=3, D=2, E=1, S=0.5 and F=0

93 See paragraph 3.8 of the 2006/2007 Guidelines

94 Ibid

95 Field data, 2007

who do not get division I or II in their A-level results, cannot access loans, hence they are denied access to higher education.

Again, the modifications in the 2007/2008 Guidelines continued restricting poor students based on gender. For first applicants from form six, they were required to possess first division/class if they were males and division two if they were females.⁹⁶ However, applicants with an Ordinary Diploma were supposed to possess at least second class grade or an average of "B" scores if the Diploma is not graded. Applicants with FTC qualifications were supposed to possess an average of "C" grade.⁹⁷ The 2008/2009 Guidelines⁹⁸ retain the academic qualifications from the 2007/2008 Guidelines with slight modification. The Guidelines have abolished the differences between male and female applicants with regard to their academic qualifications. In the next academic year 2008/2009 both male and female applicants were supposed to possess either division one or division two to be eligible for loans.

Therefore, the academic merit rules introduced by the Loans Board through the guidelines are inconsistent with the requirement of section 17(1)(b) of the Loans Act and eventually inhibit the poor's access to university. While the former provision of the law requires applicants to obtain only admission to an accredited institution⁹⁹ to be considered for a loan, the guidelines demand the applicants to have additional academic qualifications which are restrictive and stringent. It is argued that in most cases the academic criteria demanded by the Loans Board are always higher than academic qualifications needed for admission purposes at OUT¹⁰⁰ and in private universities and thus denies the majority of the poor access to university education. For example, the minimum general entry requirement at OUT for direct entry

96 See paragraph 3.3 of 2007/2008 Guidelines.

97 Ibid, paragraph 3.5.

98 Ibid, paragraph 3.3.

99 Private university or public university.

100 The Open University of Tanzania is a public university offering education on open and distance learning model.

from school¹⁰¹ applicants are passes in five (5) approved subjects in Ordinary Certificate of Secondary Education Examination (OCSEE) and two principal level passes in Advanced Certificate of Secondary Education Examination(ACSEE).¹⁰² Accordingly, a student with third division/class in Advanced level secondary school education is admitted at OUT and private universities in Tanzania;¹⁰³ but not in other public universities.

4. Means Testing

Starting from the 2007/2008 academic year, the Loans Board introduced the “loan formula” or “Means Testing.” This is a mechanism employed by the Loans Board to determine who is a needy student.¹⁰⁴ It assesses the financial ability of a student and his parents or guardian in order to determine whether an applicant is a needy student. As pointed out previously, an applicant is supposed to supply certain information in the application forms to enable the Loans Board to make this assessment. In practice, loan application forms are the means-testing instrument. However, the means testing results form the basis of the amount of loan to be awarded to loan applicants.¹⁰⁵ Accordingly, means testing results have been categorized as A (100%), B (80%), C (60%), D (40%), E (20%), and F (0%).¹⁰⁶

There are two major problems emanating from the application of the instrument that hinders the actual assessment of the students and their families. These include the accuracy of the supplied information and its verification. Starting with the problem of accuracy of information supplied, the instrument requires evidence such as a birth certificate, salary slips, a house title deed, and receipts for expenditure. Since the applicant’s ultimate

101 Students who have completed form six.

102 The Open University of Tanzania Prospectus for 2007/2008 at p. 12

103 Field data, 2007

104 See Paragraph 6 of the 2005/2006 Guidelines.

105 See paragraph 4.1 of the 2007/2008 Guidelines; see also paragraph 4.1 of the 2008/2009 Guidelines

106 Ibid

goal is to obtain a loan, he/she is likely to supply false information which would justify a student as needy. In Tanzanian environment, most people live without birth certificates, house title deeds, and work in the informal sector where actual income aggregation cannot be determined¹⁰⁷.

It is very difficult for the Loans Board to obtain this information correctly. Otieno strongly argues "obviously the information provided by the students (even when full objectivity is assumed), is not representative enough to place students into realistic, nationally accepted norms of income and expenditure groups. If adequate information could be obtained on the financial backgrounds of students, it would be more practical mechanism for determining need and hence allocation of loans."¹⁰⁸ The experts from both public and private universities responded that the current environment of Tanzania does not allow proper functioning of means testing in a structured form.¹⁰⁹ Although, the Loans Act creates an offence under section 23(1)(b) for providing false information¹¹⁰ the Loans Board has no sufficient mechanism to verify the correctness of information supplied by loan applicants.

