734



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 734

Introduced by REP. JUDY J. SYJUCO

EXPLANATORY NOTE

The Philippine Constitution unequivocally provides that "the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all."

Further, our Constitution declares that the State shall establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.

In the case of the New Lucena Polytechnic College in New Lucena, Iloilo, there is a great need to provide access to public education to as many students as possible and to open more colleges and degree programs to address the growing need for education in various fields and disciplines. The upsurge in student population and pursuit of academic excellence in specific fields of specialization necessitate the birth of a state university.

This proposed measure seeks to address the situation by converting the New Lucena Polytechnic College in New Lucena, Iloilo into Iloilo State University (ISU). The compelling force to provide quality education at affordable costs through the conversion of the said College into a State University will produce professional and technical men, and specialists in many disciplines who will eventually stimulate socio-economic development in the Province of Iloilo.

In view of the foregoing situation, immediate consideration and approval of this bill is earnestly sought.

JUDY J. SYJUCO

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AN ACT
CONVERTING THE NEW LUCENA POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF NEW LUCENA, ILOILO INTO THE ILOILO STATE UNIVERSITY, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. There is hereby established a state university in the Province of Iloilo to be known as the Iloilo State University by converting the New Lucena Polytechnic College in the Municipality of New Lucena, Iloilo.

Section 2. The University shall offer undergraduate and graduate courses in arts, sciences, education, technology, agriculture, fishery, engineering, business, and other fields such as short-term vocational/technical courses that may be found to be needed and relevant. It shall also promote research, advanced studies, extension work and progressive leadership in each area of specialization. It shall also provide primary consideration through the integration of research/studies for the development of the Province of Iloilo.

Section 3. The University shall as well offer short technical courses within its areas of specialization and according to its capabilities, as the Board of Trustees may deem necessary to carry out its objectives, particularly in order to meet the needs of the province and the region.

Section 4. The University shall have the general powers of a corporation as set forth in the Corporation Law. The administration of the College and the exercise of its powers shall be vested exclusively in the Board of Regents and the President of the University insofar as authorized by the Board.

Section. 5. The governing body of the University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

(a) The Chairman of the Commission on Higher Education (CHED), chairman;

(b) The President of the College, vice-chairman;

(c) The Chairman of the Committee on Education, Arts and Culture of the Senate, member;

(d) The Chairman of the Committee on Higher and Technical Education of the House of Representatives or any Member of the House of Representatives designated by the Chairman of the said Committee, member;

(e) The Regional Director of the National Economic and Development Authority (NEDA), member;

(f) The Regional Director of the Department of Science and Technology (DPST), member;

(g) The president of the federation of the faculty associations of the College, member;

(h) The president of the federation of student councils of the College, member;

(i) The president of the federation of alumni associations of the College, member: and

(j) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the University, chosen from among a list of at least five (5) qualified persons in the Province of Iloilo, as recommended by the Search Committee constituted by the University President in consultation with the Chairman of the CHED, based on the normal standards and qualifications of the position, members.

The term of office of the president of the federation of faculty associations, the president of the federation of student councils, and the president of the federation of alumni associations shall be coterminous with their respective terms of office.

The two (2) prominent citizens shall serve for a term of two (2) years.

The present officers of the College shall be absorbed in the new set of officers of the University.

Section 6. The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Constitution on education, agriculture, science and

technology, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

Section 7. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines:

(a) To enact rules and regulations, not contrary to law, as may be necessary to carry our the purposes and functions of the University;

(b) To receive and appropriate all sums as may be provided, for the support of the University in the manner it may determine, in its discretion, to carry out the purposes and functions of the University;

(c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University, subject to limitations, directions and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor; and

(d) To fix the tuition fees and other necessary school fees and charges, such as, but not limited to, matriculation fees, graduation fees and laboratory fees, as it may deem proper and reasonable to impose after due consultations with the involved sectors.

Such fees and charges, including government subsidies and other income generated by the University, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the University from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the University, and may be disbursed by the Board for instruction, research, extension, or other programs/projects of the University: *Provided,* That all fiduciary fees shall be disbursed for the specific purposes for which they are collected.

If for reasons beyond its control, the University shall not be able to pursue any project for which funds have been appropriated and allocated under its approved program of expenditures, the

Board may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the University;

(e) To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;

(f) To authorize the construction or repair of its buildings, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;

(g) To appoint upon recommendation of the President of the University, vice-presidents, deans, directors and heads of departments, faculty members and other officials and employees of the University;

(h) To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;

(i) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;

(j) To set policies on admission and graduation of students;

(k) To award honorary degrees upon persons in recognition of outstanding contribution in the field of education, public service, arts, science and technology or in any field of specialization within the academic competence of the University; and to authorize the award of certificates of completion for non-degree and non-traditional courses;

(l) To establish and absorb non-chartered tertiary institutions within the Province of Iloilo as branches, centers, stations, etc., in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses to promote and carry out equal access to educational opportunities mandated by the Constitution;

(m) To establish research and extension centers of the University where such will promote the development of the latter;

(n) To establish chairs in the University and to provide fellowships for qualified faculty members and scholarships to deserving students;

(o) To delegate any of its powers and duties provided for hereinabove to the president and/or other officials of the University as it may deem appropriate so as to expedite the administration of the affairs of the University;

(p) To authorize an external management audit of the institution to be financed by CHED, and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;

(q) To collaborate with other governing boards of state universities and colleges within the Province of Iloilo and the Region, under the supervision of the CHED in consultation with the DBM, the restructuring of the University to become more efficient, relevant, productive, and competitive;

(r) To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the University, the proceeds from which shall be used for the development and strengthening of the same;

(s) To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign in furtherance of the purposes and objectives of the University;

(t) To develop academic arrangements for institution capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts/specialists as consultants, or visiting or exchange professors, scholars, researchers, as the case may be;

(u) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual system, open-learning, community laboratory, etc., for the promotion of greater access to higher education;

(v) To establish policy guidelines and procedures for participative decision-making and transparency within the University;

(w) To privatize where most advantageous to the University, management of non-academic services such as health, food,

building, grounds or property maintenance and similar such other activities; and

(x) To extend the term of the President of the University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous recommendation of the search committee for the president of the University.

