



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**FEDERAL COLLEGE OF EDUCATION [SPECIAL] AFON,
KWARA STATE BILL, 2022
(SB. 226)**

A

BILL FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF
EDUCATION [SPECIAL] AFON, KWARA STATE; AND FOR OTHER MATTERS.

FIRST READING

WEDNESDAY, 27TH NOVEMBER, 2019

SECOND READING

WEDNESDAY, 27TH NOVEMBER, 2019

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WEDNESDAY, 12TH APRIL, 2022

FEDERAL COLLEGE OF EDUCATION [SPECIAL] AFON, KWARA STATE BILL, 2022



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A

BILL FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION [SPECIAL] AFON, KWARA STATE; AND FOR OTHER MATTERS.

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Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF EDUCATION [SPECIAL]AFON, KWARA STATE

[1] There is hereby established the Federal College of Education [Special] Afon, Kwara State.

1. [2] The College shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

Establishment of Federal College of Education [Special] Afon, Kwara State

[3] The College shall be a Special training institution for the development of teacher Education in the country and to offer special courses for physically and mentally challenged and disabled persons.

[4] The College shall be supervised by the Federal Ministry of Education through the National Commission for Colleges of Education [NCCE] who shall be responsible for approving and regulating all academic programmes run in the College, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

2. The objects of the College shall be-

Objectives of the Federal College of Education [Special] Afon, Kwara State

[a] to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;

[b] to develop and offer academic and professional programmes leading to the award of NCE and other certifications for physically and mentally challenged persons i.e deaf, dumb and blind, with emphasis on planning, developmental and adaptive skills in Education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;

[c] to produce socially matured educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;

[d] to act as agents and catalysts for effective educational system, through training, research and innovation, for effective economic utilization and conservation of the country's human resources;

[e] to bring quality change in Education by focusing on teacher Education through teaching and learning innovations;

[f] to collaborate with other national and international institutions involved in training, research and development of Education with a view to promoting governance, leadership and management skills among educational managers;

[g] to identify educational needs of the society with a view to finding solutions to them within the context of overall national development;

[h] to provide and promote sound basic Education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;

[i] to provide higher Education and foster a systematic advancement of the science and art of teacher Education;

[j] to provide for instruction in such branches of teacher Education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;

[k] to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal Education institutions;

[l] to undertake any other activities that is appropriate for a College of Education of the highest standard.

3. [1] The College shall consist of: -

Constitution and
Principal Officers
of the College

[a] a Provost;

[b] the campuses and colleges of the College;

[c] the colleges, institutes and other teaching and research units of the College;

[d] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this subclause;

[e] all graduates and undergraduates of the College; and

[f] all other persons who are members of the College in accordance with provisions made by statute in that behalf.

[2] The First Schedule to this Bill shall have effect with respect to the principal officers of the College.

[3] Subject to clause 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

4. [1] For the carrying out of its objects as specified in section 2 of this Bill, Federal College of Education [Special] Afon, Kwara State shall have power:

Powers of the
Federal College
of Education
[Special] Afon,
Kwara State and
its exercise

[a] to offer courses of instruction, Special training and to offer special courses for physically and mentally challenged and disabled persons and research in Education and allied areas for the

production of quality and skilled teachers required to teach at lower, middle and higher levels of Education in Nigeria in particular and the world at large;

[b] to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the College as may from time to time be deemed necessary or desirable subject to the approval of the National Commission for Colleges of Education [NCCE];

[c] to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;

[d] to provide for the discipline and welfare of members of the College;

[e] to hold examinations and grant diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the College and have satisfied such other requirements as the College may lay down;

[f] to grant honorary degrees, fellowships or academic titles;

[g] to demand and receive from any student or any other person attending the College for the purposes of instruction, such fees as the College may from time to time determine subject to the overall directives of the Minister;

[h] subject to section 24 and 25 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;

[i] to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;

[j] to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

[k] to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the College;

[l] to hold public lectures and to undertake printing, publishing and book selling;

[m] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the College by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

[n] to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the College, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

[o] to make gifts for any charitable purpose;

[p] to do anything which it is authorized or required by this Bill or by statute to do; and

[q] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the College.

[2] Subject to the provisions of this Bill and of the statutes and without prejudice to section 7[2] of this Bill, the powers conferred on the College by subsection [1] of this section shall be exercisable on behalf of the College by the Council or by the Senate or in many other manners which may be authorized by the statute.

