

MANAGEMENT OF AFFILIATED COLLEGES OF NATIONAL UNIVERSITY BANGLADESH

A BACKGROUND STUDY

FEBRUARY 2021

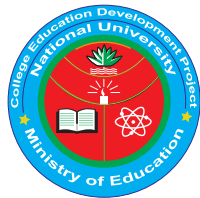


**COLLEGE EDUCATION DEVELOPMENT PROJECT (CEDP)
NATIONAL UNIVERSITY BANGLADESH
SECONDARY AND HIGHER EDUCATION DIVISION**

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Preface

The affiliated colleges of the National University of Bangladesh cover approximately 66% of the total students enrolled in higher education in Bangladesh. To deliver quality education to the students of these colleges, the current government has been undertaking initiatives relentlessly. In continuation, the government has constituted six expert committees including a committee to conduct a study aimed at capturing the state of affairs of the management of the affiliated colleges across the country. This report is an outcome of the study of the committee.

Due to the Covid-19 pandemic, the experts of the committee could not conduct the study extensively; however, the expert committee members put their utmost efforts to make the study meaningful.

It is my privilege to thank all members of the committee for their valuable contributions to making this study successful. Special thanks go to the officials of the College Education Development Project for their logistic support and secretarial works.

Thank you all!

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25 January 2021
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1. INTRODUCTION

1.1. Background and rationale of the Study

Scholars are of the view that good management provides crucial impetus to achieve the mission and vision of an organization. Being a stand-alone organisation, it is expected that each affiliated college should ensure good management practice to realise its vision to deliver quality education. In the given context of perceived low quality education in the affiliated colleges (World Bank, 2014), the management practices come under scrutiny. A World Bank study (World Bank, 2014) has identified a number of critical issues in this regard. These issues include (i) external and internal structure of management (ii) teachers' deployment, posting, and transfer (iv) politics in management (v) weak accountability and monitoring mechanism and (vi) overall lack of strategic vision and planning at affiliated colleges.

Before the National University Bangladesh (NUB) is founded, different Public Universities were the affiliating bodies of these colleges. Then the number of colleges as well as the number of students were limited. The course volume was not as large as now. At that time, the management of those institutions was relatively easier. But the number of institutions has increased considerably after the NUB is founded. As a result, students' enrollment has also increased significantly. But the required minimum number of teachers and staff were not met accordingly. So, the management and coordination of these institutions have now come into question. Under the circumstances, the Secondary and Higher Education Division has constituted a team of experts consisted of academics and education policy makers to reviewing the existing management structure and the management practice and thereafter forwarding some recommendations for the improvement of the existing management system.

1.2. Objectives of the study:

The main objective of this study is to review the management structure of the government and non-government general colleges of higher study in Bangladesh as per terms of references stated below, and thereafter put forward recommendations for public policy formulation. The specific objectives are:

- ✚ Reviewing the current legal framework and administrative arrangement and practices for the regulation of the subsector;
- ✚ Identifying international good practices such as those in India;
- ✚ Reviewing the limited management and administrative powers delegated to the government colleges;
- ✚ Reviewing existing policy and scenario of deployment of teachers in government colleges;
- ✚ Reviewing the current policies of nationalization of non-government colleges and absorption of their teachers into the education service;
- ✚ Reviewing the current system of academic management of the affiliated colleges;
- ✚ Reviewing the existing affiliation system by NU;

1.3. Data description and methods

1.3.1. Data description

This study was based on both quantitative and qualitative data. The source of quantitative data was College Education Development Project Survey Data 2019. In Feb, 2019, the survey was conducted amongst 50% of the 802 government and non-government Bachelor (honour's) and Master's degree colleges¹ qualified for institutional development grants (IDG) under the College Education Development Project (CEDP). To collect the data, a questionnaire was developed and sent out to the college principals. And in response, 98 principals replied back. After data cleaning, we found 86 responses fit for further analysis. The number was above 10% of the total honours and master's colleges affiliated with the NU.

¹ This is to note that total number of Honours and Master's Colleges was 802 in 2018 as per an email of the Department of ICT of the National University Bangladesh.

To collect qualitative data, four focus group discussions (FGD) were held. One FGD was held drawing officials from NU and the other three FGDs were held drawing teachers from the non-government colleges. In each FGD, participants were selected purposely keeping in mind their availability either on Zoom platform or face -to-face. We also considered if they had experience working in the Governing Body. A summary of the FGDs is presented below:

Group of participants	Number of participants	Venue
FGD-1: Officials of the NU	Dean, Postgraduate Education, Training and Research; Dean, School of Undergraduate Studies, Registrar; Inspector of College	Zoom Platform
FGD-1: Principals	10-Non-government college principals	Zoom Platform
FGD-2: Teachers	10-Non-government college teachers	Basail College, Tangail
FGD-3: Teachers	10-Non-government college teachers	Khan Bahadur College, Manikganj

1.3.2. Methods of analysis

Desk review of key published documents was one of the methods used in this study. This method was applied to explore the provisions of management in legal documents as well as international best practices. The list of documents included: (i) National Education Policy 2010 (ii) UGC Act 1971; (iii) National University Act, 1992; (iv) NU Regulations regarding affiliation, governing body formulation, and the service conditions of the non-government teachers; (v) Indian UGC Act, 1956; (vi) The West Bengal Government Act regarding college and university administration and; (vii) The West Bengal Government Act regarding college service commission.

Thematic analysis of qualitative data was carried out to shed lights on the aspects corresponding to the composition, operation and practices of Governing Body in the non-

government colleges. Descriptive analysis of quantitative data was another method used to shed light on the government nationalization policy.



FGD held at Basail, Tangail.



FGD held at Manikganj.

2. NATIONAL UNIVERSITY AND ITS INSTITUTIONS

2.1. Introduction:

In 1992 the National University Bangladesh was founded by an Act as an affiliating University of Bangladesh to deliver undergraduate and graduate level education to the students through its affiliating colleges and professional institutes. The National University Act 1992 is the main legal framework of managing its academic programs delivered through its affiliated colleges campuses.

2.2. Organization Structure and Administration:

The Act No. 37 passed by the Bangladesh Parliament in 1992 allows the National University considerably more autonomy to affiliate colleges of the country, to frame curricula and syllabi, look into development and dissemination of knowledge, provide teaching and research facilities, hold examinations, and confer degrees. The President of Bangladesh is the de-facto Chancellor of the university, but his role is mainly ceremonial. The highest official after the Chancellor is the Vice-Chancellor. Other important officers of the university include two pro-Vice Chancellors, the deans of different schools and centers, the registrar, the inspector of colleges and the controller of examinations. The most important statutory bodies of the university are the senate, the academic council and the syndicate. Although a public institution, most of the National University's funding comes from the fees taken from its affiliated institutions.

As in other public universities academic divisions of the National University are not organized in terms of faculties. According to the National University Act the University has three academic units – 1) School of Undergraduate Education, 2) Post Graduate Education, Training and Research Center and 3) Curriculum Development and

Evaluation Center. A dean appointed by the Vice-Chancellor heads each of the academic units. Academic programs are organized centrally and are implemented by the affiliated institutions.

2.2.1. The School of Undergraduate Education

The School of Undergraduate Education looks after the tertiary level education in the affiliated institutions on the basis of the rules and regulations framed by the Academic council and the Syndicate. The most important activities of this school include admission, registration, examination and other related activities. The university has two types of Bachelor programs: 1) three 3-year Bachelor (pass) degree and 2) 4-year Bachelor (Honors) degree. For getting admission into a Bachelor (pass) degree program students are required to pass Higher Secondary Certificate (HSC) examination. For a Bachelor (Honors) degree program undergraduates should enroll in a major discipline of an affiliated institution through a highly competitive written admission test conducted centrally by the National University. Majority programs are organized on yearly basis; but there are some programs, e.g. Bachelor of Business Administration, Fashion Design, Garment's Manufacturing Technology and Merchandising, and Computer Science, which use two semesters. Presently students are admitted on the basis of marks obtained by the students in the SSC and HSC examinations. However, like other universities of the country, student's entry at the Honors level should be on the basis of an admission test for ensuring better recruitment.

2.2.2. Postgraduate Education, Training and Research Center (PETRC):

The PETRC is responsible for registration and admission for Masters and Professional academic programs. Masters programs under the National University are one or two years in duration and are carried out by a selected number of colleges. On the other hand, this center conducts professional education by professional institutions such as Law colleges, B-Ed colleges, Fine Arts colleges, Library and Information Science Institutes, different military academies e.g. Bangladesh Military Academy, Bangladesh

Naval Academy, Bangladesh Air Force Academy, Marine Fisheries Academy, Defense Services Command and Staff college, National Defense college etc.

To ensure and improve the quality of teaching offering foundation training and different in-service subject-based trainings is an important part of the Postgraduate Education, Training and Research Center. Besides, in view of the current national concern for the use of digital devices in every sphere of the socio-economic life, the university has undertaken ICT training programs to acquaint the teachers with the latest ideas and technologies so that they can prepare their students to face this competitive world and open new horizons of knowledge.

The National University does not have a wide range of research programs. However, it offers Master of Philosophy (M Phil) and Doctoral (PhD) programs mainly for the teachers of the affiliated colleges. This is the only degree-oriented academic program conducted by the university from its main campus and is carried out by five academic groups such as Arts Academic Group, Social Science Academic Group, Natural Science Academic Group, Life and Earth Science Academic Group, and Business Studies Academic Group. From 2006 the National University has been carrying out this program for the academic and professional development of the teachers of the affiliated colleges. However, recently an on-campus advanced master's program of 18 months' duration in different disciplines, and a postgraduate diploma in Library and Information Science has been introduced.

2.2.3. Curriculum Development and Evaluation Center (CDEC):

The CDEC designs syllabus and curriculum taking into account our national values and heritage aiming at acquainting the students with the current development in different fields of knowledge. For designing and developing syllabus and curriculum, the CDEC engages experts from respective disciplines of other public universities of the country.

