

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Thirteenth Congress
First Regular Session

HOUSE BILL NO. 2562

Introduced by Honorable Isidoro E. Real, Jr.

EXPLANATORY NOTE

Section 2 (1), Article XIV of the Constitution states 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".

Pursuant to the foregoing constitutional mandate, this bill seeks to convert the Zamboanga del Sur School of Arts and Trades (ZSSAT) in Pagadian City, Province of Zamboanga del Sur, into a state college to be known as the Zamboanga del Sur Polytechnic College.

The Federated Parents, Teachers and Community Association (FPTCA), Teachers and Employees Association (TEA) and the Supreme Student Council (SSC) of the Zamboanga del Sur School of Arts and Trades have one thing in common, and that is, their objective for the advancement of the youth towards becoming more versatile and dynamic citizens. These organizations have convened to resolve the seemingly perennial issue on the proposed degree program offerings in which the vocational and technical students can avail only of the unbudgeted two-year technical post-secondary course offerings of the ZSSAT.

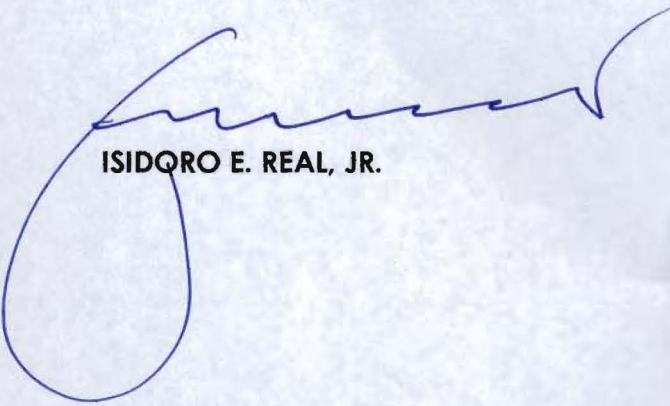
Currently, the Zamboanga del Sur School of Arts and Trades carries an annual budget good only for the secondary curriculum offering. It is the only government school in Region IX which is strategically located within the industrial and commercial belts of the Province of Zamboanga del Sur. It is conveniently situated in the junction routes to Ozamis City in the North; Iligan City in the East; Cotabato City in the South; and Zamboanga City in the West. The area of influence of the school is so wide that it covers ninety percent (90%) of the municipalities of the province.



The proposed Zamboanga del Sur State College will be located on ZSSAT's present five-hectare school site plus a three-hectare government reservation adjacent to its site which has been earmarked for future expansion. ZSSAT meets the requirements for conversion in terms of land area, qualified faculty line-up and library holdings.

The conversion of the ZSSAT into a state college shall benefit the Province of Zamboanga del Sur by providing educational opportunities for its student population at less expense. Moreover, it will supply skilled and technical manpower resources of the various industrial and commercial establishments in the said province and help accelerate economic development and improve the standard of living of the people therein.

In view of the foregoing, approval of this bill is earnestly requested.



ISIDORO E. REAL, JR.

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AN ACT
CONVERTING THE ZAMBOANGA DEL SUR SCHOOL OF ARTS AND TRADES IN
PAGADIAN CITY, PROVINCE OF ZAMBOANGA DEL SUR, INTO A STATE
COLLEGE TO BE KNOWN AS THE ZAMBOANGA DEL SUR POLYTECHNIC
COLLEGE, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. The Zamboanga del Sur School of Arts and Trades in Pagadian City, Province of Zamboanga del Sur, is hereby converted into a state college to be known as the Zamboanga del Sur Polytechnic College, hereinafter referred to as the College.

SEC. 2. The College shall primarily provide secondary and higher vocational, professional, scientific and technical education. It shall also promote research, advance studies, and progressive leadership in the fields of trade, industrial, scientific, and technological education.

SEC. 3. The College shall offer undergraduate and graduate courses in the fields of agriculture, forestry, engineering, arts and sciences, and non-degree courses as the Board of Trustees may deem necessary to carry out its objectives. It shall also offer opportunities in short-term technical or vocational courses within its areas of specialization to meet the needs of the nation.

SEC. 4. The existing high school shall be transferred to the College under the supervision of the Department of Education: Provided, That the high school shall be allowed to remain and operate within the campus of the College until it shall have been transferred to another location.

SEC. 5. The College shall have the general powers of a corporation set forth in the Corporation Law. The administration of the College and the exercise of its corporate powers shall be vested exclusively in the Board of Trustees and the President of the College as authorized by the Board.