[3] The power of the College to establish further campuses and colleges within the College shall be exercisable by statute and not otherwise.

[4] the special College of education Afon shall offer the following courses;

[i] Primary Education Studies;

[ii] Education and Mathematics;

[iii] Special Education/Agricultural Science;

[iv] Special Education/Economics;

[v] Special Education/Social Studies;

[vi] Special Education/Christian Religion Studies;

[vii] Special Education/Islamic Studies;

[viii] Special Education/Geography;

[ix] Special Education/Biology;

[x] Special Education/English;

[5] The college shall also attach students to workplaces for gaining practical experience through the SIWES programme.

5. [1] The Council of the College shall consist of: -

[a] the Deputy Provost[s];

[b] one person from the Ministry responsible for Education;

[c] A Representative of the College Alumni;

[d] two persons representing the community appointed by the President.

[2] Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the College.

[3] The Council so constituted shall have a tenure of four [4] years from the date of its inauguration.

[4] The powers of the Council shall be exercised, as in this Bill and to that extent establishment

Composition,
Tenure and
Powers of the
Council of the
College

circulars that are inconsistent with this Bill shall not apply to the College.

[5] The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the College.

[6] The Council in the discharge of its functions shall ensure that disbursement of funds of the College complies with the approved budgetary ratio for –

[a] personnel cost;

[b] overhead cost;

[c] research and development;

[d] library developments; and

[e] the balance in expenditure between academic vis-à-vis non-academic activities.

6. [1] Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the College and shall be charged with the general control and superintendence of the policy, finances and property of the College.

[2] There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the College and perform such other functions of the Council as the Council may from time-to-time delegate to it.

[3] Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.

[4] The Council shall ensure that proper accounts of the College are kept and that the accounts of the College are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the College together with certified copies of the said accounts as audited.

[5] Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

[6] Rules made under sub-section [5] of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.

[7] There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect

Functions of the
Council and its
Finance and
General-Purpose
Committee

of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

[8] The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.

[9] If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.

[10] Any request made under sub-section [9] of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

7.

Functions of the
Academic Board
of the College

[1] It shall be the general function of the Academic Board to organize and control the teaching by the College, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the College.

[2] Without prejudice to the generality of sub clause [1] of this Clause and subject as therein mentioned, it shall in particular be the function of the Academic Board to make provision for:

[a] the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the College and the allocation of responsibility for different branches of learning;

[b] the organization and control of courses of study at the College and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

[c] the award such other qualifications as may be prescribed in connection with examinations held as aforesaid;

[d] the establishment, organization and control of halls of residence and similar institutions at the College;

[e] the supervision of the welfare of students at the College and the regulation of their conduct;

[f] determining what descriptions of dress shall be academic dress for the purposes of the College, and regulating the use of academic dress.

[3] The Academic Board shall not establish any new campus, college, school, department, institute or other teaching and research units of the College, or any hall of residence or similar institution at the College without the approval of the Council.

[4] Subject to this Bill and the Regulations, the Academic Board may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this Clause or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by Regulation.

[5] Regulations shall provide that at least one of the persons appointed as the examiners at

each final or professional examination held in conjunction with any course of study at the College is not a teacher at the College but is a teacher of the branch of learning to which the course relates at some other College of high repute or a person engaged in practicing the profession in a reputable organization or Institution.

[6] Subject to right of appeal to the Council from a decision of the Academic Board under this sub-Clause, the Academic Board may deprive any person of any diploma or other award of the College which has been conferred upon him/her if after due enquiry he/she is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the College or obtaining that award.

8.

Visitation

[1] The Minister of Education shall be the Visitor of the College.

[2] The Visitor shall, not less than one in every five years, conduct a visitation to the college or appoint a visitation panel consisting of not less than five experts to conduct the visitation.

9.

Office of the
Provost

[1] There shall be a Provost of the College [in this Bill referred to as "the Provost] who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provisions of this clause.

[2] Where vacancy occurs in the post of Provost, the Council shall-

[a] advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying-

[i] the qualifications of the person who may apply for the post; and

[ii] the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration.

