

FEDERAL COLLEGES OF EDUCATION BILL, 2021

ARRANGEMENT OF SECTIONS/CLAUSE

Sections/Clause

PART 1- ESTABLISHMENT OF FEDERAL COLLEGES OF EDUCATION

1. Establishment of Federal Colleges of Education and Legal Status of Colleges
2. Functions of each College
3. Governing Structure of each College
4. Governing Council of each College
5. Membership of Governing Councils
6. Tenure of office of Council Members
7. Powers of the Council
8. The Academic Board and its Functions
9. Establishment of College Congregation
10. Powers of the Minister over Councils
11. Office of Provost
12. Tenure and Procedure for the removal of Provost
13. Office of the Deputy Provost; Functions, Tenure and Procedure for Removal
14. Other Principal Officers
15. Functions of Registrar and Tenure
16. Functions of Bursar and Tenure
17. Function of College Librarian and Tenure
18. Procedure for the appointment of Registrar, Bursar and College Librarian
19. How a Principal Officer can Resign his Appointment
20. Appointment of other staff of the College, who are not Principal Officers
21. Remuneration of the Provost, other Principal Officers and other

- 22. Pension Act Provisions
- 23. Retirement Age for Staff of Colleges of Education

PART II - FINANCIAL PROVISIONS

- 24. Establishment of Colleges of Education Fund
- 25. Power to Accept gift
- 26. Accounts
- 27. Annual Reports of Operations, Finance and Audit

PART III - MISCELLANEOUS AND SUPPLEMENTARY

- 28. Offices and Premises
- 29. Discipline of Students
- 30. Interpretation
- 31. Citation

A BILL

FOR

AN ACT TO REPEAL THE FEDERAL COLLEGES OF EDUCATION ACT, 1986,
AND TO RE-ENACT FEDERAL COLLEGES OF EDUCATION AND FOR
RELATED MATTERS, 2021

Sponsored by Hon. Aminu Suleiman

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

PART I - ESTABLISHMENT OF FEDERAL COLLEGES OF EDUCATION

1 1.-(i) There are hereby established, the Federal Colleges of
2 Education, specified in Schedule I this Act (hereinafter referred to as
3 "Colleges"), which shall have such powers and exercise functions as are
4 conferred on them by this Act;

Establishment
of Federal Colleges
of Education and
Legal Status of
the Colleges

5 (ii) Each College shall be a body corporate with perpetual
6 succession and a common seal and shall have power to acquire and dispose
7 of interests in movable and immovable property may sue or be sued in its
8 corporate name.

9 2. The objectives of the review of the Federal Colleges of
10 Education Establishment Act, which emanated from a 1986 Decree,
11 includes the following, among others:

Objectives

12 (i) To update the Principal Act, which was enacted through a decree
13 in 1986 to me current realities;

14 (ii) To place the Colleges identity in their respective states as the
15 creation of states has consequently placed most of the FCEs in different
16 states other than their origin states due to boundary adjustments/delineation.

17 For example, whereas the Principal indicates the initial location of some

- 1 A. For
- 2 1 Okene, Kwara State" instead of Kogi State; and many others with similar as
- 3 2 result of the creation of new states from the former states they were curved of
- 4 instruction and tra
- 5 from;
- 6 (i) Tech.
- 7 (iii) To provide legal basis for service-delivery of the COEs to the
- 8 Nigerian public. The seal of the Colleges have transcended the mandate of
- 9 NCE alone at inception as envision the current Act. This is because, presently,
- 10 some Colleges offer Diplomas, Degrees and other programmes in addition to
- 11 the known traditional NCE Programmes;
- 12 (iv) To provide additional avenue and open more space for ease of
- 13 access to tertiary education and support in terms of evacuation of the ever-
- 14 increasing number of you seeking degree education each year which the
- 15 universities alone cannot accommodate all the candidates. This is more so as all
- 16 the twenty-one old COEs are in one form of affiliation with chosen universities
- 17 or another for degree programmes in education, for decades. The review of the
- 18 Act would provide the needed autonomy to the colleges to do so. This would
- 19 further enhance the number of candidates being admitted in ensuring quality
- 20 teacher-education degree programmes;
- 21 (v) Many policies of Federal Government related to the
- 22 administration and management of the COE system, have made a review of the
- 23 Act imperative. A good example is the GIFMIS and IPPIS payment platforms
- 24 vis-a-vis the Fiscal Responsibilities Act and its provisions' implication on the
- 25 disbursement of funds to FCEs which was hitherto, been done by the
- 26 Regulatory Commission, NCCE, as contained in the Acts;
- 27 (vi) To bring the COEs at par with sister institutions, especially the
- 28 Polytechnic subsector, which establishment Act has been reviewed in 2019
- 29 with a view to make a semblance of uniformity in tertiary institutions in
- 30 Nigeria;
- 31 (vii) To provide the COE system the best global practices in teacher-
- 32 education service-delivery.