The second problem is on verification of information. The means of verifying correctness of information is poor since there are not enough resources, time and enough skilled labour. For instance, there is no valuation team for the assets that students and their families have. The time for assessment by the Loans Board is usually short, hardly one month for freshmen and two months for continuing students. It is a huge task, for instance, to process about 55,576 loan applicants in 2007/2008 based on inadequate

107 This is supported by Dr. Agnes Akosua Aidoo when addressing at the Conference on Draft of Law of the Child Act. 2009. She made a remark that Tanzania has the lowest rate in child registration. It is only 6% of every 100 children who have birth certificates.

108 Wycliffe, Otieno "Student Loans in Kenya: Past Experiences, Current Hurdles, and Opportunities for the Future" Boston College & Council for the Development of Social Science Research in Africa, 2004 (JHEA/RESA Vol. 2, No. 2, 2004, pp.75-99).

109 Field data, 2007

110 See also paragraphs 5.1 and 5.1 of the 2007/2008 and 2008/2009 Guidelines respectively.

data and poor information to applicants. Geoffrey Kiwele complained, "the Loans Board has the poorest information dissemination strategy, only meant for students who live in urban areas with access to televisions, radios and newspapers." He further commented that even if such important information for students was communicated via newspapers, not many of them could get it on time."¹¹¹ Again, responses from students, potential beneficiaries, university management, and private owners amplified the notion that the Loan Board has the poorest information system. This reality explains the unnecessary delays, students' day-to-day demonstrations, and the ongoing misunderstandings between students and managements.¹¹²

This study observed that the Loans Board's assessment is not properly done. For example, a student made his application for loan and submitted all necessary documents that could be used as evidence to his inability to pay even 20%, yet the Loans Board gave him 60% after "means testing." However, the student made an appeal with the same documents. The corrections were made after one semester and he got 100% instead.¹¹³ There were many similar examples offered by students from public universities concerning the appeals against earlier Loans Board assessments. Many students got their grades changing from grade B to grade A or from grade C to grade B after the appeal. Additionally, there was a claim by students from the College of Business Education (CBE) who posited that they know some students who were studying Diploma courses and who accessed loans from the Loan Board illegally in 2005/2006 academic year.¹¹⁴ Therefore, the inability of the Loans Board to assess students properly makes it difficult to identify the poor and needy students. This is to deny poor and needy students the right to access higher education.

Otieno argues that "the inadequacy of means-testing instrument is that it fails to categorize the students in realistic clusters such

111 Sunday Observer, 16 September, 2007

112 Field data, 2007

113 Field data, 2007

114 MwanaHalisi, 2-8 April, 2008, p.14

as expenditure groups.”¹¹⁵ This is to say, means testing is practically unworkable in Africa. In Tanzanian context the Loans Board advances loans just on assumptions based on unverified information. In effect, loans are granted to many students who do not qualify as needy students. It was supported by the Prime Minister, Mizengo Pinda, that:

the formula which is currently used by the Loans Board is inefficient and ineffective since it fails to identify the real needy students and those who are not. And it is true that the formula is not proper in identifying the needy students. It is our objective to make sure that the loan beneficiaries are really the students from poor families.¹¹⁶

Table 1. Access to Public Universities as Influenced by

		Access to Public Universities					
		Loan	%	Other Sources	%	Total	%
Family Social Status							
Wealth Level	H	95	68	30	83	125	71
	L	45	32	6	17	51	29
Total		140	80	36	20	176	100

Source: Field data, 2007

Note: “H” means high and “L” means low

5. Family Wealth Status

From the Prime Minister’s words, one may argue that, means testing does not democratize access to loans by the majority poor. Therefore, private financing of education in Tanzania limits the poor’s access to universities. As is always the case, education is an expensive endeavour. As such, wealthy families are more likely to afford it relative to poor families. Table 1 illustrates how wealth status determines students’ access to university education.