[b] constitute a Search Team consisting of-

[i] a member of Council, not being a member of the Academic Board, as Chairman;

[ii] two members of the Academic Board not below the rank of Chief Lecturer;

[iii] two members of the academic community of the College not below the rank of Principal Lecturer and not members of Academic Board to be selected by the Academic Staff Association to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.

[3] A Joint Council and Academic Board Selection Committee shall consist of-

[a] the Chairman of the Council;

[b] two members of the Council, not being members of the Academic Board; and

[c] two members of the Academic Board not below the rank of Chief Lecturer who were not members of the Search Team, shall consider the candidates and persons on the shortlists drawn up under subclause [2] of this clause through an examination of their curriculum vitae and

interface with them and recommend, through the Council, to the President, Commander-in-Chief of the Armed Forces, three candidates for his/her consideration.

[4] The President, Commander-in-Chief of the Armed Forces shall appoint as Provost one of the candidates recommended to him/her under the provisions of subclause [3] of this clause.

[5] Subject to this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management operations of the College.

10. [1] The Provost shall hold office for a period of 5 years only beginning with the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment.

Tenure and
Procedure for
the Removal of
Provost

[2] Where on the commencement of this Bill a Provost appointed before the commencement of this Bill has held office-

[a] for less than five years, he/she shall be deemed to be serving his/her 5 years' single tenure and shall not have right for the renewal of his/her appointment for a further term of four years;

[b] for more than five years and has more than 1 year to complete his/her second term, the Council may allow him/her to serve as Provost for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;

[c] for more than 5 years and has less than 1 year to complete his/her second term, the Council may allow him/her to serve as Provost to complete his/her second term and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;

[3] [a] The Provost may be removed from office by the Visitor on grounds of gross misconduct or inability to discharge the functions of his/her office as a result of infirmity of the body or mind after due consultation with the Council and the Academic Board Billing through the Minister of Education;

[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; and

[ii] two members of Academic Board, provided that where the ground for the removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

[c] The Committee shall conduct investigation into the allegations made against the Provost and shall report its findings to the Council;

[d] The Council shall where the allegations are proved inform the Visitor who shall remove the

Provost;

[e] There shall be no sole administrator in any Nigerian College of Education;

[f] In any case of a vacancy in the office of the Provost, the Council shall appoint a Billing Provost on the recommendation of the Academic Board;

[g] A Billing Provost in all circumstances shall not be in office for more than 6 months.

11. [1] There shall be for the College Deputy Provost.

[2] The Council shall appoint the Deputy Provost from among the Chief Lecturers in the college in one of the following ways that is-

[a] from a list of three candidates, in order of preference, submitted by the Provost; or

[b] on the nomination of one candidate by the Academic Board through election.

[3] The Deputy Provost shall-

[a] assist the Provost in the performance of his/her functions;

[b] Bill in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his/her functions as Provost; and

[c] perform such other functions as the Provost or the Council may, from time to time, assign to him/her.

[4] The Deputy Provost-

[a] shall hold office for a period of two years beginning from the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and

[b] may be re-appointed for a further period of two years and no more.

[5] A Deputy Provost may be removed from office for good cause by the Council Billing on the recommendation of the Provost and Academic board.

[6] "Good cause" for the purpose of this clause means gross misconduct or inability to discharge the functions of his/her office arising from infirmity of body or mind.

12. There shall be for the College, the following principal officers, in addition to the Provost and Deputy Provost, that is-

[a] the Registrar;

[b] the Bursar; and

[c] the College Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under clause 12 [3].

13. [1] The Registrar shall keep the records and conduct the correspondence of the Council and

Office of the
Deputy Provost,
Functions,
Tenure and
Procedure of
Removal.

Other Principal
Officers of the
College

Functions of the
Registrar and
Tenure

shall perform such other duties as the Council subject thereto as the Provost may from time to time direct.

[2] The Registrar shall, in addition to the other duties conferred on him/her by or under this Bill, be a Secretary to the Council, Secretary to Academic Board and any committee of the Council and in his/her absence, the Council or any such committee may appoint some other persons to Bill as Secretary. The Registrar shall not vote on any question before the Council or count towards a quorum.

[3] A Registrar shall:

[a] hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment;

[b] Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years,

[ii] for more than five years and has more than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College,

[iii] for more than five years and has less than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

14. [1] The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of financial affairs of the college.

Functions of the
Bursar and
Tenure.