1 3. The functions of each College shall be: Functions of each
College

2 (a) To provide full-time and part-time courses in teaching,
3 instruction and training in:

4 (i) Technology, Sciences/Applied Sciences, Commerce, Arts,
5 Social Sciences, Humanities and management; and

6 (ii) Such other fields of applied learning, relevant to the needs of
7 the development of Nigeria, in the areas of Industrial and Agricultural
8 production and distribution, and for research in the development and
9 adaptation techniques, as the Council may, from time to time, determine;

10 (b) To conduct research in fields of learning and courses in
11 Education, to qualified teachers;

12 (c) To conduct Research; Conferences, Seminars, Inaugural
13 Lectures, Workshops and Consultancy Services, relative to the field of
14 learning, specified in subsection (a) (i-ii) of this section; and

15 (d) To perform such other functions, which in the opinion of the
16 Council, in consultation with the Academic Board, may serve to promote the
17 objectives of the College.

18 4.-(1) The Governing Structure of each College shall consist of the Governing Structure
of each College
19 following:

20 (a) Governing Council;

21 (b) Management Committee;

22 (c) Academic Board;

23 (d) School Board; and

24 (e) Departmental Board

25 (2) (i) the President, Federal Republic of Nigeria shall be The
26 Visitor to Colleges;

27 (ii) The Visitor shall, not less than once in every five years, conduct
28 a visitation of the or appoint a Visitation Panel, consisting of not less than
29 five experts, to conduct the visit.

30 (a) for the purpose of evaluating the Academic and Administrative

1 Performance of the College;

2 the Academic Board. (b) for such other purpose or in respect of any other affairs of the
3 College, as the Visitor may deem fit.

4 (3) The provisions set out in the Second Schedule to this Act, shall
5 apply in relation to the Council Governing structure and other matters specified
6 in the Schedule.

Governing
Council of each
College

7 5.-(1) the governance of each College and the direction of its affairs
8 shall vest in the Governing Council of the College concerned (hereafter in the
9 Act, referred to as the "Council").

10 (2) without prejudice to the generality of subsection (1) of this
11 section, it shall be the responsibility of the Council to consider and approve:

12 (a) the plan of activities of the College;

13 (b) the programme of Studies, Courses and Research to be
14 undertaken by the College;

15 (c) the annual estimates of the College; and

16 (d) the investment plans of the College.

17 (3) The Provisions of schedule 2 to this Act shall have effect with
18 respect to the Council as specified therein.

Membership of
Governing
Councils

19 6.-(1) The Council of each College, other than a Federal College of
20 Education (Technical) shall consist of a Chairman, to be appointed by the
21 President, Federal Republic of Nigeria; and the following other members:

22 (a) four persons of note in the areas of Arts, Sciences and Technical
23 Education, who shall be former or serving Teachers/Educationists/Seasoned
24 Administrators and broadly, representative of the whole Federation; one of
25 whom shall be a woman, appointed by the President, Federal Republic of
26 Nigeria;

27 (b) A representative of the Federal Ministry of Education;

28 (c) A representative of the regulatory agency/Commission;

29 (d) The Provost;

30 (e) The Deputy Provost

1 (f) Two persons, not below the rank of Chief Lecturer, elected by
 2 the Academic Board, from among its member; and

3 (g) Four persons to be elected by the Congregation, from amongst
 4 its members, in which two persons shall be not below the rank of Chief
 5 Lecturer or its equivalent, and the remaining (2) persons shall be non-
 6 teaching staff, not below the rank of Deputy Registrar or its equivalent.

7 (h) The Registrar shall be Secretary;

8 (2) The Council of each Federal College of Education (Technical)
 9 shall consist of a Chairman be appointed by the President, Federal Republic
 10 of Nigeria; and the following other member

11 (a) four persons of note in the areas of Science and Technology,
 12 Technical Education, or Seasoned Administrator, who shall be former or
 13 serving Teacher/Educationist/ Administration and broadly representative of
 14 the whole Federation, one of whom shall be a woman, appointed by the
 15 President, Federal Republic of Nigeria;

16 (b) A representative of the Federal Ministry of Education;

17 (c) A representative of the regulatory agency/Commission;

18 (d) The Provost;

19 (e) The Deputy Provost;

20 (f) two persons, not below the rank of Chief Lecturer, elected by the
 21 Academic Board from among its member;

22 (g) Four persons to be elected by the Congregation, from amongst
 23 its members, in which two (2) persons shall be not below the rank of Chief
 24 Lecturer or its equivalent, and the remaining two (2) persons shall be non-
 25 teaching staff, not below the rank of Deputy Registrar or its equivalent.

26 (h) The Registrar shall be Secretary

27 (3). for Federal College of Education (Special), in addition to the
 28 above composition, there shall be 2 members who are Physically
 29 Challenged.