2.2.4. Institute of Liberation, Bangabandhu and Bangladesh Studies

The National University Bangladesh undertakes research, organizes seminars and symposiums and publish books to promote education regarding the history of the great liberation war, the role of Bangabandhu in the emancipation of Bangladesh through ILBBS situated at Gopalganj. The Institute was established in 1999 with several

constituting units such as an archive, library and museum. However, at present the ILBBS is situated and functions at the Dhaka city office of the university.

2.3. Journals and Bulletins

The National University publishes four bi-lingual journals. These are: Journal of Arts, Journal of Social Science, Journal of Science, and Journal of Business Studies. These journals have separate editorial boards consisting of departmental professors and some outstanding external experts. They contain research-based articles in the related fields. Authors are generally of good standing in their academic field. Usually teachers and researchers of the National University and its affiliated colleges are encouraged to contribute to these journals. Besides, the National University also publishes a bulletin which brings important events and activities of the university to the knowledge of its stakeholders. The name of the bulletin is *Samachar*. Currently, the National University publishes two journals named *The National University Journal of Arts, Social Sciences and Business Studies* and *The National University Journal of Sciences*.

Source: Hussain, M.A. (2012). *Structural and functional problems affecting quality of education in the honours teaching colleges under the National University*. Research report funded by UGC, Dhaka. (Unpublished manuscript).

3. ABOUT LEGAL FRAMEWORKS

3.1. History of higher education in college:

During the British colonial rule in the undivided India, the British government established a network of schools and colleges to educate the citizen of the Indian sub-continent (Agarwal, 2006) that resulted in the foundation of Calcutta Presidency College in 1817. It was the ancient institution of higher study in British India.

In this part of former East Bengal, either under government initiative or local patrons a numbers of collegiate schools were founded; for instance, Dhaka Collegiate School was founded in 1841, Chittagong Collegiate School was founded in 1869, Eden Mohila School was founded in 1873, and Rajshahi Collegiate School was founded in 1828.² Later on these schools were upgraded to colleges of higher study to meet the need of higher education of the majority Mulims used to live in this part of the undivided Indian subcontinent.

In 1857, three federal examining universities on the pattern of London University were established in Calcutta, Bombay and Madras (Agarwal, 2006). Out of the three examining universities, the University of Calcutta was founded under the University of Calcutta Act 1857, as an examining and degree awarding university. The Presidency College was the oldest affiliating college of the University of Calcutta. The main task of the University of Calcutta was to deliver higher education by its affiliating colleges. Later on, more affiliating universities were established, including the University of Dhaka in 1947. Before the establishment of the University of Dhaka, Dhaka College, Rajshahi College and Chittagong College were affiliated colleges of higher study of the University of Calcutta.

In 1947, at the time of independence from the British colonial rule, there were 19 universities, including the University of Dhaka (1929) and several hundred affiliated colleges in former undivided India. The colleges were affiliated with the University of Calcutta, and they prepared the ground for the advent of higher education in this (East Bengal) region (Agarwal, 2006).

²Source: Banglapedia.

After the partition of India in 1947, the East Bengal Educational Ordinance of 1947 added an affiliating character to the Dhaka University. It appeared as a residential-cum-teaching university and assumed the responsibilities of affiliation and supervision of 55 colleges, which were previously under the University of Calcutta.³ After independence in 1971, a number of new public universities founded under the respective University Acts shared the responsibilities with the University of Dhaka.

In 1992, the National University Bangladesh (NUB) was founded under the National University Act, 1992 and added an affiliated university to the structure of higher education on the pattern of the University of London. Today, the National University has around 2236 affiliated general and professional colleges and institutes of higher studies across the country (NU, 2018). There are two categories of affiliated colleges of higher studies under the NU: general college of higher study and professional college/institute of higher study.

The network of the affiliated colleges of the National University spreads across the country. These colleges are divided into two groups by management types: government colleges and non-government colleges. The non-government colleges are divided into two types based on funding sources: government aided and self-financed. Of the total colleges, 15% of the colleges were government colleges and 85% of the colleges were non-government colleges in the year 2018 (BANBEIS, 2018).

The management structure of the government and non-government colleges varies from each other. The variation is attributed to the underpinning legal frameworks that govern the government colleges and non-government colleges. The external management structure in both government and non-government colleges is presented Fig 1. According to Fig 1, the Secondary and Higher Education Division (SHED) and the Directorate of Secondary and Higher Education (DSHE) are two management authorities where the SHED functions as policy making body and the DSHE functions as an implementation agency. The DSHE also works as a controlling authority of the government colleges. To govern the government colleges, the Rules of Business of the Government of Bangladesh, Bangladesh Civil Service Recruitment Rules 1981, Bangladesh Civil Service Examination for Promotion Rules 1986, and Bangladesh Government Service Act 2018 are available.

³Source: Banglapedia, http://en.banglapedia.org/index.php?title=University_of_Dhaka, Accessed on 11 October 2020

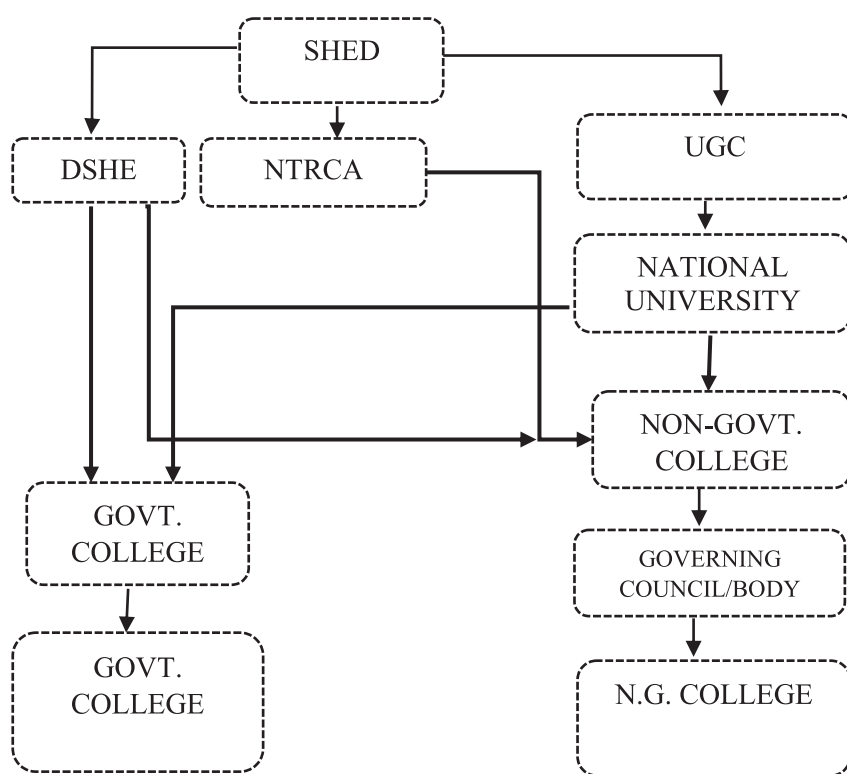


Figure 1: The management structure of college education

Three National University Regulations are available to govern the non-government colleges. The regulations are: (a) regulation regarding affiliation, (b) regulation regarding constitution of governing body (c) regulations regarding service-conditions and rules for recruitment and promotion of teachers of non-government colleges.

3.2. Description of legal framework

3.2.1. Bangladesh Civil Service Recruitment Rules 1981:

Bangladesh Civil Service Recruitment Rules 1981 governs recruitment of teachers in government colleges. According to the Bangladesh Civil Service Recruitment Rules 1981, Bangladesh Public Service Commission (BPSC), a constitutional body of the republic, recommends candidates for the appointment in the government colleges. The appointed teachers at the government colleges are members of the Bangladesh Civil Service (General Education) Cadre. The only appointing authority is the Honourable President of the Republic. The National University has no authority in this regard. The Government college teachers are civil servants as per the provision.

The Ministry of Public Administration on behalf of the Honorable President of the country issues recruitment letter. So, the appointment is highly prestigious and protected by the *Government Service Act, 2018*.

3.2.2. Bangladesh Civil Service (Examination for Promotion) Rules 1986

Bangladesh Civil Service (Examination for the Promotion) Rules 1986 regulates faculty promotion in government colleges. After appointment as Lecturer, the promotion to the post of Assistant Professor is regulated by the Bangladesh Civil Service (Examination for Promotion) Rules 1986. According to the provision, a candidate requires to pass all examinations mandatorily. And the examination for promotion is conducted by the Bangladesh Public Service Commission twice a year. Upon successfully passing the examination, a Lecturer is qualified for promotion to the post of Assistant Professor. A lecturer shall not be promoted unless he or she satisfactorily passes the examination.

3.2.3. Bangladesh Government Service Act 2018

Bangladesh Government Service Act 2018 regulates service conditions of the government college teachers along with other government servants. The Act regulates pay, retirement age, leave, disciplinary matters etc.

3.2.4. National University Act, 1992

National University Act 1992 is the main legal instrument that regulates the foundation, affiliation, and operations of the affiliated colleges across the country. The NU Act 1992 contains 55 Articles and 1 Schedule. According to the NU Act, the definition of the affiliated colleges are the colleges affiliated with and authorized by the NU to run degree pass, honour's and master's degree programs.

The National University Act states about the formation of Governing Body in degree colleges in Chapter 1, where affiliated colleges with honours and masters remain outside the purview of the Acts. Before the establishment of the NU, the colleges used to be governed by some old public universities, namely Dhaka University, Chittagong University, and Rajshahi University under the Act of the respective public university.

According to the University of Dhaka Act 1973, the affiliated college should have proper management and financial sustainability. The Act did not provide any provision for constituting governing body for the colleges. The same is noticeable for the affiliated colleges with the University of Rajshahi. In contrast, the University of Chittagong Act, 1973 kept the provision of constitution of governing body in the affiliated colleges with the University of Chittagong.

3.2.5. NU regulation about affiliating colleges

The NU under the NU Act 1992 formulates regulations regarding affiliating degree (pass), degree (honours) and degree (master's) colleges.