[2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment;

[b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years,

[ii] for more than five years and has more than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and

thereafter he/she shall relinquish his/her post and be assigned other duties in the College,
[iii] for more than five years and has less than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

15.

[1] The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of financial affairs of the college.

Functions of the
College Librarian
and Tenure

[2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment;

[b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;

[ii] for more than five years and has more than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;

[iii] for more than five years and has less than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

16. A Principal Officer may resign his/her appointment-

Resignation

[a] in the case of the Provost, by notice to the Visitor;

[b] in any other case, by notice to the Council.

17. [1] There shall be for the College, a Selection Board which shall consists of -

Appointment of
Registrar,
College Librarian
and Bursar

[a] the Chairman of the Council;

[b] the Provost;

[c] four members of the Council not being members of Academic Board; and

[d] two members of Academic Board.

[2] The functions, procedure and other matters relating to the Selection Board constituted under sub clause [i] of this clause shall be as the Council may determine from time to time.

18. [1] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance

Appointment of
other Staff of the
College

of their functions under this Bill.

[2] Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with appropriate authorities.

[3] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost in the exercise of his/her functions under this Bill.

19. The remuneration, tenure of office and conditions of service of the Provost and other employees of the Council shall be determined by the Council, in consultation with the Head of the Civil Service of the Federation/Revenue Mobilization, Allocation and Fiscal Commission, National Salaries, Income and Wages Commission.

Remuneration of
Provost and
other employees

20. [1] It is hereby declared that service in the College shall be approved service for the purposes of the Pensions Reform Bill and accordingly, officers and other persons employed in the College, except Principal Officers shall, in respect of their service in the College, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.

Pension Bill
Provision

[2] For the purposes of the application of the provisions of the Pensions Reform Bill, any power exercisable thereunder by a Minister or other authority of the Government of the Federation [other than the power to make regulations under clause 23 thereof] shall be exercisable by the College and not by any other person or authority.

PART II –GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES

21. [1] There shall be a general fund for the College which shall consist of the following:

General Fund of
the College

[a] Annual budgetary allocation by the Federal Government through;

[i] Appropriation by the National Assembly,

[b] grants-in-aid;

[c] fees;

[d] income derived from investments;

[e] gifts, legacies, endowments and donations not accepted for a particular purpose;

[f] income derived from the exercise of any functions conferred or imposed on the College by

this Bill;

[g] any other amounts, charges or dues recoverable by the College;

[h] revenue, from time to time, accruing to the College by way of subvention;

[i] interests on investments; and

[j] donations and legacies accruing to the College from any source for the general or special purposes of the College.

[2] The general fund shall be applied for the purposes of the College.

22. The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited. Accounts and Audits
23. The Council shall soon after the expiration of each financial year prepare and submit to the Minister, through NCCE a report of its activities during the immediately preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts. Annual reports of Operations, Finance and Audit
24. [1] All property held by or on behalf of the Provisional Council of the College shall, by virtue of this sub-section and without further assurance, vest in the College and be held by it for the purpose of the College. Transfer of Property

[2] The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule.

PART III – MISCELLANEOUS AND GENERAL

25. [1] For the purpose of providing offices and premises necessary for the performance of its functions, the Council may- Office and Premises
- [a] purchase any interest in or take on lease any land; and
- [b] build, equip and maintain offices and premises.
- [2] The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions.
26. [1] The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline [including lack of diligence] by students and such rules may make different provisions for different circumstances. Discipline of Students

[2] The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this clause.

[3] Subject to the provisions of subclause [1] of this clause, where it is proved during the enquiry that any student of the College has been found guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him/her by this Bill or any regulations made thereunder, direct-

[a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he/she may specify; or

[b] that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; or

[c] that the student be suspended for such period as may be specified in the direction; or

[d] that the student shall be expelled from the College.

[4] Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary Billions as are specified in subclause [3] of this clause to any student of the College who is guilty of misconduct.

[5] Where a direction is given under subclause [3] [c] or [d] of this clause in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him/her appeal against the decision of the Council, and where such an appeal is, brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the decision or modify it in such manner as the Council may think fit.

[6] The fact that an appeal from a decision is brought in pursuance of the last foregoing subclause shall not affect the operation of the decision while the appeal is pending, except the Council direct otherwise.