Tenure of office
of Council Members

1 7.-(1) A member of the Council shall hold office for a term of three (3)
2 years and, subject to the provisions of subsection (2) of this section, may be
3 eligible for re-appointment or re-election the case may be, for a further period of
4 three (3) years and no more. However, there shall be no vacuum in the exiting of
5 Council in any College. At any time the President dissolves Council of a
6 College, an immediate replacement shall be made.

7 (2) The office of a member appointed under section 5, subsections (1),
8 (2) and (3) of this Act shall become vacant if:

- 9 (a) the member resigns his office by notice in writing under his hand;
10 (b) the Minister, in consultation with the Council, is satisfied that it is
11 not in the interest of the College for the person(s) appointed to continue in office and
12 notifies the member in writing to that effect.

Powers of the
Council

13 8.-(1) for the carrying out of the functions of each College, the
14 Council shall have power to:

- 15 (a) Approve for the College to receive from any student or any other
16 person attending College for the purpose of teaching or instruction, such fees as
17 the Council may, with the prior approval of the regulatory Commission, from time to
18 time determine;
- 19 (b) Provide amenities for and make such other provision for the
20 welfare of staff of College;
- 21 (c) Invest the funds of the College in securities, specified by law or in
22 such other securities in Nigeria, as may be approved by the Regulatory
23 Commission;
- 24 (d) Source for funds within Nigeria for the purpose of development of
25 the College, manner and upon such security, as the Regulatory Commission
26 may, from time to time authorize;
- 27 (e) Recruit qualified and competent staff for the College;
- 28 (f) ratify the establishment and maintenance of such Schools,
29 Departments and other teaching units within the College or extramural
30 departments as may be recommended by the Academic Board;

1 (g) Provide such course of instruction, either alone or in
2 association with other institutions whether in Nigeria or not, as the Council
3 may determine and approve;

4 (h) Encourage and make provision for research and research grants
5 in the College;

6 (2) The power of the Council to establish further Schools and
7 Departments within the College shall be exercisable by order and not
8 otherwise within the stipulated guidelines.

9 9. A (1) There shall be established for each College, a Board to be
10 known as the Academic Board, which shall consist of the following
11 members: The Academic Board and its Functions

12 (a) The Provost of the College, who shall be the Chairman;

13 (b) Deputy Provost;

14 (c) The College Librarian;

15 (d) Deans;

16 (e) Academic Directors;

17 (f) All Heads of Academic Departments/Units;

18 (g) All Chief Lecturers;

19 (h) Two members from the Academic Staff Congregation; and

20 (i) The quorum for any Academic Board meeting shall be 'li of its
21 members.

22 (2) The Academic Board shall be responsible for:

23 (a) The direction and management of academic matters of the
24 College

25 (b) Regulation of admission of students;

26 (c) Award Nigeria Certificate in Education (NCE), Diplomas,
27 Professional Certificate Degrees, Prizes, Scholarships and other Academic
28 Distinctions of the College, to persons who may have pursued a course of
29 study approved by the Regulatory Agency/Commission and who have

2021

1 satisfied such other requirements as have been accredited by the Commission.

2 ~~Te~~ (d) Consideration of awards of Certificates, Prizes, Scholarships and
3 other Academic Distinctions;

4 (e) Teaching and Research;

5 (f) Making periodic reports on such academic matters to the Council,
6 and

7 (g) Discharging any other functions which the Council may from time
8 to time delegate it;

9 (h) Mount exhibitions and displays, designed to foster an appreciation
10 of trends in the scope and requirements of Education;

11 (i) Institute and award fellowships, medals, prizes and other titles;

12 (j) Erect, provide, equip and maintain such educational, recreational
13 and residential facilities as the College may require;

14 (k) Create lectureships and other academic posts and offices and to
15 make appointments thereto;

16 (l) Hold inaugural and public lectures and undertake printing,
17 publishing and bookselling;

18 (m) Make gifts for any charitable purpose;

19 9. B (1) There shall be a Management Committee consisting of all the
20 Principal Officers of the College.

21 (2) The Provost shall be the Chairman of the Management
22 Committee.

23 (3) The Management Committee shall meet at least once in a month to
24 discuss and take decisions on matters of general interest to the College, while
25 its quorum shall be Y2 of its members.

26 (4) There shall be a School Board for each school In the College,
27 consisting of all academic staff in the school.

28 (5) The School Board shall deal with all academic matters and any
29 other matter of interest to the school or any matter assigned to it by the Council,
30 the Academic Board or the Provost.

1 (6) The Dean shall be the chairman of the School Board, while its
2 quorum shall be Y2 its members.

3 (7) The Dean shall be elected from among the Academic staff, not
4 below the rank of Chief Lecturer in that school, for a term of two years,
5 renewable once.

6 (8) There shall be a Departmental Board for each Department in the
7 College consisting of all academic staff in that Department.