Regulations about degree (pass) colleges

According to the NU regulation 2019, after 4-year successful operation of a college as an intermediate college the college is eligible to apply for affiliation as degree pass college. According to the regulations, key conditions required to be fulfilled as follows:

The college should own land registered in the name of the college (0.50 acre if the proposed college is located in the metropolitan area, 1.25 acre if the proposed college is located in the industrial area, and 2.00 acre if the proposed college is in the rural area); at the intermediate level students' pass rate should be 60%; minimum number of teachers should be 3 (three) for a subject that will be taught at the degree level; separate rooms for teachers, Principal and Vice-Principal and a minimum of 10 classrooms, each having 700 square feet physical space.

Regulations about degree (honours) colleges

According to the NU regulation 2019, after 3-year operation of a college as a degree (pass) college, the college is eligible to apply for affiliation as a degree (honours) college. To introduce honours degree program in a certain discipline (say Economics), the department of the concerned discipline (say, the Department of Economics) must have at least 7 (seven) teaching staff, and each teaching staff must have a minimum academic qualification of Master's and Honour's degree with 2nd class. The minimum requirement of classrooms is 3 (three); and each classroom shall have a physical space of 400 square feet. There must be at least one seminar and one library, and each shall have a minimum of 2000 reference books and journals; finally, a college shall have laboratory facilities for science students.

According to the Regulations regarding affiliation of degree (honours) colleges, after successful operation of the college for 3 (three) years as a degree (pass) colleges, the college can apply for affiliation to offer an honours degree in a concerned discipline (say, Economics). The application is conditional upon the evidence that the discipline is taught at the intermediate level and has at least 50 (fifty) students. After field inspection by the Office of the Inspector of College, the Inspector of College recommends for

affiliation to the Academic Council if pre-conditions are met. The Academic Council makes the recommendations to the Syndicate and Senate of the National University Bangladesh for affiliated colleges. A Flow Chart is presented in Fig 2.

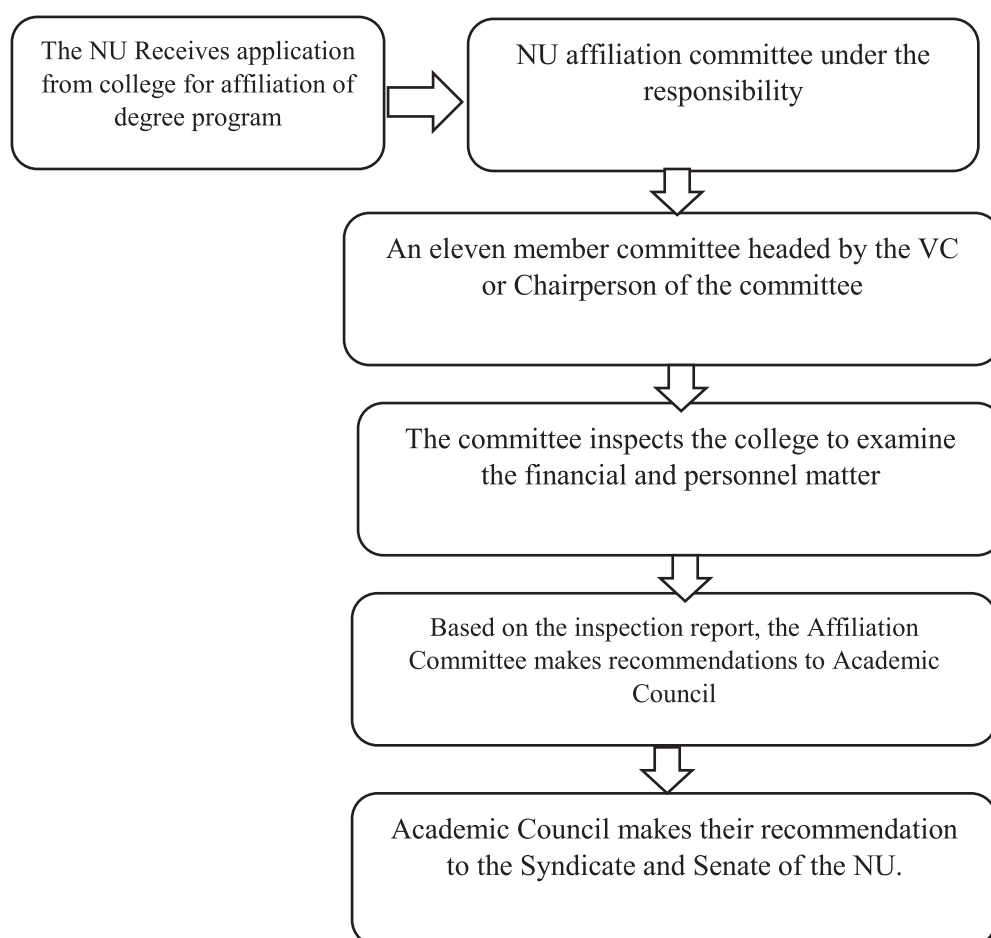


Figure 2: A flow chart of the affiliation process (as per NU regulation)

3.2.6. Non-Government Teachers' Service Conditions (Amendment), 2019

The Governing Body recruit teachers in the nongovernment degree colleges from a pool of teachers certified by the Non-government Teacher Registration and Certification Authority (NTRCA). And to recruit teachers in non-government honour's and master's colleges, the governing body follows the NU regulations.

According to the NU Regulations for Non-government Teachers' Recruitment and Conditions of Services, promotion, pay and service conditions of non-government teachers at degree (honours) and master's colleges are regulated. Academic posts in the non-government colleges are created upon approval of the governing body and the NU. And the recruitment to the posts is completed by the governing body of the concerned colleges. Pay and benefits of teachers are decided by the concerned governing body in line with the guidance given in the NU regulation and Directorate of Secondary and Higher Education.

3.2.7. University Grants Commission (UGC) Act 1972

The UGC Act, 1972 is the legal foundation that empowers the UGC to oversee or supervise activities related to the management of university, including National University in Bangladesh. The UGC Act defines university as an institute of higher education established as "University". An affiliated college of higher studies is not recognised as "University" for the purpose of the Act, thus the affiliated colleges remain outside the purview of UGC Act 1972.

3.3. Critical review of the legal frameworks

The NU Act 2015, empowers the NU to formulate regulations regarding the management of the colleges of higher studies. The Act defines “College” as degree pass college, degree honours college and master’s college. And the Act distinguishes colleges and universities. The National University is founded by the NU Act 2015, and the colleges are founded by a promoter by an administrative order of the Secondary and Higher Education (SHED) and the Education Board. Currently, there is no Act in the country to support the foundation of a college of higher education. A college of higher study is commissioned as a higher secondary education institution and gradually moves to a college of higher study being affiliated with the National University.

The NU regulation lays down the conditions for the affiliation of degree colleges and programs to offer. But it does not provide any precondition about the resources, such as student-teacher ratio. Consequently, it is noticed that some colleges enroll students that is beyond the physical capacity of the college.

Unlike public and private universities, the affiliated colleges begin journey as higher secondary schools (or intermediate colleges) being affiliated with the Board of Intermediate and Secondary Education. After successful operation as an intermediate college, an intermediate college may apply to be affiliated with the NU as the college of higher study. Upon necessary inspection, the NU grants affiliation provided that conditions narrated in the NU Regulation of Affiliation are met. That is, colleges of higher studies are transformed from intermediate colleges; first, as a degree college and the next, as a degree (honours) college. The transformation process is unique in the sub-continent and results in coexistence of an intermediate (higher secondary) section and higher study (post higher secondary) section side by side within the college compound.

While an intermediate college is transformed to a college of higher study, it is not endowed with minimum requirement of resources to run programs of higher study. A study by the Bangladesh Institute of Development Studies (BIDS) (2019) has reported that voluminous problems associated with classroom, laboratories, student dormitories, network facilities etc. exist in the colleges. It is customary, that in the affiliated colleges in Bangladesh, the same pool of teachers teaches students of intermediate section and

higher study sections. Therefore, scholars are of the view that, it is unlikely that in the given situation teachers are well prepared to teach students of higher study section. Consequently, the quality of higher education is compromised.

Being a guardian of higher education, the University Grants Commission (UGC) of Bangladesh does not have any mandate to oversee higher study in affiliated colleges directly, although it supervises the affiliating university i.e. the National University. In neighbouring India, the UGC has full mandate to inspect colleges under the (Indian) UGC Act 1956, and thus oversee higher education in colleges and universities across the country irrespective of ownership.

Although the service condition of the non-government college teachers is regulated by the NU regulation (Amended) 2019, it does not provide any recurring and capital budgetary support to the colleges. While the government provides budgetary supports to selected non-government teachers, under the monthly payment order (MPO), the NU prepares service regulations that do not require any approval by the government.

In an FDG a participant from the National University expressed the view that

“according the government’s rules and regulations, there is no post above the assistant professor in non-government colleges. But non-government college teachers are allowed to be promoted to the rank of associate professor and professor according to the NU regulation, thus lack of coordination in the affiliating university and ministry arises”.

Regarding the academic, assessment related matter, the degree colleges are obliged by the NU Act to follow the instructions of the NU. On the other hand, in terms of personnel and financial management, the same college are to meet the administrative and financial regulations of the government. Thus, two lines of administrative mechanism work together.

Being academics, the members of the government colleges do not require higher academic degree such as M.Phil. or PhD, or does not require research publications in peer-reviewed journals. Scholars are of the view that, the above mentioned conditions are not conducive to produce faculties of good quality in colleges. A statistic shows that in affiliated colleges with the National University, only 5% the teachers had received PhD (World Bank, 2014).

On the other hand, according to the Non-government College Service Conditions Regulation (Amendment) 2019, to be qualified for promotion, academics require PhD, M.Phil., and research publication in peer-reviewed journals. In a focus group discussion, the Inspector of Colleges at the National University, stated that

“The non-government teachers find the promotion conditions discriminatory. Their arguments are that, while their peers who are serving in government colleges do not require to receive doctoral degree to get promotion, why they (non-government college teachers) should require”.