Section 8. The Board shall regularly convene at least once every quarter. However, the Chairman of the Board may, upon three (3) days prior written notice, call a special meeting whenever necessary.

A quorum of the Board shall consist of majority of all members holding office at the time of the meeting: *Provided,however,* That the Chairman of the CHED or the President of the College is among those present in the meeting.

In the absence of the Chairman of the CHED, a commissioner of the CHED, duly designated by him, shall represent him in the meeting with all the rights and responsibilities of a regular member; Provided. However. That the chairman of the CHED may authorize a CHED commissioner as the regular chair of the Board, in which case said commissioner shall act as the presiding officer: *Provided, further,* That in the absence of the said authority, the President of the University as the Vice-Chairman, shall be the presiding officer.

The members of the Board shall not receive any salary but shall be entitled to reimbursements for actual and necessary expenses incurred, either in their attendance to meetings of the Board or in connection with other official business authorized by resolution of the Board, subject to existing laws and regulations.

Section 9. The University shall be headed by a President who shall render full-time service. He shall be appointed by the Board upon the recommendation of a duly constituted Search Committee. He shall hold office for a term of four (4) years, extendible only for another four (4) years.

In case of vacancy in the office of the president by reason of death, compulsory retirement, resignation, removal for cause or incapacity of the President to perform the functions of his office, the Board shall have the authority to designate an officer-in-charge pending the appointment of a new president.

In case of vacancy in the Office of the President as mentioned in the immediately preceding paragraph, his successor shall hold office for the un-expired term. If the successor shall serve for a period of more than two (years, then such shall be considered as one full term for the successor.

The powers and duties of the President of the University in addition to those specifically provided in this Act, shall be those usually pertaining to the office of the president of a similar college and those delegated by the Board.

The salary of the President of the University shall be in accordance with the Revised Compensation and Position Classification System and shall be comparable to that being received by other presidents of similar educational institutions of like enrollment and standing.

Section 10. There shall be administrative council consisting of the President of the University as Chairman, the vice-president(s), deans, directors and other officials of equal rank as members, and whose duty is to review and recommend to the Board policies governing the administration, management and development planning of the University.

Section 11. There shall be an academic council with the President of the University as Chairman and all members of the instructional staff, with a the rank of not lower than assistant professor, as member.

The academic council shall have the power to review and recommend curricular offerings and fix the requirements for admission to the University, as well as for graduation and the conferment of degrees, subject to the approval of the Board. It shall also have disciplinary power over students and shall formulate academic policies and rules and regulations on discipline, subject to the approval of the Board.

Section 12. The Board shall appoint a Secretary who shall serve as such for both the Board and the University and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

Section 13. The Treasurer of the Philippines shall be the ex-officio treasurer of the University.

Section 14. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

Section 15. In order to ensure the smooth transition to a state university, the incumbent head of the New Lucena Polytechnic College shall serve as the officer-in-charge of the University, subject to the provisions of Section 9 of this Act.

Section 16. All assets, fixed and movable, personnel and records of the New Lucena Polytechnic College and the Leon National College of Agriculture, as well as liabilities or obligations are hereby transferred to the University: *Provided, however.* That the positions, rights and security of tenure of personnel employed therein under existing laws prior to its conversion into a state university are not impaired; *Provided, further.* That the incumbents of existing positions shall remain in the same status until otherwise provided by the Board.

All parcels of land belonging to the government and occupied by the New Lucena Polytechnic College and the Leon National College of Agriculture are hereby transferred to and declared to be the property of the Iloilo State University and shall be titled under its name; Provided. That should the University cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the University, the same shall revert to the Province of Iloilo.

Section 17. Heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the President of the University, such apparatus, equipment or supplies as may be needed by the University, and to detail employees for duty therein when, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without detriment to the public service. Employees so detailed shall perform such duties as required of them by the President of the University, and the time so employed shall be counted as party of their official service.

Section 18. On or before the fifteenth (15^{th}) day of the second month after the opening of the regular classes each year, the President of the University shall file with both Houses of Congress a detailed report on the progress, condition and needs of the University.

Section 19. The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the New Lucena Polytechnic College and the Leon National College of Agriculture. Thereafter, such as may be necessary for the continued operation and maintenance of the Iloilo State University shall be included in the annual General Appropriations Act.

Section 20. Within a period of one hundred twenty (20) days after the approval of this Act, the University shall accomplish the following:

(a) Submit a five (5) year development plan including its corresponding program budget to the CHED for appropriate recommendation to DBM;

(b) Undergo a management audit in cooperation with the CHED; and

(c) Accordingly set up its organizational administrative as well as academic structure, including the appointment/designation of college key officials.

Section 21. The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997" shall form an integral part of this Act and together shall serve as the governing charter of the University

Section 22. All other powers, functions, privileges, responsibilities and limitations to state colleges and/or its officials under existing laws shall be

deemed granted to or imposed upon the University and/or its officials whenever appropriate.

Section 23. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 24. This Act shall take effect upon its approval.

Approved.