115 Wycliffe, Otieno “Student Loans in Kenya: Past Experiences, Current Hurdles, and Opportunities for the Future” ...2004.

116 Mwananchi, 4 May, 2007, p.3

The above table indicates that students access public universities via loans and other sources. However, it is about 80% of students who access public university education through government loans against 20% of them who access university through other sources like parents/guardians, private organizations, NGOs and other government organizations. This is one indication that most Tanzanians depend entirely on loan facility. Thus, the establishment of the Loans Board was quite appropriate. The study also noted that students from wealthy families due to easy access to information and ability to misinform the Loans Board have a higher chance of accessing loans and university than the counterpart students from low socio-economic status. It is about 68% of students from wealthy status who managed to access loans against 32% of students from low status families¹¹⁷. Therefore, the inability of the Loans Board to identify the really need students through means testing restrains students from accessing higher education through the loan facility.

The reality is even more apparent in the private universities. These universities can be categorized into three based on the nature of the institution. There are state-supported private universities, non-for-profit private universities and for-profit private universities.¹¹⁸ There is a correlation between the nature of the institution and the access to it in the sense that the nature of the institution determines the sources of finance for the institution to operate, with an effect on the end tuition fees. State-supported institutions receive funding from the government which might be minimal or substantial but the government can regulate the amount of fees levied by the institution. Non-for-profit institutions are owned and operated by trusts that rely heavily on endowments and fees collected from students. Some of these are self-financing institutions and some are supported by religious agencies. For example, SAUT, TU, and Zanzibar

117 The data was obtained from a field research conducted by the author among university students from eight universities in Tanzania. These were TUMAINI, SAUT, IMTU, UDSM, MZUMBE, SUA, OPEN UNIVERSITY OF TANZANIA AND ZANZIBAR UNIVERSITY. The universities are located in the major cities of Tanzania and thus they accommodate students from all over regions of Tanzania.

118 Varghese, 2004, p. 8

Universities in Tanzania are supported by religious agencies like the Roman Catholic Church, the Evangelical Lutheran Church and 'Daar-ul-imaan', respectively. The for-profit institutions were granted legitimacy in 1990s following to the involvement of publicly traded corporations that own and run multi-campus universities. According to Ruth¹¹⁹ these universities trade the stocks and shares of educational institutions. They mostly rely on student fees as their major source of financing, and at times are affiliated to universities based abroad.¹²⁰ This is the case for IMTU Dar es Salaam which is a product of the Vignan Educational Foundation from Bangalore, India.

It is convenient to argue that most private universities depend substantially on student fees as their major source of institutional funding. It is equally important to say that tuition fees in private universities are much higher as compared to the public universities. For instance, Tuition fees at IMTU are 5,400,000Tsh while UDSM is between 600,000Tsh and 1,200,000Tsh. Arguably, given the higher level of fees levied by these institutions, especially the for-profit ones, they attract and encourage students from a better socio-economic background. This is supported by Varghese's observation that since private universities are self-financing institutions, fees charged will also be high and students coming to those institutions are those with paying capacities.¹²¹ This situation creates a cleavage between those who can afford and those who can't, and in the long-term impacts on equity of access to the private institutions.

In Tanzania, for instance, for about seven years (from 1997/98 to 2003/04) students in private universities incurred all study-related costs with their families and it simply implies that they were students from wealthy families.¹²² Even after the commencement of the Loans Board there were limitations in ensuring access to private universities by the majority poor. The

119 Ibid

120 Ibid

121 Ibid

122 Field data, 2007

first limitation is insufficient finance to meet all costs for the education by the poor, and second is the ineffective means-testing that can't identify the poor and needy as explained above. The findings of this study point out that majority of students who access private universities are those from high social status families. This is due to the fact that they can afford to secure various sources of finance including government loans, in the presence of ineffective and insufficient means testing. Table 2 shows such variation very clearly.

Table 2. Access to Private Universities as Influenced by Family Wealth Status.

		Access to Private Universities					
Family Social Status	Wealth Level	Loan	%	Other Sources	%	Total	%
		H	34	67	32	86	66
L	17	33	5	14	22	25	
Total		51	58	37	42	88	100

Source: Field Data, 2007.

