Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

13th Congress
First Regular Session

HOUSE BILL NO. 782

Introduced by Congressman Harlin Cast. Abayon

EXPLANATORY NOTE

The fundamental law mandates 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. This has been manifested by the fact that the government today is working to bring learning institution nearest to the people, that is in view of legal mandate as regards accessibility of education. Moreover, the Philippine Educational System has been adapting, implementing and innovating educational politics to meet the challenges of our technological times. Higher education, it has been said, shall give life to the Philippine goal of (1) international competitiveness, and (2) people empowerment, along the lines of quality, efficiency and equity. College education would have to give freedom to its studentry and faculty to seek their just and appropriate contribution towards this end.

In line with the program of government for the dispersal of higher institution to the depressed areas, the attached bill seeks to convert the San Isidro Agro-Industrial School in the Province of Northern Samar into a state collage, to be known as San Isidro Polytechnic State College.

The conversation of the San Isidro Agro-Industrial School is responsive to the mandate of quality education, that is education of high academic standards; affordable education, which means, education that is financially within the reach not just of the wealthy; and education that is relevant to the needs of the people and society.

The nearest state college, the UEP, is 69 kilometers away and students from the Municipality of San Isidro and surrounding municipalities could not afford the cost of education in a far away college due to transportation expenses and other incidental expenses.]

In view of the foregoing, approval of the attached measure is earnestly requested.

HARLIN CAST. ABAYON

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AN ACT
PROVIDING FOR THE CONVERSATION OF THE SAN ISIDRO AGRO-INDUSTRIAL SCHOOL IN THE PROVINCE OF NORTHERN SAMAR INTO A POLYTECHNIC STATE COLLEGE, TO BE KNOWN AS SAN ISIDRO POLYTECHNIC STATE COLLEGE, AND APPROPRIATING FUNDS THEREFOR.

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

SECTION 1. *Title.* – The San Isidro Agro-Industrial School in the Province of Northern Samar is herby converted into a state college, to be known as the San Isidro Polytechnic State College.

SECTION 2. *Objectives.* – The College shall primarily give professional and technical training both in the undergraduate and the graduate levels in the fields of economics, agriculture, fishery, trade, home industry, engineering (Civil, mechanical, electrical, computer, electronics and communications), education, forest research and conversation, management, finance, accounting and business administration, public administration, information technology and other fields as may be relevant, besides providing for the promotion of scientific and technological researches which the College deems necessary in carrying out its objectives.

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education: *Provided,* That this high school shall be allowed to remain and operate within the campus of the College until it shall have been transferred to another location, or until its students shall have been accommodated in other public or private high schools: *Provided, further,* That the College may operate a reasonably sized laboratory school if it has a college of education.

SEC. 3. The College shall offer undergraduate, graduate and short term technical courses within its area of specialization as the Board of Trustees may deem necessary to carry out its objectives, in order to meet the needs of the town.

SEC. 4. *The Governing Board, Manner of Appointment; Composition.* – (a) *Composition* – The governing body is hereby vested in the Board of Trustees which shall be composed of the following:

(i) Chairman of the Commission on Higher Education (CHED), Chairman
(ii) President of the College, Vice-Chairman;
(iii) Chairman of the Senate Committee on Education, Arts and Culture, Member;
(iv) Chairman of the House Committee on Higher & Technical Education, Member;
(v) Regional Director, Region VIII,. of the National Economic and Development Authority (NEDA), Member;
(vi) Regional Director, Region VIII, of the Department of Science and Technology (DOST), Member;
(vii) President of the faculty association, Member;
(viii) President of the supreme student council or the student representative elected by the student council: *Provided,* that in the absence of a student council president or student representative elected by the student council, the College shall schedule one (1) week for the campaign and election of a student representative, Member;
(ix) President of the alumni association of the College, Member; and
(x) Two (2) prominent citizens who have distinguished themselves in their profession or fields specialization chosen from among a list of a least five (5) persons qualified in the province where the school is located, as recommended by the search committee constituted by the President in consultation with the chairman of the CHED based on the normal standards and qualifications for the position.

(b) *Term of Office.* – The p[residents of the faculty and alumni associations and the student regent or trustees shall sit in the Board until the expiration of their term of office in such capacities.

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

(c) *Meetings; Quorum* – The Board of Trustees shall regularly convene at least once every quarter. The chairman of the Board of Trustees may call a special meeting whenever necessary: *Provided,* That members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: *Provided,* That the chairman of the CHED who is the chairman of the Board 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 in the said meeting, the president of the College as vice-chairman shall be the presiding officer: *Provided, further,* That this proviso notwithstanding, the chairman of the CHED is hereby authorized to designate a CHED commissioner the regular chair of the Board of the College, in which case said CHED commissioner shall act as the presiding officer.