In government and non-government colleges, as the conditions for being qualified for promotion are not alike, and the conditions are stringent for faculty members in non-government college a strong sense of grievances erupted amongst the faculties in non-government colleges. In an FGD, one member of the NU expressed the view that

“In government colleges, faculties are promoted without track record of research and publication, after completing so called departmental examination, whereas in non-government colleges, faculties are promoted based on track record of research and publication. The faculties of the non-government colleges termed the NU regulation for faculty promotion as discriminatory. As NU does not control faculty promotion in the government colleges, NU is yet to resolve the issue.”

The Governing Bodies (GB) of the affiliated colleges are governed by the National University (Governing Body of Affiliated College/Educational Institution) Amendment Regulations 1998. According to the Regulations, a 13-member Governing Body chaired by a person nominated by the Vice Chancellor of the National University would run the internal affairs of the college for a period of three years. The Principal of the college is the member-secretary of the GB. The Vice-Chancellor nominates a person from a panel of three potential candidates suggested by the college. The tenure of a governing body is two years. Since 2019, ‘degree qualification’ is set as an academic qualification of a person interested in education to be nominated as a member of the GB. However, regarding the nomination of the remaining members of the GB, there is no precondition regarding academic qualification.

4. REVIEWING MANAGEMENT AND ADMINISTRATIVE POWERS

4.1. Description of management of government colleges

4.1.1. Student admission management

Student admission is the ultimate responsibility of a government college. To execute student admission, the principal constitutes a committee consisted of two to three members, headed by a convener. The committee works since the inception until the closure of the admission process however, National University do the selection of candidates. Regarding admission criteria, the affiliated colleges are bound to fulfill the requirements of the NU. In case affiliated colleges do not follow the admission criteria, their students would not be registered by the affiliating university. As far as the admission criteria are concerned, academic test scores in previous SSC and HSC examination matter a lot in public sector colleges.

4.1.2. Personnel management

Regarding personnel administration, a principal of a government college has limited authority. Teachers are under the control of the Secondary and Higher Education Division (SHED), Directorate of Secondary and Higher Education (DSHE). Being a custodian of higher education, the University Grants Commission (UGC) does not have any control over colleges directly or indirectly. National University, DSHE, and SHED manage higher studies in colleges directly, while the UGC manages higher studies in universities.

In government colleges, transferring a faculty member is the sole authority of the SHED or DSHE, as per rules of business of the government. In this regard, the SHED has regulations, however, the regulations regarding faculty transfer are altered time to time

whenever it is required. According to the regulation, before seeking any transfer, a faculty should serve minimum 3 (three) years in a college. Secondly, college faculties who have higher research and/or doctoral degree should be transferred to colleges of higher study where honour's or master's degree programs are delivered.

However, before an issuing transfer order, the competent authority rarely come to know the ground situation at the college. Although, a No-objection Certificate (NOC) from the principal of the college is required prior to expressing interest by a faculty, but usually the principal's prior consent is ornamental.

The SHED does not require to consult with the NU about exercising its authority. However, the NU has regulation about a faculty's academic fitness to deliver teaching to students of honour's and master's colleges; hence while the SHED issues transfer orders, the fitness narrated in the NU regulation is compromised. Regarding the matter, in an FGD with NU officials, a participant expressed the view that

“Before issuing any transfer order, had SHED consulted the matter with the NU, implementation of NU regulation would have been possible”.

But the irony is that according to the government's Rules of Business, there is no scope of consultation with the NU before exercising authority by the SHED.

In the government colleges, the SHED transfers a faculty while it is a matter of public interest or a faculty's self-interest; however, the observation is that the latter is the dominant determinant of faculty transfer. It is general customary that a government college faculty who is posted in a college situated in a geographically disadvantageous location often lobby for transfer due to lack of suitable accommodation inside the campus, low number of students, lack of faculty officer space etc.

In the government colleges like other government services, an Annual Confidential Report (ACR) written annually by an immediate higher reporting officer is considered regarding faculty promotion in Bangladesh. The ACF is a serious matter for faculty promotion of faculties in government colleges. In case of any extraordinarily adverse remark in the ACR, promotion may be withheld. As for misconduct of a faculty, the principal can initiate disciplinary action against the faculty without making any adverse comment(s) in the ACR. But it has to be submitted as recommendations to superior officials. Usually, it is a long and delaying process.

In the government colleges, faculty promotion does not involve any preconditional such as research publication, higher academic degree like doctoral degree, and students' evaluation. Faculty promotion is an activity as usual. Based on ACR report and seniority, a faculty receives promotion.

4.1.3. Financial management

The Government finances the fully recurring and development expenditures of the government colleges and thus, owns government colleges, while the National University does not finance any recurring and development expenditures except matters/activities related to examination, assessment and degree awarding.

The financial management of a government college encompasses fund collection, deposit in the bank/government treasury and disbursement or spending. A principal of a government college is a Chief Accounting Officer (Drawing and Disbursing Officer) of a government college.

Regarding the government's fund management, the underpinning laws and regulations work as mandatory rules and regulations. A guidance for the disbursement of fund is 'financial rules and regulations of the government of Bangladesh. Outside the government's fund, a government college also collects fees from students. This is a non-government fund. The fees are classified as student welfare fund. To manage the fund, the principal of a government college constitutes a committee, and the committee assists the principal in this regard.

The Directorate of Audit and Accounts of the government is an organization that audits funds managed by colleges/ college principals. The auditing is carried out at the end of each financial year that runs between July (current year) to June (next year).

4.2. Quality Assurance Mechanisms (QAM)

Currently, the QAM has not been working in colleges, although QAM has been working in public and private universities across the country. In neighbouring India, private and public colleges are under the QAM. Similar to universities, there is an Internal Quality Assurance Cell (IQAC) in each college. The IQAC is committed to:

- Prepare a plan of action for the institute;

- Identify aspects that require re-thinking, development or improvement and ensure continuous self-assessment and upgrading in every sphere of our functioning; and
- Document and the various programs and activities of the college, leading to quality enhancement.

The IQAC is headed by the Principal of the Institute and includes representatives from the management, heads of important academic and administrative units of the Institutes.

5. ABOUT AUTONOMY OF GOVERNMENT COLLEGE

5.1.1. Overview of the concept of autonomy

Autonomy is first about discretion or the extent to which an agency can decide itself about matters it finds important (Verhulst, Peters, Bouckaert, & Verschuere, 2004). Conceptually, there are various concepts of autonomy: managerial autonomy, policy autonomy, structural, financial, legal and interventional autonomy (Verhoest, Peters, Bouckaert, & Verschuere, 2004).

In classical bureaucracies, several external actors steer and control a typical line bureau, from where its hierarchical superiors' subordinates receive instructions and regulations concerning the way a subordinate office should perform its tasks and responsibilities. An agency like the Ministry of Education, the Ministry of Finance, and the Ministry of Public Administration generally regulate the use of inputs by the agency, leaving the agency with very limited discretion for organizing the use of inputs (Heyman, 1988, Cited in Verhoest, Peters, Bouckaert, & Verschuere, 2004).

Managerial autonomy: Under the managerial autonomy the agency may set the procedures itself for financial transactions, for example, within the general principles concerning the use of inputs set by central government.

Policy autonomy: Under the policy autonomy, the agency may decide upon policy instruments to use output norms within the objectives, and effect norms set by government. The agency head may decide itself on individual applications of the general regulations. The agency is authorized to issue general regulations (high strategic policy autonomy).

Financial autonomy: Under the financial autonomy the agency is financed primarily through income from sources other than the central government (e.g. tariffs, contributions and prices), but a minor part of funding stems from the central government. The agency has to cover a major extent of deficits itself (e.g. by the imposition of a hard budget constraint). The agency is financed exclusively through income from sources

other than central government (e.g. tariffs, contributions and prices). The agency has to cover all deficits itself.

Structural autonomy: The agency head is appointed and evaluated by the supervisory board in which the representatives of the government have a majority vote. These representatives could be dismissed by the government at any time. The agency head is appointed and evaluated by the supervisory board in which the representatives of third parties have a majority vote.

Legal and interventional autonomy: Under the legal and interventional autonomy, the agency has no reporting requirements to central governments and is not subjected to evaluation or audits commissioned by the central government. There is no threat of sanctions or intervention by the central government.

5.1.2. Reality check about the potentiality of autonomy

The underpinning legal frameworks allow government colleges to have managerial autonomy to the extent that the transactions and administrative responsibilities undertaken by the head of the agency (i.e. college) does not contradict the current financial rules and regulations of the government. The operating and non-operating expenditures of a government college is supplied by the government fully and the colleges do not have legal power to raise operating revenue to meet any deficit corresponding to the operation of a college.

Unlike government colleges, the public universities have the legal authority to raise operating revenue and to use the revenue to meet the deficit corresponding to the operation of the universities. However, the public universities are not financially autonomous conceptually as the major portion of the total operating and non-operating expenditures of the public universities come from the central government.

Given the reality in the context, under the current legal frameworks, it is unlikely to make the government colleges fully autonomous under a Governing Body as per the NU Regulations; however, the government colleges may run by the Governing Body without full autonomy, simply being an executing authority of a government college. Indian experiences show that in India, each government college of higher study has a governing body who takes care of academic and administrative matters of the government college on a very limited scale. In India, a Governing Body does not have any mandate for selecting academics and key non-academic personnel such as librarians.

6. INTERNATIONAL EXPERIENCE

6.1. Introduction

Literature provide us with evidence that in the domain of higher education institutional autonomy is the most significant reform in governance and management initiated internationally, such as increased institutional discretion over the use of financial and physical resources as well as greater authority over personnel matters (Malik, 2017).

In the South Asian countries, the structure of higher education sub-sector is alike. Some flagship universities and colleges are offering degrees in a broad range of subjects and drawing on a large amount of public funds, while some are small and low quality universities or colleges. The underpinning institutional framework upon which universities and/or colleges are operated is the University Grants Commission (UGC) or the Higher Education Commission (HEC). For instance, in Bangladesh, India, Sri Lanka, Nepal, the UGC is the key body to regulate universities, while in Pakistan it is Higher Education Commission. A snapshot of institutional framework is presented in Table 1.