Note: "H" means high and "L" means low

Table 2 shows that the number of students who access private universities through loans is 58% whereas those who access private universities through other sources are 42%. It implies that students who access private university education are not solely dependent on government loans and that many of them are from families that can pay for their education. It may be argued that the inability of the designed means-testing to have the needy students could have largely excluded the poor, and at the same time enable many students from high wealth status backgrounds to have better access to private universities. Table 2 demonstrates the same as it shows 67% of students from high wealth families access private university education at the expense of the majority poor students. This is to say, means testing is not functioning well as poor students are denied access to university.

The Minister for Education, Professor Maghembe, admitted this when talking to Mzumbe university community. He said, "Again

the problem emanates from the students themselves, they do not give concrete information about their family social status, as many tend to identify themselves as orphans especially when they are here; and thus it becomes very difficult to identify who is a liar and who tells the truth."¹²³ It can be submitted that in the presence of unworkable means-testing, students from poor families are denied access to private universities so greatly. Worse still, the fund provided is inadequate as shown in table 3.

Table 3. Showing Inadequate financial Support Provided by the Loan Board

Access to Loan (in percents)	No. Students in Public Universities	No. Students in Private Universities
41- 60	42	22
61- 80	70	20
81- 100	28	9
Total	140	51

Source: Field Data, 2007.

The above responses suggest that about 80% of students from public universities get between 40% and 80% of their fees in loans and only 20% students receive 100%. On the other hand, about 86.3% of students from private universities receive loans of between 40% and 80% and only 17.7% students receive 100%. This implies that the Loans Board advances loans to students who are able to supplement the remaining percent of education costs. However, students who really deserve financial support live miserably in the course of study. Responses from university management survey participants attest to this point. They demonstrate that these students usually have one meal per day. They expressed further the severity of the situation by noting that the most needy students, who depend entirely on loan need, use part of it to cover the remaining percent of tuition fees to the institutions. Further, about 40% of those students supplement tuition fee with a loan for meals and accommodation.¹²⁴ This has

123 Mwanachi, 7 March, 2008.

124 Field data, 2007

a severe impact on their living standard as well as the quality of their education. It was similarly put by Nyaigotti-Chacha that:-

most students contend with harsh lives in universities during the tenure of studies, with some engaging in corrupt business deals in the campuses in order to supplement their finances. On the other hand, those unscrupulous who 'cheat' their way into getting loans at the expense of deserving cases tend to have excess money, which encourages many, vices at the various universities.¹²⁵

The Director for Planning in the Ministry of the then MSTHE, and private universities owners responded during an interview with the author that about 70% of Tanzanians are not able to pay for their education.¹²⁶ It is, therefore, proper to argue that there is a systematic denial of the poor's access to higher education through private financing.

Yet the condition that an applicant must be a continuing student, who has passed the examinations necessary to enable him to advance to the following year or stage of study,¹²⁷ is also problematic. This criterion excludes freshers¹²⁸ from applying for loan. Although in practice freshers are allowed to make application for loan, it is not clearly known which enabling provision of law allows the Loans Board to grant loans to this group of applicants. Such inconsistencies may lead to the denial of access to loans to the majority poor.

Moreover, the Guidelines have three more criteria for guiding the issuance of loans to poor students. These are full-time programmes versus part-time programmes; quota allocation; and priority courses. Starting with full-time programmes versus part-time programmes, with the exception of the 2005/2006 Guidelines, the 2006/2007, 2007/2008 and 2008/2009 Guidelines

125 Nyaigotti-Chacha (2002:143) "Tuition Fees In Universities: Parental Contribution," A Paper Presented at the International Conference on Financing of Higher Education in Eastern and Southern Africa, 25th-26th March.

126 Field data, 2007

127 Ibid, 17(1) (e).

128 Freshmen are first year students who have just been enrolled to a university.

require an applicant to be registered for full-time programmes. There is, however, one exception to this requirement, with part-time students from OUT allowed to apply for a loan¹²⁹. This criterion is neither found in the Loans Act nor the regulations. In practice, however, this provision restricts part-time and on-line students from accessing loans. This is to deny access to the poor who will have an opportunity to study on-line or on part-time bases.