[7] The Provost may delegate his/her powers under this clause to a disciplinary committee, consisting of such members of the College as he/she may nominate.

[8] Nothing in this clause shall be construed as prevention or restriction or termination of a student's Activities at the College otherwise than on the ground of misconduct.

[9] It is hereby declared that a direction under subclause [3] [a] of this clause may be combined with a direction under subclause [3] [b] of this clause.

[10] In all cases under this clause, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

27. [1] Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
- [a] Academic staff of the College in the non-Professorial cadre shall be 65 years;
 - [b] Academic staff of the College in the Professorial Cadre shall be 70 years;
 - [c] Non-academic staff of the College shall be 65 years.

Retiring Age of
Academic Staff

[2] A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the College.

28. An academic staff of the College who retires as a Professor in the College shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the College up to the retirement age.

Special
Provisions
Relating to
Pension of
Professors

29. [1] In this Bill, unless the context otherwise requires: -

Interpretation

"Campus" means any campus which may be established by the College;

"College" means the College established pursuant to section 2 [1][b] of this Bill for the College;

"Council" means the Governing Council of the College established by section 5 of this Bill;

"Functions" includes powers and duties;

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the College and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate; [Erroneously omitted]

"Minister" means the Hon. Minister of Education;

"Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by statute or regulations;

"Professor" means a person designated as a Professor of the College in accordance with provisions made in that behalf by statute or by regulations;

"Property" includes rights, liabilities and obligations;

"Provisional Council" means the provisional council appointed for the College;

"Regulations" means regulations made by the Senate or the Council;

"Senate" means the Senate of the College established pursuant to section 2[1][e] of this Bill;

"School" means a unit of closely related academic programmes;

"Statute" means a statute made by each College under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill;

"The statutes" means all such statutes as are in force from time to time;

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the College;

"Undergraduate" means a person registered as a student undergoing a course of study for an NCE of the College or such other course in the College as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate;

"College" means the Federal College of Education [Special] Afon, Kwara State established and incorporated by section 1 of this Bill.

[2] It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

30. This Bill may be cited as the Federal College of Education [Special] Afon, Kwara State Bill, 2022. Short Title

SCHEDULES

1. *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 clause 5, subclauses [1] [a-i], [2] [a-i], and [3], of this Bill, 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/her predecessor.

[3] The Council may act, notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

2. *Proceedings*

[a] The Council shall meet for the conduct of business in the college at such times that it may appoint once in every

three months;

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

[c] At any meeting of the Council, the Chairman shall preside; but in his/her absence, members present shall elect one of their members to preside at the meeting;

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

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

[f] Decisions of the Council shall be made on approval by a simple majority of members present at the meeting.

3. *Miscellaneous*

[a] The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and some other members of the Council, authorized generally or specially by the Council to act for that purpose;

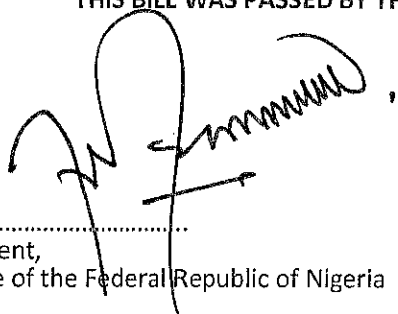
[b] Any contract or instrument which, if made executed by a person other than a body corporate, would not be required to be under seal, may be made and executed on behalf of the College by any person, generally or specially authorized to act for that purpose, by the Council;

[c] Any document purporting to be duly executed under the seal of the College, shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

EXPLANATORY MEMORANDUM

The core objects of the Bill is to provide a legislative framework to support the establishment of the Federal College of Education [Special] Afon, Kwara State to nurture career teachers and instructors to offer special courses in Education and as well help assist those who are physically and mentally challenged such as the [Blind, Crippled, Deaf and Dumb] with a view to bringing out the best talents in them as channel to augment shortfall of career teachers and instructors. This is to optimize learning capability and achieving national educational development agenda. The legislative framework designed for the College, is to offer Nigeria Certificate in Education [NCE] and other Special certification in the areas of its core objects of interest on both full-time and part-time basis.

THIS BILL WAS PASSED BY THE SENATE ON TUESDAY, 12TH APRIL, 2022


.....
President,
Senate of the Federal Republic of Nigeria


.....
Clerk,
Senate of the Federal Republic of Nigeria