Table 1: Key institutions and regulations

Country	Key regulatory body	Relevant controlling body	Legal framework
Afghanistan	Ministry of Higher Education	Ministry of Finance	Regulation of Postgraduate Higher Education and Regulation of financial independence of universities.
Bangladesh	University Grants Commission	Secondary and Higher Education Division	President's Order No. 10 of 1973.
India	University Grants Commission	Department of Higher Education	University Grants Commission Act, 1956 and Higher Education and Research Bill 2011
Nepal	University Grants Commission	Ministry of Education	University Grants Commission Act 1993.
Pakistan	Higher Education Commission	Ministry of Education and Training	Higher Education Commission Ordinance, 2002
Sri Lanka	University Grants Commission	Ministry of Higher Education	Universities Act No. 16 of 1978.

Source: Economics Intelligent Unit Analysis (2013, p.6) and relevant websites.

In this sub-section, we present an international experience of management of affiliating colleges in India because of similarity in administration of colleges of Bangladesh. According to the All-India Survey on Higher Education (AISHE), India had 993 universities, 39,931 colleges and 10,725 stand-alone institutions of higher study (awarding diplomas) in 2018-2019.⁴

The universities are of many different types; of them a total number of affiliating universities were 298; with those affiliating universities, there were 39,931 colleges of higher study. Of the affiliating universities, approximately 500 colleges were affiliated with 13 universities.

6.2. The University Grant Commission Act, 1956

The University Grant Commission Act 1956 lays the foundation of the management of higher education in university and institutes of higher study other than universities in India. According to the Article 2(f), UGC Act 1956:

*“University” means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any **such institution** as may, in consultation with the University concerned, be recognised by the Commission in accordance with the regulations made in this behalf under this Act.”*

According to Article 3 of the Act, the Indian UGC has mandate for the management of higher study in affiliated colleges in India. The UGC Act 1956, Article 3, has the following provision:

“...any institution for higher education, other than a University, shall be deemed to be a University for the purposes of this Act.”

According to Article 26 of the UGC Act 1956, the Indian UGC has the solo authority to make Rules and Regulations about the qualification of teachers, their service conditions, the minimum standards of instruction. The affiliating universities do not have any authority in this regard. According to the UGC Inspection of Universities Rules, 1960, Clause 2(b): ‘University’ as any institution of higher learning, including university under Section 3, of the UGC Act 1956. Thus, the UGC India has authority to inspect

⁴Source: <http://aishe.nic.in/aishe/home>

affiliated colleges across India. According to the UGC Inspection of Universities Rules, 1960:

“The Commission may appoint a Committee, wherever or whenever necessary consisting of such persons as it may decide in each case and subject to the provision of rule 6, to examine and report on the financial needs of a University or its standards of teaching, examination and research or both. Before the Commission inspects the University, the Commission shall send to the Vice-Chancellor of the University a questionnaire seeking information on all relevant matters relating to the Department/ Departments or institution/institutions to be inspected. After receipt of information under rule 4, the Commission shall fix the date of inspection by the Committee and communicate the same to the University concerned” (p. 23).

6.3. Affiliated colleges

Although the University has the authority regarding affiliating colleges of its jurisdiction, the affiliated colleges requires to be recognised by the UGC under *the UGC Regulation 1974: Recognition of Colleges*. The recognition is critical in the Indian higher education system. Without the recognition of the UGC, affiliated colleges of higher studies do not qualify for awarding degree and government aid.

6.4. Minimum qualifications of teachers in colleges and universities

According to the UGC Regulations 1991,

“No person shall be appointed to a teaching post in university or in any of institutions including constituent or affiliated colleges recognised under clause (f) of Section 2 of the University Grants Commission Act, 1956 or in an institution deemed to be a University under Section 3 of the said Act in a subject if he does not fulfil the requirements as to the qualifications for the appropriate subjects as provided in the Schedule 1.”

Schedule 1

Lecturer: Good academic record with at least 55% marks or an equivalent grade at Master's degree level in the relevant subject from an Indian University or an equivalent degree from a foreign University. Candidates besides fulfilling the above qualifications should have cleared the eligibility test for lecturers conducted by UGC, CSIR or similar test accredited by the UGC.

6.5. Management structure at colleges

The West Bengal Universities and Colleges (Administration and Regulation) Act, 2017 governs the government and government-aided colleges of higher study in India. However, the non-government colleges remain outside the Act. According to the Act,

- (a) There shall be a governing body headed by a Chairperson nominated by the state government. The Chairperson shall be a person interested in education. The affiliating university shall take initiative to constitute the governing body and the state government has power to dissolve the governing body.
- (b) The State Government may, from time to time, cause inspection of the affairs of the college, other than the college run by minorities, including its administrative and financial activities as and when the State Government considers it necessary.

- (c) There shall be a fund in every college which shall be credited with all money received from tuition fees and other fees and charges as may be determined by the State Government from time to time.
- (d) Appointment of all teachers, librarians and other employees of every college, except the colleges run by minorities, shall be made by the Governing Body, on the recommendation of the Service Commission.
- (e) The State Government may, in the interest of public service, place the service of any teacher, librarian or non-teaching employees to another college on transfer.
- (f) The State Government shall cause periodic audit of the fund and accounts of every college in such manner as may be prescribed.

The Government of West Bengal College Service Commission Act, 2012 regulates the appointment of Principal, Assistant Professor, Librarian and non-teaching staff in government and government-aided non-government colleges.

6.6. Case study of Moulana Azad (Govt.) College

In this sub-section, we present the internal management structure of a government college in the State of West Bengal. We choose Moulana Azad (Govt.) College, University of Calcutta, India because it is the oldest affiliated college in India. At the very center of the management lies the Principal of the college. The Principal is assisted by the governing body, alumni of the college, teachers' council and IQAC cell. The governing body of the Moulana Azad (Govt.) College is constituted by the West Bengal Universities and Colleges (Administration and Regulation) Act 2017. The tenure of the governing body is determined by the state government.

- I. The President shall be a person interested in education, and shall be nominated by the State Government from amongst the members of the governing body or from outside;
- II. The Principal or the Vice-Principal or the Teacher-in-Charge, as the case may be, of the concerned college, who shall act as the *ex-officio* Secretary to the governing body;

- III. Three full time regular teachers including librarians and Graduate Laboratory Instructors, to be elected from amongst them;
- IV. One non-teaching employee to be elected from amongst them;
- V. Two persons to be nominated by the State Government and one person to be nominated by the West Bengal State Council of Higher Education constituted under the West Bengal State Council of Higher Education Act, 2015 respectively;
- VI. One representative from amongst the donor of the college or from the sponsoring body promoting the establishment of the concerned college;
- VII. One student representative, who shall be the General Secretary of the duly constituted Students' Body or Union, as the case may be, of the college.

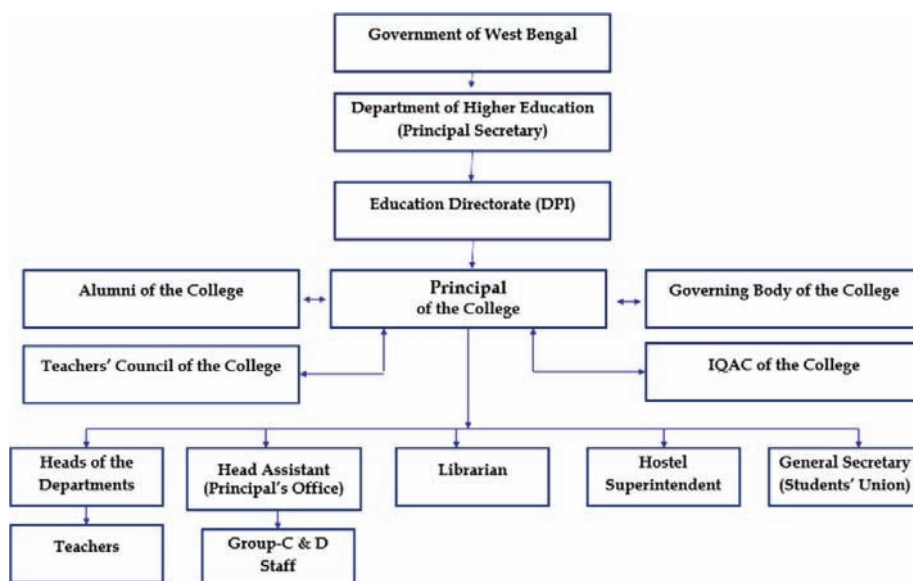


Figure 3: Internal management structure of Moulana Azad (Govt.) College

Source: Website of the Govt. Moulana Azad College.

7. REVIEWING GOVERNING BODY

7.1. Key activities of the Governing Body

- ☒ The Governing Body will manage assets and funds of the college.
- ☒ The Governing Body will recruit college principal and faculty members as per recommendation of the Selection Board constituted by the National University Bangladesh.
- ☒ Other non-faculty staffs to be recruited by the college principal as per approval of the governing body.
- ☒ The Governing Body will decide about the manpower structure, post creation, salary and other fringe benefits etc.
- ☒ The Governing Body will decide about faculty promotion, faculty and non-faculty leave, allowances etc. according to the regulation of the National University Bangladesh.
- ☒ The Governing Body will constitute committees as per need of the college whenever is required.

7.2. The efficacy of the Governing Body (GB)

7.2.1. The role of UNO/DC as a Chairman

According the NU regulation, a Chairperson of a GB is nominated by the NU. Where there is no Chairperson, a civil servant holding the office of Deputy Commissioner (DC) or Upazilla Nirbahi Officer (UNO) of the area where the college is located serves as a Chairman of the GB by default. This is an emergency arrangement in absence of Chairperson. One group of teachers found the role of the TNO/DC as conducive to overall development of the college, while another group of teachers found the role unsatisfactory.