Second, the Loans Board is vested with power to determine the maximum number of eligible students to be granted loans in any one particular year.¹³⁰ For the first time, the Loans Board invoked these powers to limit the quota of loans allocation to higher education institutions in the academic year 2006/2007. This was for only public universities. The following guidelines have no mention of any exact number the Loans Board could disburse to needy students. There are only projections of the number of total applicants in each year set by the Loans Board. It was responded by the Director for Planning, Research and Consultancy of HESLB during a face-to-face interview with the researcher that the Loans Board has no exact number of the students to be granted loans in each year. He said in 2005/2006 the Loans Board granted loans to about 42,729 students; whereas in 2006/2007 about 47,554 students got loans from the Board; and in 2007/2008 the estimate was 55,981 students by the end of May or early June 2008. However, in the mid-march 2008 about 55,576 students had already got loans from the Loans Board.¹³¹ This has an impact of denying access to higher education as private universities receive only a small proportion of quota allocation due to the "division criterion"¹³².

129 See paragraphs 6.7, 3.2 and 3.2 of the 2006/2007, 2007/2008 and 2008/2009 Guidelines respectively.

130 See section 7 (1)(i) of the Loans Act; See also paragraph 7 of the 2006/2007 Guidelines.

131 Field data, 2008

132 The criterion was put by 2007/2008 Guidelines to loan applicants so as to access loans. This criterion states that for the first applicants from form six have to possess first division/class if they were males and first/second division/class if they were females

Third, the Loans Board has blended some courses through its guidelines as priority courses. Such courses include medicine, pharmacy, engineering, architecture, agriculture and science. In practice, when the qualifications of students in humanities collide with a student in science subjects, the latter will prevail. This has in effect discriminated access by students in the humanities. On the other hand, private universities which offer medical science courses are still priority courses. The Loans Board does not give full support to such courses. For instance, IMTU charges tuition fees of approximately 5.6 mil. Tsh per year. However, the Loans Board grants a maximum loan of 2.6 mil Tshs. only for the student with grade A after means-testing. The rest of the amount (3 mil. Tsh.) has to be paid by the students and/or their parents/guardians.¹³³ Students from poor families automatically can't afford to supplement the remaining 3 mil Tshs. as their income households does not exceed 300,000 Tshs per month. It was generally put by the World Bank that countries that have introduced or raised fees are at risk of experiencing an increase in access disparities in absence of effective and well-targeted student aid mechanisms.¹³⁴ One of those mechanisms is the prioritization of courses. It is submitted that, the Loans Board through prioritization of courses has restricted access to loans by the poor students and denied potential access to higher education eventually.

Apart from the inadequacies of the means-testing instrument, there are two main conditions imposed by the Loans Board in granting loans.¹³⁵ These conditions do limit access to university education by the poor. The first condition is that the Loans Board may demand security to be furnished in order to secure the loan.¹³⁶ Security is a valuable item like a house, a commercial premise, a big building, or a motor vehicle. The question here is does the poor person have security? Why does the Loans Board

133 Field data, 2008

134 World Bank (2000) Higher Education in Developing Countries: Peril and Promise The Task Force on Higher Education.

135 See section 18 of the Loans Act.

136 The loan is interest-free

invent this condition? Is there a commitment to assist the poor? However, it is proper to argue that poor students are denied access to university education with the application of this condition. From 292 sampled students, who were asked on whether their families own movable or immovable properties, modern houses, big shops, and the like 36% of all sampled students said they have none and only 29% students among them managed to secure loans illegally since they had not fulfilled the condition.¹³⁷ This scenario suggests denied access to loan by the majority poor.

The second condition is the requirement of a guarantor. This condition requires every recipient of the loan to have a guarantor who will be liable to the Loans Board in case of the loan falling into default. The usual practices show that sometimes students indicate their fellow students to be guarantors, and this distorts the whole meaning of imposing this condition. With such inconsistency, therefore, there will be more cases of default for repayment, which will eventually reduce the amount of funds that would be used to assist other poor students and thus inhibit democratization of their access to universities.