8 (9) The Departmental Board shall deal with all academic matters
9 and any other matter interest to the Department.

10 (10) The Head of Department shall be the chairman of the
11 Departmental Board, while quorum shall be Y2 of its members.

12 (11) The Head of Department shall be appointed form among the
13 Academic Staff below the rank of a Principal Lecturer in the Department for
14 a term of two years, renew once.

15 (12) Where there is no qualified candidate for the position of Dean
16 or Head of Department, the Provost shall appoint an Acting Dean, not below
17 the rank of Senior Lecturer or Acting Head of Department not below the
18 rank of Lecturer I, for a term of one year in the first instance and renewable
19 only once.

20 (13) Nothing in the Act shall prevent the Management Committee
21 and Board from making supplementary rules to guide their proceedings
22 provided such rules are consistent with the provision of this Act.

23 **10. Congregation:**

24 (a) There shall be for the College of Education, a Congregation
25 made of both Academic and Senior Non - Teaching staff, who holds at least a
26 first degree or its equivalent;

27 (b) The provost shall be the Chairman of the Congregation, while
28 the Registrar shall be the Secretary;

29 (c) The Congregation shall meet at least once in a year;

30 (d) The quorum of congregation shall be at least half the total

as established under sub section 3 (a) to (d) of the ...

1 number of its members;

2 (e) Congregation may regulate its own proceedings and procedures;

Power of the Minister over Councils

3 11. Subject to the provisions of this Act, the Minister may give to the
4 Council, directives of a general character or relating generally to matters of
5 policy with regard to the exercise by Council, of its functions under this Act,
6 and it shall be the duty of the Council to comply such directives.

Office of the Provost, Functions, Appointment and Tenure

7 12.-(1) there shall be a Provost of each College (in this Act referred to
8 as "the Provost") who shall appointed by the Council, in accordance with the
9 provisions of this section.

10 (2) Where vacancy occurs in the post of Provost, the Council shall:

11 (a) advertise the vacancy in not less than two widely read newspapers
12 in Nigeria, not less than Six (6) months before the expiration of the office of the
13 sitting Provost, specifying:

14 (i) The qualities of the person who may apply for the post; and

15 (ii) The terms and Conditions of Service applicable to the post, and

16 (iii) Thereafter draw up a short list of suitable candidates for
17 consideration;

18 (b) Constitute a Search Team consisting of:

19 (i) A member of Council, not being a member of the Academic Board,
20 as Chairman;

21 (ii) Two members of the Academic Board, not below the rank of Chief
22 Lecturer/Professor;

23 (iii) two members of the Academic Community of the College, who
24 are not below the rank of Principal Lecturer! Associate Professor and not
25 members of the Academic Board, to be selected by the Academic Staff
26 Congregation to identify and draw up a short list of suitable persons who are
27 not likely to apply for the post for any reason whatsoever;

28 (iv) a senior non- teaching staff, not below the rank of a Deputy
29 Registrar, who shall serve as member/secretary.

30 (c) the congregation shall conduct election to decide acceptability

1 level of the candidates by College and forward the results, in order of rating
2 to the Joint Council, Academic Board/Congregation selection Committee,
3 as established under sub section 3 (a) to (d) of this see provided the score
4 from this exercise shall not exceed 5 points.

5 (3) Joint Council, Academic Board and Congregation Selection
6 Committee consisting of:

7 (a) the Chairman of the Council;

8 (b) two members of the Council, not being members of the
9 Academic Board;

10 (c) two members of the Academic Board, not below the rank of
11 Chief Lecturer, who not members of the Search Team; and

12 (d) a senior non- teaching staff, not below the rank of a Deputy
13 Registrar; who shall recommend three best candidates in order of
14 performance and rating from shortlist drawn up under subsection 2(c) of
15 this section.

16 (4) The Council shall appoint as Provost the candidate that is most
17 suitably qualified and if the Visitor.

18 (5) Subject to this Act and the general control of the Council, the
19 Provost shall be the Chief Executive of the College and shall be charged
20 with general responsibility for matters relate to the day-to-day management
21 and operations of the College.

22 (6) (a) The Provost shall hold office for a single term of five (5)
23 years only, beginning with the effective date of his appointment and on such
24 terms and conditions, as may be specified in his letter of appointment;

25 (b) Where on the commencement of this section a Provost
26 appointed before commencement of this Act has held office:

27 (i) for less than five years, he shall be deemed to be serving his 5
28 years single tenure shall not have right for the renewal of his appointment for
29 a further term of four years;

30 (ii) for more than five years and serving his second term of office

Provost shall be deemed to be serving last term of office without any further extension

Tenure and procedure for the removal of Provost

13.-(a) The Provost may be removed from office by the Governing Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body mind, at the initiative of the Council, Senate or the Congregation after due process.