The members shall serve without compensation, but they shall be reimbursed for necessary expenses incurred in their attendance of meetings of the Board or in connection with their official business authorized by resolution of the Board.

SEC. 5. *Powers and Duties of Governing Board.* – The governing board shall have the followings 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 Philippine.

(a) To enact and regulations not contrary to law as may be necessary to carry out the purposes and functions of the College;

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

(c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds, to administer and dispose the same when necessary for the benefit of the College, subject to limitations, directions and instructions of the donors, 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 charges, such as but not limited to matriculation fees, graduation fees and laboratory fees, as their respective boards may deem proper to impose after due consultations with the involved sectors.

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

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

If, for reasons beyond its control, the College shall not be able to pursue any projects for which funds have been appropriated and allocated under its approved program of expenditures, the board of Trustees may authorized 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 College:

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

(f) To authorized the construction or repair of its building, 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 College through the Board of Trustees shall be exempt from all taxes and duties;

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

(h) To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the revised compensation and 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 the 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 specialization within the academic competence of the College and to authorize the award of certificates of completion of non-degree and nontraditional courses;

(l) To absorb non-chartered tertiary institutions within the province in coordination with the CHED and in consultation with the Department of Budget and Management, and to offer therein needed 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 College where such will promote the development of the latter;

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

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

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

(q) To collaborate with other governing boards of state universities and colleges within the cities/province or the region, under the supervision of the CHED and in consultation with the Department of Budget and Management, the restructuring of said collages and universities 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 College or institution, the proceeds from which to be used for the development and strengthening of the College;

(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 College;

(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 Colleges;

(w) To privatize, where most advantageous to the College, management and nonacademic services such as health, food, building or grounds or property maintenance and similar such other activities; and

(x) To extend the term of the president of the College beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding.

SEC. 6. *Promulgation and Implementation of Policies.* – The governing board shall promulgate and implement policies in accordance with the declared state policies on education and other pertinent provisions of the Philippines Constitution on education, science and technology, arts. Culture and sports as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

SEC. 7. *The Administration.* - The administration of the College shall be vested be appointed by the Board of Trustees, upon the recommendation of a duly constituted search committee. He shall have a term of four (4) years and shall be eligible for reappointment for another term.

The president shall be assisted by a vice-president for academic affairs who shall be appointed by the Board upon the former's recommendation without prejudice to the appointment of more that one vice-president when so warranted.

In case of vacancy by reason of death, 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 unexpired term.

SEC. 8. *The Secretary of the College.* – The Board shall appoint a secretary, who shall serve as such for both the Board and the College and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

SEC. 9. *The Treasurer of the Philippines.* – The Treasurer of the Philippines shall be the ex-officio treasurer of the College.

SEC. 10. *Administrative Council.* – There shall be an administrative council consisting of the president of the College as chairman, the vice-president(s), deans, directors and other officials of equal rank as members, and whose duly is to review and recommend to the Board of Trustees policies governing the administration, management and development planning of the College for appropriate action.

SECTION. 11. *Academic Council.* There shall be an academic council with the president of the College as chairman and all members of the instructional staff with a rank of not lower than assistant professor as members.

The academic council shall have the power to review and recommend the curricular offerings and rules of discipline of the College subject for appropriate action of the Board of Trustees. It shall fix the requirements for the admission of students as well as for graduation and the conferment of degrees subject to review and/or approval by the Board of Trustees through the president of the College.

SECTION. 12. *Academic Freedom.* – Pursuant to paragraph 2, Section 5, Article XIV of the Constitution of the Republic of the Philippines, all institution of higher learning, public or private, shall enjoy academic freedom and institutional autonomy.

SECTION. 13. *Admission.* – No student shall be denied admission to the College by reasons of sex, nationality, religion, political affiliation or physical disability.

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

SECTION. 15. No member of the faculty of the College shall attempt directly or indirectly, under penalty of dismissal by the Board of Trustees, to influence students or any person in the College towards any ideology, political or otherwise, which agitates the throw of the duly constituted government.

SECTION. 16. The appointment of the officer-in-charge of the College pending the appointment of the President by the Board upon its composition shall be made by the Commission on Higher Education (CHED).

SECTION. 17. On or before the fifteenth (15^{th}) day of June of each year, the Board shall file with the President of the Philippines a detailed report, setting forth the programs, conditions and needs of the College.

SECTION. 18. All accounts and expenses of the College shall be audited by the Commission on Audit or its authorized representative.

SECTION. 19. 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 character of the College.

SECTION. 20. The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the president of the College, such