Generally, the guidelines which are issued in each academic year restrict the chances of poor students to access higher education. One may probe whether the issuance of such guidelines in each academic year intends to guide applicants in the process of accessing loans or to deliberately discriminate the poor from accessing loans. It is suggested that the practice of the Loans Board to issue guidelines has to be stopped since it has no legal justification and denies access by the poor. Therefore, in the absence of viable mechanism to assist the poor to access higher education, private financing of the education limits the poor access to the education.

6. The Policy

The National Higher Education Policy¹³⁸ reaffirmed the expansion of higher education five fold by the year 2005 through commercialization of the sector. One of the strategies recommended for the realization of this objective was to broaden the base for financing higher education, that is, diversifying the source of higher education finance through the contribution by owners,¹³⁹ beneficiaries¹⁴⁰ and the private sector. The government, on the other hand, would provide and/or facilitate loans and/or scholarships for students in higher education. The main objective for this diversification was to ensure that at least 12.5% of form six leavers get access to higher education by 2025.¹⁴¹ The government was expected to fully assist students from poor families to access higher education who would otherwise be denied such access due to inability to pay for the commercialized education.

The government invests in higher education for development purposes. It was argued by the Director for Planning in the then MSTHE that the government considers education as an investment¹⁴². Similarly, the Minister for Education, Professor Maghembe, affirmed this when addressing the MU community on 5 March, 2007. He said, "the government usually spends up to USD \$17 million each year for financing university students."¹⁴³ Recently, the minister informed the public through the Tanzania Broadcasting Crevice 1 (TBC1) News bulletin that the Ministry has appropriated 30% of the total budget for education, which is

138 The National Higher Education Policy (1999), p. 89

139 The Higher Education Policy states that owners of institutions of higher education shall be the public and private sectors or partnership, p.16

140 The Higher Education Policy points out that beneficiaries are the government, private sector, individual students and their families, p.17

141 Abeli (2007) Expanding Access to Higher Education in Tanzania: A Reflection. A paper presented at the 14th Annual Consultative Meeting on Institutional Transformation Programme, 16th-17th August, p. 18-22.

142 Field Data, 2008

143 Mwananchi, 7 March, 2007, p.11

Tshs. 119 billion. for assisting the poor through loans. Therefore, up to 60,000 students would get loans in the academic year 2008/2009.¹⁴⁴ The query here is whether these students would be poor and needy, given the ineffective and inefficient means-testing used by the Board.

However, there has been noticeable growth in enrolment by universities which is partly explained by the introduction of private financing. For instance, enrolment increased from 43% in 1995¹⁴⁵ to about 72% in 1999. Mkude, *et al.* (2001) advance that enrolment in higher education during 1998/99 was very limited indeed with only 6,500 undergraduate students¹⁴⁶ but there has been a rapid expansion to 20,000 students.¹⁴⁷ It was expressed in the UDSM ITP, ten years of experience¹⁴⁸ that privately sponsored undergraduate student enrolment increased from 62 in 1998/99 to 1,800 students by 2006/07. In addition, Ishengoma¹⁴⁹ argues that most of the expansion in enrolment has been through privately sponsored candidates. This explains how private financing has contributed to increased access to university, even though it is not clear "whose access has been increased, the rich or the poor?"

Following the establishment of the Loans Board, one may ask whether or not this rapid expansion of access to university is a result of the Loans Board. Even more intriguing is whether the expansion democratizes access by the poor. In order to answer these questions promptly one has to trace the growth before and after the founding of the Loans Board as shown in table 4.

144 News Bulletin, 26 July, 2008, TBC1 8:00PM.

145 Luhanga, Mathew, *et al.* (2003). Higher Education Reforms: the University of Dar es Salaam Experience, Dar es Salaam University press, Dar es Salaam.

146 Mkude, Daniel. *et al.* (2001) The Partnership for Higher Education in Africa: Higher Education in Tanzania: A case study, James Currey Ltd, UK

147 Mshana and Mashala, (2004). Donor Policies for Higher Education: A case for University of Dar es Salaam. Nyerere Week Conference, University of Dar es Salaam.

148 UDSM ITP, ten years of experience (2004), p. 10.

149 Ishengoma, J. (2004) "Cost sharing in Higher Education in Tanzania: Fact or Fiction?" *Journal of Higher Education in Africa* 2(2).