(b) When the proposal for the removal of the Provost is made, the Council shall constitute a Joint Committee of Council and Academic Board consisting of:

(i) Three members of the Council, one of whom shall be the Chairman of the Committee;

(ii) Two members of Academic Board;

(iii) The Registrar, who shall serve as Secretary;

(c) Where the ground for the removal is based on infirmity of the body or mind, the Council shall seek appropriate medical opinion to determine the Provost's incapacitation;

(d) The Committee shall conduct investigation into the allegations made against the Provost and shall report its findings to the Council;

(e) The Council may where the allegations are proved remove the Provost or apply at other disciplinary action it may deem fit and notify the Visitor accordingly provide that a Provost who is removed shall have right of appeal to the Visitor;

(f) There shall be no Sole Administrator in the College of Education system;

(g) In any case of a vacancy in the Office of the Provost, the Council shall appoint a Deputy Provost in an acting capacity on the recommendation(s) of the Academic Board;

(h) An Acting Provost in all circumstances shall not be in office for more than 6 months.

14.-(1) There shall be for each College, such number of Deputy

1 Provost, as the Council may deem necessary to appoint for proper
2 administration;

3 (2) Where a vacancy occurs in the post of Deputy Provost, the
4 Provost shall forward to the Academic Board, a list of two candidates for the
5 post of Deputy Provost that is vacant;

6 (3) The Academic Board shall elect for each vacant post, one
7 candidate from the list forwarded to it under sub-section (2) of this section,
8 and forward his name to the Council for confirmation.

9 (4) Where the

10 (a) Academic Board rejects the two candidates forwarded to it by
11 the Provost under section (2) of this section, the Provost shall submit
12 another list; and

13 (b) Council rejects the name sent to it under sub-section (3) of this
14 section, the Academic Board shall send the name of the other candidate on
15 the list forwarded to it by the Provost under sub-section (2) of this section

16 (5) The Deputy Provost shall:

17 (a) Assist the Provost in the performance of his functions, as
18 contained in this Act;

19 (b) Act in the place of the Provost when the post of the Provost is
20 vacant or if the Provost is, for any reason, absent or unable to perform his
21 function Provost; and

22 (c) Perform such other functions for the Provost or as the Council
23 may, from time to time assign to him.

24 (6) The Deputy Provost:

25 (a) shall hold office for a period of two years, beginning from the
26 effective date of his appointment and on such terms and conditions as may
27 be specified in his letter of appointment; and

28 (b) May be re-appointed for further period of two years and no
29 more;

1 by the Council, act on the recommendation of the Provost and Academic
2 Board;

3 and shall (d) "Good cause" for the purpose of this section means gross
4 misconduct or inability' discharge the functions of the office, arising from
5 infirmity of body or mind.

Other Principal
Officers

6 **15.** There shall be for each College, the following Principal Officers,
7 in addition to the Provost. These are:

8 (a) The Registrar;

9 (b) The Bursar; and

10 (c) The College Librarian;

11 Who shall be appointed by the Council, on the recommendation of the
12 Selection Board, constituted under section 18, sub section (1) (a-d) and (2) of
13 this Act.

Functions of
Registrar and
Tenure

14 **16.**-(1)(a) The Registrar shall be the Chief Administrative Officer of
15 the College; and shall be responsible to the Provost for the day-to-day general
16 administrative work and running of the College;

17 (b) He shall keep all records of staff and students; conduct and receive
18 all correspondence of Council and Management; and shall perform such other
19 duties of the Council, and as the Provost may, from time to time direct.

20 (2) The Registrar shall, in addition to the other duties conferred on
21 him by or under this Act, be a Secretary to the Council; Secretary to
22 Management Committee; Secretary to Academic Board and any Committee of
23 the Council; and in his absence, the Council may appoint some other persons in
24 the Registry, to act as Secretary.

25 (3) (a) A Registrar shall hold office for a single term of five years only,
26 beginning from the effective date of his appointment, and such terms and
27 conditions as may be specified in his letter of appointment;

28 (b) Where on the commencement of this section a Registrar appointed
29 before the commencement of this Act has held office:

30 (i) for less than five years, he shall be deemed to be serving his 5 years

1 single tenure and shall not have right for the renewal of his appointment for a
2 further term of five years;

3 (ii) for more than five years and serving his second term of office,
4 be deemed to be serving his last term of office, without further extension.

5 17.-(1) The Bursar shall be the Chief Financial Officer of the
6 College and be responsible to the Provost for the day-to-day administration
7 and control of financial affairs of the College.

Functions of
Bursar and tenure

8 (2) A Bursar shall hold office for a single term of five years only,
9 beginning from the effective date of his appointment and such terms and
10 conditions as may be specified in his letter of appointment.

11 (3) (a) Where on the commencement of this section, a Bursar
12 appointed before the commencement of this Act has held office:

13 (i) for less than five years, he shall be deemed to be serving his 5
14 years single tenure and shall not have right for the renewal of his
15 appointment for a further term of five years;

16 (ii) for more than five years and serving his second term of office,
17 be deemed to be serving his last term of office, without further extension.