Those who expressed dissatisfaction about the role of UNO/DC, as a Chairman of the GB in absence of nominated Chairperson, were of the view that while a local Civil

Servant holds the office of Chairman of the GB, the college does not make much progress; in contrast, who expressed satisfactory were of the view that, as long as a DC or an UNO held the office of Chairman of the GB, the college runs relatively better. In FGD 3 a participant stated:

“My college is located in a remote area where an UNO serves as Chairman of the GB. Being a person in local administration, he remains busy with his routine local administration and barely has time to think of the development of my college. Being an UNO, he even cannot attend GB meeting on time but given decision being influenced by the Member-Secretary or some influential GB member(s) of the GB.”

Another teacher stated In FGD 4, a participant stated:

“...currently in my college, an UNO serves as the Chairman of the GB, and previously, the local MP was the Chairman. I served the GB as a teachers’ representative for four consecutive terms, and noticed that currently regular meeting of the GB does not take place.”

In the same FGD another participant remarked:

“...in my college currently, an UNO serves as Chairman of the GB. He is holding the position of Chairman of three private colleges simultaneously and we find him useless. He attends late in the meeting and leave early meeting early having remuneration.”

Another type of opinion emerged from the FGD 3 :

“In my college a DC serves as Chairman of the GB. He manages the administrative and financial matters of the college fairly. On other hand, while a political leader was in the Chairmanship, he failed to manage affairs of the college fairly. Under the latter condition, a principal of a non-government college remains loyal to the Chairman and always tries to serve the interest of the Chairman being drifted away from the idealistic view.”

7.2.2. The role of Principal as Member-Secretary

A GB administers the administrative, financial, and personnel affairs of a non-government college according to the regulation of the National University Bangladesh, where being a Member-Secretary of the GB by default, a principal of the college calls for

meeting, presents agenda and prepares the proceedings of the meeting. According to the regulation, the Member-Secretary must serve a notice at least seven days prior to the scheduled date of a meeting to be held. It is expected that in the meeting, the members of the GB will discuss issues openly, being free from any intimidation, and upon discussion a decision will be adopted. In the FGD 2, (with the principals of the non-government college), one principal from a women college located in Tangail stated that:

“In my college the Chairman of the GB is very cooperative. I generally communicate with him over mobile phone, whenever it is required, and thereafter take instruction(s) to run my college accordingly.”

Although the statement presents a cordial relationship between the Member-Secretary and the Chairperson of the GB, this also corroborates the evidence of lack of formal meeting of the GB. In fact, the statement unleashes the supremacy of the Chairperson and the Member-Secretary in the decision-making process.

In the FDG 3 (with the teaches of the non-government colleges held in Tangail), one teacher made the statement that:

“.....actually, the principal and the GB Chairman are the decision makers. Being a teacher representative in the GB meeting, my voice never reaches to the Chairperson, we are only listeners. Sometimes, the Chairperson remains absent in the GB meeting, but decisions are taken as per the desire of the Chairperson. The principal only executes the Chairperson’s desires, There are cases where signatures are collected from the guardian representatives (who are members of the GB) visiting their doorstep although they remained absent....”.

However, one principal expressed a different view :

“As a principal of the college, I often fail to bring on board any agenda, due to lack of space in the meeting. Outside the meeting, we receive much support from the Chairperson of the Governing Body. Whenever, any issue arises I talk to the Chairperson of the GB over phone to receive direction for further action”.

The fact emerged is that in any meeting, the members of the GB other than the principal barely express different opinions or disagreements because the potential harm to his/her services may be inflicted by either the Chairman or the Member-Secretary. A participant in the FGD expressed the feeling that

“...Serving under the rule of GB as a teacher in a non-government college, is tantamount to serving under duress, where teachers do not have any self-esteem and social prestige.”

In FGD 4, one participant made the statement that

”In the GB meeting, if any teacher representative expresses difference of opinion, he/she find himself/herself in the odd side of the principal and often face troubles like show cause letters on silly grounds ”.

7.2.3. The role of other members

The role of other members of the GB except one or two influential members appear tacit in the decision-making process. One participant in the FGD 4 stated that:

“ In my college, an UNO serves as the Chairman of the GB. Being an UNO he remains busy with daily local administrative work; hence he finds no time to think of the college. Using the ignorance of the UNO, one DG (DSHE) representative who is also an influential member of the GB, misguides the Chairman about taking decision about matters that favour the member himself. As other members of the GB such as the parents’ representative often do not understand the management of the academic institution, they abstain from disturbing the influential member.”

In the GB meeting, teachers’ representative barely has the chance to talk and does not participate in the decision-making process. In the FGD 4, one participant stated that

“....I was in the GB as a member under the category of teachers’ representative, but I could not talk in the GB meeting openly and even did not have the chance to read the meeting resolution thoroughly afterward.”

Another participant stated that

“....in the last 15 years I worked in the GB and experienced that the GB does what a principal desires, and the other members of the body do not play the due roles.”

7.2.4. Constitution of the GB:

According to the NU regulation, a GB consists of 15 members, where there is provision for two members from a group of students' guardians and three members from a group of persons interested in education. In addition, one member in the GB is nominated by the NU VC, one member is nominated by the DG of the DSHE and one member is nominated by the Chairman of the Education Board. The irony is under the students' guardian category and persons interested in education category there is no minimum education qualification.

The members nominated under the category of persons interested in education are loyal to either the Chairperson or the Member-Secretary of the GB because they are selected as per desire of the Chairman or the Member-Secretary. In this regard, in FGD 3 one participant stated that:

“In this college, since the assumption of office by the current principal, I have noticed the same faces in the GB under the persons interested in education category. The reason is, having consultation with the Chairperson, the principal sends lists of three persons to be hired as a member of the GB under the category of 'persons interested in education' by the concerned authority. Based on the proposal, the authority makes a choice of one out of three without making proper investigation about the person to be nominated.”

In FGD 3, another participant stated that:

“Under the guardian category, there is a provision for two members in the GB. Here, the two members are elected by the guardians through the process of election. Nowadays, a guardian who is genuinely interested in education never likes to take part in election. Those who like the process of election are not genuinely interested in education. While a person from the latter group comes to the GB they start advocating for fund to be allocated for the so called internal development activities rather educational activities;

and resort to unethical means to generate rent⁵. They create obstruction rather than cooperation in the academic activity of a college.”

In FGD 4, one participant stated that:

“My college is located in a rural area, and in the GB there is a member of the GB who is illiterate and a TV mechanic by profession. Being a member of the GB from the group of students’ guardians, he desires that teachers will serve him, otherwise he becomes angry and makes complain against the teacher to the GB. Hence, I feel, there must be a requirement of minimum academic qualification to become member of the GB from the group of students’ guardian group.”

Similar opinion was expressed in other FGDs too. For instance, in FGD 2, the participants (principals) were of the view that to be qualified as a member under two categories – students’ guardian and persons interested in education – an aspirant candidate must be a graduate or have an equivalent academic degree.

The Chairman of the GB is appointed by the NU. Under the current regulation of the NU, a Member of Parliament is disqualified to hold the office of the Chairperson of the GB. Although the local MP cannot hold the office of the Chairman, participants in FGD 3 and FGD-4 thought that the influence of the local MP always prevail in appointing the Chairman. In FGD-3 one participant stated:

“....without the nomination of the Member of Parliament of the area where the concerned non-government college is located, one cannot serve as a Chairperson of the GB. Therefore, it is immaterial that a MP has the qualification to hold the office of the GB. The shadow influence of the local MP always prevails there. Hence, we often notice a dictator-like behaviour by the Chairperson of a GB”.

7.2.5. The role of GB in recruitment

One of the key responsibilities of the GB is to hire and fire teaching and non-teaching staff. For new recruitment, the GB opens circular, but it is alleged that the actual appointment process is far from fair. In FGD 4, one participant stated that, “....in my

⁵ By the term ‘rent’ here it is meant to generate extra income (or money) not corresponding to extra work. This is a soft term use to mean ‘financial corruption’.

college previously the Governing Body was engaged in “niog banizzo” (recruitment trade), now the body is dissolved by the NU and there is no governing body”. In the same FGD another participant stated that

“....in a degree college, I stood first in the recruitment test for the position of lecture (MPO post) but could not get appointment because I could not give money . Later I gave interview in the current honours college for a lecturer position where there was no MPO, and got the appointment without money”.

Another participant in FGD 3 stated that

“in my college, there are 108 teachers and 20-22 employees. Out of them 64 teachers do not receive any salary subvention from the government, while the GB recruits these teachers, the members of the GB takes bribe from these teachers luring them opportunity under MPO in the future”.

Thus, the employment of teaching and non-teaching staff is a source of financial corruption.

7.2.6. The role of GB in financial management

Students fees are key sources of non-government colleges’ operating revenue. Students pay tuition and other fees, and a portion of the total payment is expected to be spent for extracurricular activities that are directly linked with the students’ welfare. It is learned from the FGDs that fund raised by the college is rarely spent for extracurricular activities; instead the funds are diverted to spend for the development activities of the colleges.

One participant stated that “...in the last five years in my college I have not seen any event like annual sports, excursion, and cultural competition...”

One of the key issues emerged from the FGD that all sorts of funds raised by the non-government colleges are not deposited in the bank. A portion of the funds remains cash-in-hand, a portion is deposited in the principal’s personal bank account, and a portion is deposited in the college’s bank account. Revenue that is remained as cash-in hand is used by the GB members as they deem necessary.

One participant stated:

“.... there is evidence that the principal of the college has travelled to Gazipur National University on weekend. And for the travel, the principal has taken advance from the cash department of the college using slip only and adjusted within a month submitting voucher(s) against the advance. The justification of the travel and authenticity of the voucher(s) is/are never verified.”

In this regard, one participant noted that

“while I served as a member of the GB, on numerous occasion I was told to put my signature on the vouchers. I was bound to sign the vouchers without going through it in detail.”

It is alleged that the majority non-government colleges do not pay teaching and non-teaching staff as per the NU regulation. We learned that the given phenomenon occurs because the colleges do not have adequate operating revenue\, but because the GB prefers to divert the fund from recurring expenditure to development expenditure, where there is scope to embezzle fund using false vouchers.