SEC. 6. The governing body of the College shall be the Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

Chairman of the Commission on Higher Education (CHED), Chairman;
President of the College, Vice-Chairman;

Chairman of the Committee on Education, Arts and Culture of the Senate, Member;

Chairman of the Committee on Higher and Technical Education of the House of Representatives,
Member;

Representative of the National Economic Development Authority,
Member;

President of the Federation of Faculty Associations of the College,
Member; and

President of the Federation of Supreme Student Councils of the College, Member.

In addition, the Board may appoint as members, the following when deemed necessary:

President of the Federation of Alumni Associations of the College;

President of the Federation of Employees Associations of the College;

and

Two (2) prominent citizens who have distinguished themselves in the profession or fields of specialization of the College, chosen from among those qualified in the Province of Zamboanga del Sur.

The Presidents of the Federation of Alumni Associations and of the Federation of Employees Associations, as well as two (2) prominent citizens so appointed by the Board shall have the same powers, authority and privileges as the regular members of the Board.

The Chairman of the Commission on Higher Education (CHED), the President of the College, the Chairman of the Committee on Education, Arts and Culture of the Senate and the Chairman of the Committee on Higher and Technical Education of the House of Representatives, and the representative of the National Economic Development Authority shall have an *ex officio* term of office, while the Presidents of the Federation of Faculty Associations and the Federation of Student Councils and, when deemed necessary, the Presidents of the Alumni Associations and the Federation of Employees Associations shall serve for as long as they hold the presidency of said association and when likewise necessary, the two (2) prominent citizens shall serve for four (4) years and two (2) years, respectively.

SEC. 7. The Board shall promulgate and implement policies in accordance with the declared state policies on education and other pertinent provisions of the Philippine Constitution on education, science, and technology, arts, culture and sports.

SEC. 8. 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 existing laws:

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

b) Receive and appropriate all sums as may be provided for the support of the College in a manner it may, in its discretion, determine to carry out the purposes and functions of the College.

c) Purchase essential commodities, materials and equipment for educational or technological programs according to existing laws;

d) Confer degrees upon successful candidates for graduation of the College. It may also confer honorary degrees upon persons in recognition of learning, statesmanship, or eminence in science, industry, trade, technology, public service or related fields;

e) Appoint, upon recommendation of the President of the College, the vice-president; the deans of the different schools of the College; the secretary; the registrar; the heads of departments; administrative professors; instructors; lecturers; and administrative personnel based on demonstrated ability, scholarship, research studies made, and educational qualifications. It shall likewise provide hours of service, duties and conditions of work as it may deem proper and grant them, at its discretion, leave of absence under such regulations as it may promulgate, any provisions of law to the contrary notwithstanding. The Board may also remove them for cause after an investigation and hearing pursuant to Civil Service laws governing disciplinary action;

f) Approve the curricula and rules of discipline drawn by the College Council as hereinafter provided;

g) Provide scholarship to deserving faculty members and students;

h) Prescribe rules for its own government and for this purpose, enact such regulations not contrary to law, as it may deem necessary;

i) 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 College or of a department thereof, or for aid to any student in accordance with the discretion and instruction of the donor;

j) Fix the tuition fees and other necessary school charges, such as but not limited to, matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose. Such fees and charges, and other income generated by the College shall constitute special trust funds and shall be deposited in any authorized government depository bank. Any and all interests that shall accrue therefrom shall form part of the same funds for the use of the College. Any provision of existing laws to the contrary notwithstanding, incomes generated by the College may, at the discretion of the Board, be disbursed for the professional growth and development, health, welfare and other similar benefits of the faculty members and personnel, for the acquisition, construction, maintenance and repair of urgently needed instructional and auxiliary facilities, equipment, buildings and other infrastructures and for expenses necessary for the attainment of its purpose under this Act.

k) 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 College through the Board shall be exempt from all taxes and duties;

l) Appropriate funds for research and development projects such as tools, machines, equipment and new products and the publication of research studies made and books written by the faculty members of the College;

m) Provide non-formal education to adult citizens and out-of-school youth; and

n) Name after prominent Filipinos or heroes any hall, building, annex, ground, or branch of the College.

SEC. 9. A quorum of the Board of Trustees shall consist of a majority of all members holding office at the time of the meeting: *Provided, however,* That among those present are the Chairman of CHED, or the President of the College who acts as presiding officer in the former's absence. The Board shall convene regularly once every two (2) months. The Chairman of the Board may call a special meeting whenever necessary.

All processes against the Board of Trustees shall be served to the President or Secretary thereof.

The members of the Board shall not receive salaries but shall be entitled to reimbursement for actual and necessary expenses incurred either in attendance in meetings of the Board or for other official business authorized by resolution of the Board subject to existing laws on honoraria and allowances.