Table 4. Enrolment Rates for the Academic Years 2003/2004 and 2007/2008

Academic Year	UD SM	SUA	MU	OUT	TU	SAUT	IMTU	ZU
2003/2004	4470	700	368	1567	82	218	67	156
2007/2008	5816	682	1011	1033 2	1350	1768	167	439
Growth Rate (%)	13.1	-1.3	37.9	73.6	88.5	78.0	42.7	47.5

Source: Field data, 2008.

The above table reveals that three universities had rapid growth rate and the other three had average growth rate after the commencement of the Loans Board. It suggests that access to university education is partly due to the introduction of the Loans Board. Other explanations to such expansion have been given by university managements during a field research. They enlisted the minimum general entry requirements to the private universities, which is much lower than that of the public universities (with the exception of OUT). This is to say OUT accommodated those who did not meet entry requirement to other public universities.

Second, the introduction of new and interesting courses like BALIS¹⁵⁰ and BMC¹⁵¹ at TU, BAE¹⁵² and BAP¹⁵³ at ZU and BAED¹⁵⁴ at SAUT. For example, BAED at SAUT attracted about 36.56% of the admitted students in the academic year 2007/2008.¹⁵⁵ Third, the practice of "double intake"¹⁵⁶ at OUT and ZU; "session

150 Bachelor of Arts in Library and Information Studies.

151 Bachelor of Arts in Mass Communication.

152 Bachelor of Arts in Economics.

153 Bachelor of Arts in Public Administration.

154 Bachelor of Arts in Education.

155 Field data, 2007

156 Done in January/March and September/October at OUT and ZU respectively.

study"¹⁵⁷ at TU; and "Campus intakes"¹⁵⁸ at MU also made a significant impact on enrolment. However, in assessing whether the poor gained access or not one may have to refer to the criteria and eligibility for loan put by the Loans Board. Since there is a great restriction on the poor to access loans, then it is arguable that the increased access to university has not been democratized to the majority poor. It is proper to submit that students from wealthy families have accessed and are still accessing higher education at the expense of the majority poor in Tanzania. This is verified by the findings of this study. Table 5 hereunder illustrates the situation.

Table 5. Family Status of Students who Access University Education in Tanzania

No. Students (wealth level)	UDSM	MU	SUA	OUT	TU	SAUT	IMTU
High	49	18	17	31	26	20	20
Low	29	11	6	15	2	10	10

Source: Field data, 2007.

The above table shows clearly how the poor have been denied access to higher education. It can be depicted that such denial is more acute in private universities than the public ones, with the exception of OUT. It is submitted that private financing of higher education does not democratize access to the majority poor Tanzanians. It was reported by all respondents, except the Loans Board and MSTHE, that the policy of private financing does not democratize access to the poor; rather students from wealthy families have been able to access higher education with greater ease and in greater numbers. Thus, the increased access to university through private participation in the financing of the education has not been realized for the majority poor in Tanzania.

7. Conclusion

157 There are two sessions, i.e. Morning session as it is likely to accommodate full time students; and Evening session that accommodate workers as part timers.

158 MU Mbeya Campus was established in 2005/2006 academic year with about 100 students.

The Loans Board was established under section 4 of the Loans Act. The main objective for its establishment is to facilitate poor and needy students with loans so as to access university education. The Loans Board therefore formulated the mechanism for determining eligible students for payment of loans under the Act. The process of determining the poor and needy students is inadequate and vague.

The Loans Board imposed means testing instrument as a proper mechanism that identifies the poor and needy students. Apparently, the Loans Board lacks viable means of verifying the information submitted by the applicants in a prescribed form. Thus, means testing becomes ineffective and inefficient in the Tanzanian environment. However, the instrument works subjectively and it is highly exposed to manipulation and misinformation.

The Loans Board Act and its related regulations and guidelines limit the access of higher education by the poor and needy students. The study found that the Loans Board, contrary to its primary goal of accentuating access to university education by the majority poor, is weak in terms of finance and its legal instruments in granting loans to poor students and thus is unable to identify the needy students. This suggests that loans are disbursed to students on assumptions which deny the poor access to university education. The means-testing instrument is dysfunctional in the Tanzanian environment. Therefore, the Loans Board facility limits access to universities by the majority poor in the country.

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