One participant made the statement:

“ After having working in the college for the last one decade, I have not received any salary and fringe benefits from the college. What I have received is salary subvention that is a partial payment as MPO-listed teacher. Moreover, there is no accountability regarding the revenues received as fees from the students.”

One participant stated:

“The college where I work, does not pay as much as it is supposed to pay, not because the revenue income of the college is low but because of development expenditure. Had the GB not spent the revenue for the so-called college development, my college would have paid teaching and non-teaching staff as per regulation.”

Another participant noted:

“In my college, the Chairperson of the GB is UNO/DC for long. Being a teacher of the college, I receive my salary and benefit from the government as per provision. As our college is small, income of the college is low. Whatever is raised from the college is spent for the college development”.

Auditing financial transactions is a useful tool in the hand of the authority to maintain check and balance of financial transactions. We learned that financial auditing in non-colleges is a very irregular work. There is some provision of quarterly auditing that is performed under the close supervision of the principal of the college. In FGD 3, one participant stated:

“In my college, auditing financial transaction is never taken place regularly, what is done is carried out under the close supervision of the principal. An independent auditing has never been realized in my college”.

In FGD 4, another participant stated that *“statement of income and expenditure of my college is never ever presented to the GB meeting for through scrutiny.”*

8. Reviewing the Nationalization Policy

8.1. Nationalization policy

Nationalization of the non-government colleges is a unique public initiative in Bangladesh although there is no guideline regarding the government policy document. Since the independence, all subsequent governments have been implementing policy on *ad hoc* basis whenever demand for nationalization arises. The demand springs from the fact that the pay and other benefits of teaching and non-teaching staff of the non-government colleges are inadequate. . Of late, the current government has nationalized around 291 non-government colleges. Through nationalization, the teaching and non-teaching staff look for a guarantee uninterrupted supply of salary and other benefits from the government exchequer.

It is assumed that the non-government educational institutions (both schools/colleges/madrasahs) are beset with financial crises that hamper the achievement of missions and visions of an educational institution. A common perception amongst the teaching communities is that nationalization ensures uninterrupted supply of resources and thus ensure opportunity of higher studies. However, beside the opportunity some challenges are created too. This includes loss of autonomy, disruption of sustainable supply of academics, lack of faculty accountability and absence of social responsibility among the local communities. In some instances, the challenges outweigh the opportunities.

8.2. The effects of nationalization:

Loss of autonomy: After nationalization, the ownership of assets is shifted to the government, as a result, the college authority loses its control over resource management, which includes not only fund collection and disbursement, but also teacher deployment, posting and transfer. A government institution runs as if it is a government office, having no authority over its resource. As there is a legal barrier in place to receive donations or contributions from sources other than the government. The government institutions often

fail to diversify its sources that result in limited financial resources for students, which culminated in inadequate financial resource in the nationalized institutions at the end.

Other facts that have been emerged from the analysis of data include high student-to-teacher ratio in government colleges. An estimate has found that in a government college student-to-teacher ratio has been 90:1, and in a private college student-to-teacher ratio has been 43:1. That means, in a government college a teacher handles more students than a teacher does in a non-government college. Theoretically, it is believed that a small student-to-teacher ratio is always crucial for quality education. Henceforth, obviously, the non-government colleges are in an advantageous situation. The root cause of this problem is lack of authority of a government institution over teaching staff management as per its need. In contrast, a private institution can exercise its authority over hiring and firing teaching and non-teaching staff upon approval of its local governing body. Apart from hiring teaching staff, because of nationalization, a private institution loses its control over staff management too. For instance, while a non-government college located in a remote area is nationalized, the faculty and non-faculty members of the nationalized new colleges become accountable to central government rather than local governing body or local community. In the given situation, some teachers strongly lobbies to move out to a district-level college leaving the remote one where one was appointed due to teacher shortage.

Lack of accountability and social responsibility: A further challenge is the lack of accountability amongst teachers for teaching in their classrooms. With the nationalization of a private institution, it loses its control over its own teaching and non-teaching staff significantly. The authority is concentrated in the center i.e. either the ministry or its agency. In majority cases, local authority of a government institution cannot hold a teacher responsible for its duty or responsibility. If any teacher has a good connection with any political leader, the matter of accountability becomes very different. In the government colleges, there are instances that teachers take classes occasionally instead of regularly. In contrast, an authority of a private college can hold a teacher responsible for its duty to the students, the principal and at last the local Governing Body. A private education institution can do it because the institution can employ and fire its teachers within its legal framework, whereas a government institution cannot.

So, the challenges associated with the nationalization of non-government educational institutions is quite substantial as long as the supply of adequate resources is

concerned. Despite the given phenomenon, the nationalization of non-government educational institution has been a popular political agenda of all political government in Bangladesh because of a strong bondage between education policy and political maneuver. Taking into account the given issues, education policy makers should contemplate over some alternative(s) to mitigate the challenges so that, the country can achieve sustainable education goal by the year 2030.

8.3. Strategies for nationalization

Nationalization of higher education is in contrast with the current government's vision 2041. Perspective Plan 2021-2041 envisions more private sector participation in higher education alongside the government. Hence, to be consistent with the current government's policy objective, further nationalization of non-government colleges is discouraged.

Nationalization means living on public fund. As the main source of public fund is tax and non-tax revenue of the government, therefore, a prudent spending of public fund demands attention in all cases.

- Before the nationalization of a non-government college, any justification of the requirement of a government college requires careful consideration. Inadequate salary and benefit of non-college teachers and staff often appears as justification.
- Before nationalization, the size of local population per college may be considered so that the equity in the distribution of public fund can be achieved.
- Political lobbying for nationalization often turns into a breeding ground of corruption; hence the political consideration should keep aside regarding nationalization of non-government colleges.

8.4. Teachers' deployment in government colleges:

In the government colleges, teachers' posting/deployment is made by two agencies – the Directorate of Secondary, and the Higher Education (DSHE) and Secondary and Higher Education Division (SHED). There are two occasions when the deployment of teachers in the government colleges take place: public interest and self-interest.

Public interest means the interest of the republic. Here, the SHED undertakes the initiative and makes the deployment on behalf of the Honourable President of the Republic. On the other hand, self-interest means the interest of a teacher. Here, the teacher takes the initiative and expresses his/her interest in writing to the superior authority (here the Director General, DSHE or Secretary). Teacher Transfer/Posting Regulation 2020 regulates government college teacher's deployment across the country. Considering the terms and conditions narrated in the Government College Teacher Transfer/Posting Regulation 2020, the concerned authority takes a decision about teachers' deployment.

Regarding the deployment of teachers in Dhaka and other metropolitan areas a committee headed by an Additional Secretary (College) of the SHED does the work. Other members of the committee are Joint Secretary (College-1), Director (DSHE), Deputy-1 (college), and Deputy Secretary-2 (college).

9. Major Findings

9.1. Multiple legal frameworks

Investigating relevant documents, we learned that the government and the non-government colleges are governed by 3 (three) different types of Service Rules, 2 (two) NU Regulations and 1 (one) Government Service Act. A key feature of the given Act and Regulations pertaining to the management of colleges is that Bangladesh Civil Service (Promotion) Rule (applicable to government college teachers) and National University Regulation regarding promotion of teachers do not align with each other. Another non-alignment is found regarding in the NU Regulation about transfer of government college teachers and the practice of SHED about government college teachers' transfer. For instance, regarding the deployment of teachers in honours and master's colleges, there are standing regulations of the NU; however, the regulations do not work in the government colleges because the government college and its academic staff are managed by either the ministry or the DSHE based on the government service Acts/Rules and or/Regulation.

As a custodian of higher education in Bangladesh, the University Grants Commission Bangladesh does not have mandate to regulate the management of colleges directly under the UGC Act, 1971. Thus, the management of government and non-government colleges is fragmented.

9.2. Absence of authorized organizational structure in colleges

After analyzing the NU regulations, it is found that the given regulations do not provide any organizational structure in the government and the non-government colleges. It is learned from the NU Act and Regulations, there is no administrative position like Head of the Department, Proctor, Administration Officer, Section Officer, Financial Officer. Although there are provisions of support staff like Head Clerk, Swipe, Gardener, Pion etc. Because of lack of administrative staff, administrative matter of a department (such as student admission and registration, fee collection and deposit etc) is managed by a faculty who is not supposed to do the job. Personnel administration lies with the Head Clerk who is a 3rd or a 4th class employee, and fully unaware of the service rules and regulations of an academic. Consequently, personnel administration is self-paced or self-managed at the central level. Furthermore, in absence of qualified financial manager, the work is often done by the Head Clerk or Cash Pion which often results in mismanagement of public funds in a government college.

As there is no position of the Head of the Department, it is customary that the most senior faculty of a department assumes the responsibility of the Head of the Department unofficially. Sometimes, a principal finds it difficult to handle affairs of the colleges. And, in some instances, a principal may apply absolute authority to manage affairs of the college.

9.3. Lack of balance of power in the decision making body:

Based on the opinions of the teachers who took part in the FGD, we learned that the Member-Secretary is unable to discharge his/her responsibilities according to the NU regulations. We further learned that in the decision making process, the Chairperson's decision is the final one. Neither the Member-Secretary nor any other members of the Governing Body, particularly teachers' representatives is able to contribute to the decision making process without intimidation.

Further evidence emerged from the FGD that the Member-Secretary barely manages academic matters of the college independently. Influential members⁶ of the

⁶By the word 'influential members' we mean members who have influence in the community.

Governing Body often infringe upon the role and responsibility of a principal in academic matters like student admission.

Teachers participated in the FGD unanimously agreed upon the fact that in the majority case, the Member-Secretary and the GB Chairperson take decision jointly before the meeting is held, and the decision(s) are communicated with other members of the GB members only. However, the finding contrasts with the findings emerged from the FGD of principals.

Based on the FGD, we learned that in some non-government colleges the GB meeting is merely a paper work prepared by a Member-Secretary, where the other members of the GB are instructed by the principal to acknowledge their presence putting their signature on the Attendance Sheet.