SEC. 10. The College shall be headed by a President who shall be appointed by the President of the Philippines upon recommendation of the Board and shall hold office for a term of six (6) years without reappointment, unless he reaches the age of retirement or is earlier removed for cause or is permanently incapacitated to discharge the duties of the office.

In case of vacancy in the Office of the President by reason of death, resignation or permanent incapacity to perform the functions of the office, or removal for cause, the Board shall have the authority to designate an officer-in-charge of the College pending the appointment of a successor. The new President shall hold office only for the unexpired term. He can be reappointed, but in no case shall his term be more than six (6) years subject to the provision of the preceding paragraph.

The powers and duties of the President of the College, in addition to those specifically provided in this Act, shall be those usually pertaining to the Office of the President of the College.

The salary of the President of the College shall be fixed by the Board and shall be comparable to that being received by the president of similar educational institution of like enrollment and standing.

SEC. 11. The President of the College, whose term may be terminated according to this Act, shall be entitled to full retirement benefits under existing laws.

SEC. 12. 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, whose duty is to implement the policies governing the administration, management and development planning of the College as approved by the Board.

SEC. 13. There shall be an Academic Council with the President of the College as Chairman and all the members of the instructional staff with the rank of, but not lower than assistant professor, as members. The Academic Council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for

admission to the College as well as for graduation and the conferring of degree subject to review and/or approval by the Board through the President of the College. It shall also have the disciplinary power through the President over the students within the limits prescribed by the rules of discipline as approved by the Board.

SEC. 14. There shall be a Secretary of the College who shall be appointed by the Board upon recommendation of the President of the College. He shall also be the Secretary of the Board and shall keep such records of the College as may be determined by the Board.

SEC. 15. The Treasurer of the Philippines shall be the *ex-officio* treasurer of the College.

SEC. 16. Members of the faculty of the College shall be exempt from any civil service examination or regulation as a requisite for appointment. No religious opinion or affiliation shall be a 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.

SEC. 17. No student shall be denied admission to the College by reason of sex, nationality, religion, or political affiliation.

SEC. 18. The College shall enjoy academic freedom.

SEC. 19. The present Administrator of the Zamboanga del Sur School of Arts and Trades, if qualified under the rules and regulations of the Commission on Higher Education, shall be the Officer-in-Charge of the College pending the appointment of the President.

SEC. 20. On or before the fifteenth day of the second month after the opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines through the Chairman of the CHED and with both Houses of Congress a detailed report on the progress, conditions and needs of the College.

SEC. 21. All the assets, fixed and movable, personnel and records of the Zamboanga del Sur School of Arts and Trades, except those belonging to or to be used by the high school, as well as liabilities or obligations, are hereby transferred to the College: *Provided, however,* That the positions, rights and security of tenure of personnel therein employed under existing laws prior to its conversion as a college are not impaired: *Provided, further,* That the incumbent of the positions shall remain in the same status until otherwise provided for by the Board. All parcels of land belonging to the Government occupied by the Zamboanga del Sur School of Arts and Trades are hereby declared to be the property of the Zamboanga del Sur Polytechnic College, and shall be titled under that name: *Provided, finally,* That should the College cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the College, the same shall revert to the City of Pagadian, Province of Zamboanga del Sur.

SEC. 22. All accounts and expenses of the College shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 23. 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 apparatus, equipment or supplies as may be needed by the College, 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 serious

detriment to the public service. Employees so detailed shall perform such duties as required of them by the President of the College, and the time so employed shall be counted as part of their regular service.

SEC. 24. It shall be a continuing policy of the College to accept the affiliation and/or integration within its operation of any existing national schools whose program can contribute largely and effectively to the attainment of its objectives: *Provided, however,* That in case of integration, the Secretary of Education, is hereby authorized to determine and approve the specific existing national schools that are to be integrated as part of the College. In such particular case, all funds, properties, and other assets as well as obligations of the integrated schools shall be transferred to the College.

SEC. 25. The appropriations for the Zamboanga del Sur School of Arts and Trades, except the sum necessary to continue the operations of the existing high school, are hereby transferred to the Zamboanga del Sur Polytechnic College. Such additional amount as may be necessary for the effective implementation of this Act shall be funded from the appropriations for the Commission on Higher Education under the current General Appropriations Act. Thereafter, such amount as may be necessary for the continued operation and maintenance of the College shall be included in the annual General Appropriations Act.

SEC. 26. All laws, presidential decrees, executive orders, rules and regulations, and other issuances, or parts thereof, inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 27. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,