18 18.-(1) The College Librarian shall be responsible to the Provost
19 for the administration of the College Library and co-ordination of the
20 Library services in the teaching units of the College;

Function of
College Librarian
and tenure

21 (2) A College Librarian shall hold office for a single term of five
22 years only, beginning from the effective date of his appointment and such
23 terms and conditions as may be specified in his letter of appointment;

24 (3) (a) Where on the commencement of this section a College
25 Librarian appointed before the commencement of this Act has held office:

26 (i) for less than five years, he shall be deemed to be serving his 5
27 years single tenure and shall not have right for the renewal of his
28 appointment for a further term of five years;

29 (ii) for more than five years and serving his second term of office,
30 be deemed to be serving his last term of office, without further extension.

Mobilization, ...

Selection Board

and Wages Commiss

19.-(1) There shall be for each College, a Selection Board which shall

2 consists of:

23.-(1) It is

3 (a) the Chairman of the Council;

4 (b) The Provost;

5 (c) Four members of the Council not being members of Academic
6 Board; two members of Academic Board; and

7 (d) a senior non- teaching staff, not below the rank of a deputy
8 registrar who shall serve as member/secretary.

9 (2) The functions, procedures and other matters relating to the
10 Selection Board, constituted under subsection (1, a-d) of this section, shall be
11 as the Council may determine from time to time.

12 20.-(1) A Principal Officer may resign his appointment:

13 (a) in the area of the Provost, by notice to the Visitor, through the
14 Council; and

15 (b) in any other case, by notice to the Council

16 21.-(1) The Council may appoint such other persons to be employees
17 of the College as the Council may determine, to assist the Provost and other
18 Principal Officers of the College, in the performance of their functions under
19 this Act.

20 (2) Subject to the provisions of this Act, the remuneration, tenure of
21 office and Condition of Service of the employees of the Council, shall be
22 determined by the Council, in consultation with the regulatory
23 agency/Commission and the National Salaries, Incomes and Wages
24 Commission.

25 (3) The Council may appoint such other persons to be employees of
26 the College, as the Council may determine, to assist the Provost in the exercise
27 of his functions under Act.

28 22. The remuneration, tenure of office and Conditions of Service of
29 the Provost and other employees of the Council, shall be determined by the
30 Council, in consultation with the Regulatory Agency/Commission, Revenue

How a Principal Officer can resign his appointment

Appointment of other staff of the College, who are not Principal Officers

Remuneration the Provost, other Principal officers and other employees

C 2176

1 Mobilization, Allocation and Fiscal Commission National Salaries, Income
2 and Wages Commission.

3 23. (1) It is hereby declared that Service in each College shall be
4 approved Service for the purposes of the Pensions Act and accordingly,
5 offices and other persons employed in each College, except Principal
6 Officers, shall, in respect of their services in the College, be entitled to
7 pensions, gratuities and other retirement benefits as are prescribed there
8 under, so however, that, nothing in this Act, shall prevent the appointment of
9 a person to any office, on terms which precludes the grant of a pension and
10 gratuity in respect of that office.

Pension Act
Provisions

11 (2) Staff of Colleges shall retire at the age of 65 years.

12 24. Notwithstanding anything to the contrary, as contained in the
13 Pensions Reform Act, (2014 amended, or any other extant rules; the
14 compulsory retirement age of staff of Colleges of Education shall be 65
15 years.

Retirement Age
for Staff of College
of Education

16 PART II - FINANCIAL PROVISIONS

17 25. (1) The Council shall establish and maintain a fund which shall
18 be applied towards the promotion of the objectives specified in this Act.

Establishment
of Colleges of
Education Fund

19 (2) There shall be paid and credited to the fund established under
20 subsection (1) of this section:

21 (a) Such sums as may, from time to time, be granted to the Council
22 by the Government of the Federation;

23 (b) All monies raised for the purposes of the Council by way of
24 gifts, grants-in-aid or testamentary disposition; and

25 (c) All subscriptions, fees and charges for services rendered by the
26 Council and all other sums that may accrue to the Council from any source.

27 (3) The Council shall submit to the Minister, not later than 3
28 months before the end of each financial year or at least, at such other time as
29 he may direct, an estimate of its revenue and expenditure for the succeeding
30 financial year.

Power to accept gifts

1 26.-(1) The Council may accept gifts of land, money or other
2 property, upon such terms and conditions, if any, as may be specified by the
3 person making the gift; and

4 (2) The Council shall not accept any gift if the conditions attached by
5 the person making the gift are inconsistent with the functions of the Council.

Accounts

6 27. The Council shall keep proper accounts of its receipts, payments,
7 assets and liabilities, and she in respect of each year, cause the accounts to be
8 audited.