9.4. Academically unqualified members in the Governing Body

Based on the opinions of the teachers took part in the FGD, it is learned that the role of governing body as a whole in good governance and management is laudable in non-government colleges. Since there is pre-requisite minimum academic qualification to become a member of a Governing Body under the category of students' guardian representative, often persons with no academic qualification are elected as members in the GB .

9.5. Lack of accountability and transparency in financial management

From the FGDs it is learned that in majority cases, in the government colleges, the management of students' welfare fund is not transparent, although managed by a committee. On numerous occasions, a student wing of the political party in power creates pressure on the committee to meet their illegal demand for money, thus causing mismanagement of fund by the committee.

According to the NU regulations, in the non-government colleges, GB is the key custodian of the college's assets and funds. It is learned from the FGDs that the GB does not manage college's accounts i.e. a statement of revenue collection and funds

disbursements with full accountability and transparency. In some colleges, financial transaction is often audited in a pre-managed way. In some non-government degree colleges, fund is embezzled by the GB members using false vouchers and statements of expenditures.

Other issues emerged from the FDG are: (i) Statement about income and expenditure of a college is not presented to the GB correctly (ii) faculties and staff do not receive non-government ratio of their benefits from the college fund as per the NU regulations.

9.6. Contrasting evidences about the efficacy of local administration

From the FGDs, a contrasting finding emerged regarding the role of an UNO or a DC as a Chairperson in the GB in absence of NU-nominated Chairperson. It emerged that some favour the role of an UNO or a DC as Chairman of the GB, while some participants do not. It is also learned that principal is the key player in the GB to make the GB functional. But often the expected role is not played by the principal due to collusion between the Chairperson of a GB and the principal of a non-government college.

9.7. Dysfunctional Board of Directors and Board of Studies of NU

It emerged from the FGD with Academics of the NU that, Board of Directors and Board of Studies are responsible for management of undergraduate and postgraduate schools of the NU. The members of the two bodies are drawn from academics of colleges and universities. Currently the bodies are dysfunctional leaving the administrations of academic matters of the schools upon the non-academic staff of the National University.

9.8. Lack of autonomy in government colleges

While non-government colleges have managerial and financial autonomy, government colleges do not have any autonomy. In terms of administration, the government colleges do not have control over personnel and financial matters.

9.9. Lack of financial sustainability in majority non-government colleges

The horizontal expansion of higher education opportunity has resulted in around 2300 general colleges of higher study affiliated with the National University. Some of these colleges are small in terms of student enrollment. In the beginning, a non-government college begins its operation based on a solid financial foundation; however, it does not last long because of poor enrollment. If the size of enrollment is low, small colleges cannot achieve financial sustainability relying on student fees only. Hence, after affiliation, small colleges are often engaged in raising revenue without giving adequate attention to quality education.

9.10. Some comparative perspectives

In Bangladesh, the UGC Act covers only ‘universities’ that are founded as ‘university’ under an UGC Act passed in the parliament. Being a guardian of higher education, in Bangladesh the UGC does not own higher studies in colleges outside of its jurisdiction. And, the government does not have any separate Act regarding the management of both government and non-government colleges uniformly. In India, the UGC Act recognizes tertiary colleges as ‘deemed university’ and covers the foundation and management of colleges and universities uniformly. In India the University Grants Commission Act is the founding legal framework of the management of higher studies in colleges and universities. The Act is equally application to both colleges and universities including other higher study institutions are defined as ‘deemed University’.

In India the University Grants Commission Act 1956 does not separate a college from a university for the purpose of the UGC Act, thus making a uniform law for higher education across India. The Indian University Grants Commission Act 1956 unequivocally recognises any institution of higher study, including colleges as “University” for the purpose of the Act. According to the given Act *“any institution for higher education, other than a University, shall be deemed to be a University for the purposes of this Act”* (Chapter I, Article 3).

As a result, the affiliated colleges that offer higher education are within the jurisdiction of the Indian UGC Act that serve as the main foundation of uniform management of higher education across India. In contrast, in Bangladesh, the legal framework of higher studies is fragmented.

However, in India the management of each college and university is governed by the state government act. Each state has its own Act that is applicable to colleges and university uniformly. As a result, in India, a governing body operates in both government and non-government colleges. The structure of the governing body is given in the state government act; hence the structure of the governing body is uniform in all colleges of higher study across India. For instance, the West Bengal Universities and Colleges (Administration and Regulation) Act, 2007 and West Bengal College Service Commission Act, 2012 are worth mentioning. The West Bengal Universities and Colleges (Administration and Regulation) Act, 2007 is applicable to all colleges and

universities equally across the West Bengal. In India, public universities, including the National University have legal authority not only to affiliate colleges of higher studies and to conduct examination for degree, but also do other activities such as to making rules and regulations regarding college affiliation, governing body constitution, and conditions of services of teachers of non-government colleges .

10. Policy Recommendations

10.1. Revisiting legal framework, including NU regulation of affiliation

- It is recommended an umbrella Act to regulate the foundation and operation of a tertiary college should be enacted. In the UGC Act, a college may be defined as a ‘deemed university’ and thus, the UGC can expand its jurisdiction of management to colleges. In addition, it is recommended to revisit the current NU regulations regarding affiliating colleges to disconnect the provision of foundation of a college of higher study from a college of higher secondary study. In this case, the college of higher study may be recognised as ‘College’ while the college of higher secondary study may be recognised as ‘Higher Secondary School’.
- Academics who will be employed for teaching in the affiliated colleges of higher study will not be engaged in teaching at higher secondary level. Any teacher recruitment policy for colleges of higher study should be close to the policy of a public university.
- It is recommended that ‘the NU Regulation Regarding Affiliation of Colleges of Higher Study’ should be revised. In this regard, a precondition like ‘successful operation as intermediate college for 3 (three) years before an application for affiliation as a college of higher study’ should be removed.
- Furthermore, a coordination body should be formed consisting MOE, DSHE, UGC and NU officials to maintain liaison with the government agencies like the ministry or the DSHE regarding the formulation of NU regulation(s).
- Existing provisions regarding the promotion of government college teachers should be revised, incorporating M.Phil. and Ph.D. degree and research publication in journal as preconditions for qualification for promotion.

10.2. Developing organizational structure in colleges

It is strongly recommended that an internal organizational structure of a college in the NU regulation should be incorporated. In this regard, a flow chart showing posts like Principal, Vice-Principal, the Head of the Department, Proctor, Section Officer, Finance and Budget Officer and the horizontal and vertical relationship amongst the positions. The task may be accomplished by enacting a new Act or may be accomplished by the Executive Orders and the subsequent Government Gazette Notification.

As a Governing Body has not been working in government colleges, some committees/bodies such as Teachers Council ~~Committee~~, Audit Committee, Finance and Budget Committee may be constituted by the Executive Orders of the government.

10.3. Revising NU regulations about Governing Body

First, current default arrangement of appointing an UNO or a DC as Chairperson of a Governing Body where there is no nominated Chairperson by the NU may be revisited. It is recommended that a provision should be made regarding the appointment of an eminent academician as Chairperson of a Governing Body . . However, in case where there is no Chairperson, appointing an UNO or a DC as Chairperson of a Governing Body may be considered for meeting the emergency academic administrative needs of the college.

Secondly, it is also recommended that educational qualifications of members of the governing body who are nominated by organization other than the NU should be revisited. Minimum academic qualification of a member of the Governing Body irrespective of member's categories should be a Bachelor degree.

Thirdly, it is desirable to replace the current 2-year tenure of the governing body by the 3-year tenure. The tenure of the governing body should be 3 (three) years to make it more effective.

Fourthly, in order to ensure space in the Governing Body, the power the Governing Body in hiring and firing a teaching staff should be revisited. A commission may be launched with full authority to hire and fire teachers and principals in non-government colleges. The system is believed to be useful to maintain and a corruption free fair selection, and thereafter unintimidated works in the Governing Body by the members. Finally, the regulations of the GB should be revisited to make it more

functional. To deal with the allegation against a teacher/vice-principal/principal of a college a 3 (three) member committee comprising of a principal of a nearby college of the same rank and two elected teacher members of the host college may be constituted to collect the prima facie evidence. However, if the recommendations of this committee deserve further inquiry, the present course of action recommended in the regulations of the university may be followed.

10.4. Making the Board of Directors and Board of Studies active

As per the current provision of the NU Act, the Board of Directors and Board of Studies should be active so that the academics are engaged in the management of administrative as well as academic matters of the colleges instead of non-academic staff of the NU.

10.5. Strengthening the monitoring capacity of the National University

In order to oversee the activities of the colleges, including the efficacy of the governing body, it is recommended that the Office of the Inspector College of the National University Bangladesh should be strengthened. Alternatively, the regional centers of the National University may be given the responsibilities of monitoring. Moreover, provisions for regular online monitoring should be taken into consideration so that the college administration cannot escape good practices for academic development of the students.

For effective academic monitoring, the National University should have a good number of teachers in its own campus. But, as is indicated in the NU Budget Report of 2018-2019 financial year, only 82 teaching posts are there out of 1228 posts of employees of all categories at the NU. The report also mentions 597 posts of officers and 550 posts of other supporting employees (National University, Budget Report 2018-19, p.21). This however gives us the clue as to what hampers the monitoring of colleges and quality of education in colleges. The organizational structure of the NU should be revised, and the number of teachers should be increased surpassing the number of non-teaching officers and staff.

10.6. Making arrangement for resource sharing

Since the majority of the private colleges of higher study are very small in size in terms of students' enrolment, it is not easy to achieve financial solvency. Colleges may share resources with each other, and thus can overcome the problems associated with resource constraints. However, overcoming the problem may not result in a turnaround unless the new leadership cannot ensure operational effectiveness in terms of efficient use of resources. Finally, a high level commitment is required at the college level, so that everyone feels that their college can do something worthwhile to the community where the college is located.

10.7. Controlling the expansion of higher study in colleges systematically

Experts are of the view that the NU is facing difficulties to manage the affiliated general and professional tertiary level colleges. Halting further expansion of tertiary colleges under the NU is recommended.

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