Annual reports of operations, finance and audit

9 28. The Council shall, as soon as it may be possible, after the
10 expiration of each financial year, prepare and submit to the Minister, through
11 the Regulatory Agency/Commission, a report of its activities during the
12 immediate preceding financial year and shall include in the report, a copy the
13 audited accounts of the College, for that year and of the Auditor's report on the
14 accounts.

PART III - OFFICES AND PREMISES

Offices and Premises

16 29.-(1) For the purpose of providing offices and premises necessary
17 for the performance of its functions, the Council may:

- 18 (a) Purchase any interest in, or take on lease, any land; and
- 19 (b) Build, equip and maintain offices and premises.

20 (2) The Council may, with the approval of the Minister, sell any
21 interest in, or lease any land, offices or premises held by it and no longer
22 required for the performance of its functions.

Discipline of Students

23 30.-(1) The Council may make rules, providing for the Provost to
24 conduct enquiries into alleged breaches of discipline (including lack of
25 diligence) by students and such rules may make different provisions for
26 different circumstances;

27 (2) The rules shall provide for the procedure and rules of evidence to
28 be followed at enquiries under this section;

29 (3) Subject to the provisions of subsection (1) of this section, where it
30 is proved during the enquiry that any student of the College has been found

1 culpable or guilty of misconduct; the Provost may, without prejudice to any
2 other disciplinary powers conferred on him by this or any regulations made
3 thereunder, direct:

4 (a) that the student shall not, during such period as may be specified
5 in the direction, participate in such activities of the College, or make use of
6 such facilities of the College, as he may specify; or

7 (b) that the activities of the student shall, during such period as may
8 be specified in the direction be restricted in such manner as may be so
9 specified; or

10 (c) that the student be suspended for such period as may be
11 specified in the direction; or

12 (d) that the student shall be expelled from the College.

13 (4) Where the Provost refuses to apply any disciplinary measures,
14 the Council may, either directly or through some other staff, apply such
15 disciplinary actions as are specified in subsection 3 (a-d) of this section, to
16 any student of the College who is guilty of misconduct

17 (5) Where a direction is given under subsection 3 (c) or (d) of this
18 section, in respect of any student, the student may, within 21 days from the
19 date of the letter communicating the decision to him, appeal from the
20 decision, to the Council, and where such an appeal is brought, the Council
21 shall, after causing such inquiry to be made in the matter as the Council
22 considers just, either confirm or set aside the decision or modify it in such
23 manner as the Council may think fit.

24 (6) The fact that an appeal from a decision is brought in pursuance
25 of the last foregoing subsection, shall not affect the operation of the decision
26 while the appeal is pending, except the Council directs otherwise.

27 (7) The Provost may delegate his powers under this section to a
28 Disciplinary Committee, consisting of such members of the College, as he
29 may nominate.

30 (8) Nothing in this section shall be construed as preventing or

1 restriction or termination of a student's activities at the College, otherwise than,
 2 on the ground of misconduct and, or cultism.

3 (9) It is hereby declared that a direction under subsection (3) (a) of this
 4 section may be combine with a direction under subsection (3) (b) of this
 5 section.

6 (10) In all cases under this section, the decision of the Council shall be
 7 final, unless reversed by the Minister, on appeal by the student.

8 (11A) There shall be Committee on students' Affairs which shall
 9 consist of:

10 (a) a Deputy Provost as Chairman,

11 (b) one member of the Council,

12 (c) Dean of students Affairs,

13 (d) Two members of academic staff not below the rank of Senior
 14 Lecturer, and

15 (e) Two representatives of the students Union of the College.

16 (11B) A Committee on Students Affairs shall be charged with the duty
 17 of considering any:

18 (a) Matter which relates to the welfare of students;

19 (b) Other matter referred to it by ether the Council or management of
 20 the College; and

21 (c) Matters which the students wish to refer to Council which shall be
 22 referred to the Management in the first instance, which may in turn refer the
 23 matter to the Committee on Student affairs

24 (12) No decision of a Committee of the Council shall have effect
 25 unless it is confirmed by the Council.

26 31. In this Act, unless the context otherwise requires:

27 "Chairman" means the Chairman of the Council;

28 "College" means any of the Federal Colleges of Education specified in
 29 Schedule 1 to this Act;

30 "Colleges" shall be construed accordingly;

1 "Council" means the Governing Council of any of the Colleges established
2 by or pursuant section 2 of this Act;

3 "Congregation" means gathering of senior staff (teaching and non-
4 teaching), with at least; degree or its equivalent, with a view to addressing all
5 matters affecting the interest and welfare of staff of the College;

6 "Provost" means the Provost of a College, appointed under section 11 of this
7 Act;

8 "Function" includes powers and duties;

9 "Minister" means the Minister charged with the responsibility for matters
10 relating to Education;

11 "Member" means a member of the Council, including the Chairman.

12 32. This Bill may be cited as the Federal Colleges of Education Citation
13 Bill, 2021.

14 SCHEDULE 1

15 *Section 1*

- 16 (1) Federal College of Education, Abeokuta, Ogun State;
17 (2) Federal College of Education, (Technical) Akoka, Yaba, Lagos;
18 (3) Federal College of Education, (Technical) Asaba, Delta State;
19 (4) Federal College of Education, (Technical) Bichi, Kano State;
20 (5) Federal College of Education Eha-Amufu, Enugu State;
21 (6) Federal College of Education, (Technical) Gombe, Gombe
22 State;
23 (7) Federal College of Education, (Technical) Gusau, Zamfara
24 State;
25 (8) Federal College of Education, Kano, Kano State;
26 (9) Federal College of Education, Katsina, Katsina State.
27 (10) Federal College of Education, Kontagora, Niger State;
28 (11) Federal College of Education, Obudu, Cross River State;
29 (12) Federal College of Education, Okene, Kogi State;

- membership or any of (13) Federal College of Education, (Technical), Omoku, Rivers State;
- 2 (14) Adeyemi Federal College of Education, Ondo, Ondo State;
- 3 (15) Alvan Ikoku Federal College of Education, Owerri, Imo State;
- 4 (16) Federal College of Education, (Special), Oyo Town, Oyo State;
- 5 (17) Federal College of Education, Pankshin, Plateau State;
- 6 (18) Federal College of Education, (Technical), Potiskum, Yobe
- 7 State;
- 8 (19) Federal College of Education, (Technical), Umunze, Anambra
- 9 State;
- 10 (20) Federal College of Education, Yola, Adamawa State; and
- 11 (21) Federal College of Education, Zaria, Kaduna State.
- 12 (22) Federal College of Education, Jama'are, Bauchi State
- 13 (23) Federal College of Education, Odugbo, Benue State
- 14 (24) Federal College of Education, Isu, Ebonyi State
- 15 (25) Federal College of Education, Ekiadolor, Edo State
- 16 (26) Federal College of Education, Iwo, Osun State
- 17 (27) Federal College of Education, Gidan Madi, Sokoto State

SCHEDULE 2

Section 2

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

Terms of Service

Remuneration of Council Members

1. There may be paid to the members of the Council or any Committee, such remuneration and allowances as may, from time to time be determined by the President, Commander-in-Chief of the Armed Forces.
2. Where a vacancy occurs in respect of the membership specified in section 5, subsections (1) (a-i), (2) (a-i), and (3), of this Act, it shall be filled by the appointment of a successor, through the same process, to hold offices for the remainder of the term of office of his predecessor.
3. The Council may act, notwithstanding any vacancy in its

1 membership or any defect in the appointment of a member or the absence of
2 a member.

3 *Proceedings*

4 4.-(a) The Council shall meet for the conduct of business in the
5 college at such times that it may appoint once in every three months;

6 (b) The Chairman may, at any time, and shall, at the request in
7 writing of not less than 8 members, convene a meeting of the Council;

8 (c) At any meeting of the Council, the Chairman shall preside; but
9 in his absence, members present shall elect one of their members to preside
10 at the meeting;

11 (d) Where the Council desires to obtain the advice of any person on
12 any particular matter, the Council may co-opt persons who are not members
13 of the Council, but persons co-opted shall not be entitled to vote at a meeting
14 of the Council;

15 (e) The quorum of the Council shall be simple majority of the total
16 members of the Council, at least one of whom shall be a member appointed
17 by the President, Commander-in-Chief of the Armed Forces;

18 (f) Decisions of the Council shall be made on approval by a simple
19 majority of members present at the meeting.

20 *Miscellaneous*

21 5.-(a) The fixing of the seal of the College shall be authenticated by
22 the signature of the Chairman, Provost and some other members of the
23 Council, authorized generally or specially by the Council to act for that
24 purpose;

25 (b) Any contract or instrument which, if made executed by a person
26 other than a body corporate, would not be required to be under seal, may be
27 made and executed on behalf of the College by any person, generally or
28 specially authorized to act for that purpose, by the Council;

29 (c) Any document purporting to be duly executed under the seal of
30 the College, shall be received in evidence and shall, unless the contrary is

proved, be presumed to be so executed;

[H.C. 1493]

EXPLANATORY NOTE

(This note does not form part of the above Act, but is intended to explain its purposes)

This Bill seeks to establish the Federal Colleges of Education, listed in Schedule I to the Act.

The functions of each College, amongst other things are:

(a) To provide full-time courses of teaching, instruction and training in technology, Applied Sciences, Commerce, Arts, Social Sciences, Humanities, Law and Management;

(b) Carry out research in the development and adaptation of techniques as the Council may, from time to time, determine.

(c) Engage in community services, as may be appropriate

The Bill also provides for the appointment of a Provost, to be the Chief Executive of each College.