

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**THIRTEENTH CONGRESS
First Regular Session**

House Bill 3112



Introduced by HONORABLE ROSELLER L. BARINAGA

EXPLANATORY NOTE

Sec. 17, Art. II of the 1987 Constitution bestows on the State "ascendancy to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress and promote total human liberation and development."

Sec. 1, Art. XIV of the same Constitution further declares 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." The following section furthermore 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."

To give life and realization to the foregoing constitutional provisions, it is incumbent upon the government to develop and strengthen education system nationwide.

This proposed measure seeks to convert the existing Dipolog School of Fisheries into Zamboanga del Norte School for Advanced Aquatic Sciences and Technology.

The Dipolog School of Fisheries has served the people of Zamboanga del Norte and its neighboring provinces for almost forty years since its foundation. Since then, the School offers a complete secondary school curriculum. It has also offered post-secondary courses like 3-year Diploma Course in Fishery Technology; 3-year Diploma Course in Food Preparation and Service Technology; 2-year Marine Drafting; 2-year Certificate in Agri-Fishery Entrepreneur; 6-month Marine Engine Mechanic; and 6-month Marine Welding and Steel Fabrication.

As an institution of higher learning that envisions to expand in order to respond to the needs of the new millennium century, the Dipolog School of Fisheries poses limited opportunities for national as well as global competitiveness unless some necessary and urgent changes have to be in place.

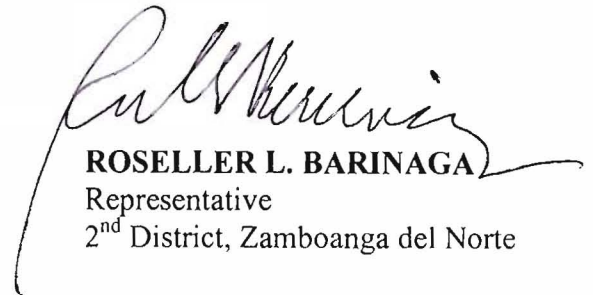
As it goes with the name, "Dipolog School of Fisheries", the academic courses offered are limited only to fisheries and its sector concerned. In its desire to broaden the thrusts, scope and coverage, it is necessitated that a change in its name be made through this legislation. With the changing, therefore, from the Dipolog School of Fisheries to Zamboanga del Norte School for Advanced Aquatic Sciences and Technology, the institution would be given more leeway to expand in terms of its course offerings.

The School's expansion shall primarily provide highly professional, scientific, technological, and special instructions in the fields of agro-fisheries and other aquatic sciences including aqua-culture research and extension, technology education, fishery business and entrepreneurial technology, and other technical-related courses and discipline. It shall also promote research, extension and special training, seminars, workshops and the likes in the area of agro-fisheries and other aquatic sciences and technology.

It is, therefore, hoped that the School will become instrumental in upgrading the skills of fisheries technicians in the region. It is also envisioned that in offering fisheries business and entrepreneurship course and training the School will ultimately contribute to food security and improve socio-economic status in the region. It is also further envisioned the School's expansion will eventually enhance and develop research and product development projects that will increase fisheries/marine productivity and improve the utilization of marine products and their by-products in the region.

Passage of this measure also will ensure the furtherance and realization of the noble objectives of the Agriculture and Fisheries Modernization Act (AFMA)

Support of this bill is, henceforth, urgent and necessary.



ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill 3112

Introduced by HONORABLE ROSELLER L. BARINAGA

**AN ACT TO CONVERT THE DIPOLOG SCHOOL OF FISHERIES INTO
ZAMBOANGA DEL NORTE SCHOOL FOR ADVANCED AQUATIC SCIENCES AND
TECHNOLOGY, AND APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. *Conversion; Site.* - The Dipolog School of Fisheries in Barangay Olingan in the City of Dipolog, Region IX, Western Mindanao is hereby converted into a public School to be known as Zamboanga Del Norte School For Advanced Aquatic Sciences And Technology, hereinafter referred to as the School. The main campus of the School shall be the existing Dipolog School of Fisheries in Olingan, Dipolog City.

SEC. 2. *Academic Discipline to be Offered.* - The School shall primarily provide highly professional, scientific, technological, and special instructions in the fields of agro-fisheries and other aquatic sciences including aqua-culture research and extension, technology education, fishery business and entrepreneurial technology, and other technical-related courses and discipline. It shall also promote research, extension and special training, seminars, workshops and the likes in the area of agro-fisheries and other aquatic sciences and technology.

The School shall pursue and endeavor to lead in the development of work-integrated learning through partnership with industry and involvement of students in civic activities. Cooperative education shall provide an important educational component and technical proficiency in the development of human resource capital.

SEC. 3. *Operation of Technical High School.* - The existing high school is hereby re-named "technical High School" which curriculum and programs shall be focused on technical education consistent with the goals, objectives, mission, vision and thrusts of the School as herein established.

The Technical High School shall be under the supervision of the Technical Education and Skills Development Authority (TESDA). The budgetary requirements relative to its academic programs shall be taken from the TESDA.

SEC. 4. *Governing agency.* - The School shall be under the supervision and control of the Technical Education and Skills Development Authority (TESDA), subject to the rules and policies of the Authority pertaining the operation of similar institutions.

SEC. 5. *Governing body; membership.* - The governing body of the School shall be vested in the Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

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

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

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

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

(o) 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 School;

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

(q) To establish policy guidelines and procedures relevant to the functions and operation of the School.

SEC. 6. Board meetings. – The Board shall regularly convene at least once every quarter. The Chairperson of the Board may call for 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 head of TESDA who is the chairperson of the Board or the Superintendent of the School is among those present in the meeting. In the absence of the head of TESDA, a duly designated representative may represent him in the meeting: *Provided, however*, That in the said meeting, the Superintendent of the School as the vice-chairperson shall be the presiding officer.

SEC. 7. Compensation and other emoluments. - The members of the Board shall serve without compensation. They shall, however, be given a per diem of One thousand five hundred pesos (P1,500.00) for every meeting physically attended and shall be entitled to reimbursement for whatever necessary expenses incurred in connection with their official functions authorized by resolution of the Board.

SEC. 8. Administration of the School. – The administration of the School shall be vested in the Superintendent of the School who shall render full-time service. He shall be appointed by the Board. He shall have a term of four (4) years and shall be eligible for reappointment for another term.

In case of vacancy by reason of death, resignation, removal for cause or incapacity of the Superintendent 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 Superintendent as mentioned in the immediately preceding paragraph, his successor shall hold office for the unexpired term.

The powers and duties of the Superintendent of the School, in addition to those specifically provided in this Act, shall be those usually pertaining to the Office of the President of a similar educational institutions of like standing, and those delegated by the Board.

The salary of the Superintendent of the School shall be subject to the existing compensation and position classification system and shall be comparable to that being received by other presidents of similar educational institutions of like standing.

SEC. 9. Responsibilities of Superintendent. – As Chief Executive Officer of the School, the Superintendent shall exercise general supervision and control over its programs, projects, and its teaching, training and office personnel, subject to the approval of the Board. Specifically, he shall be responsible to:

(a) recommend for approval by the Department of Budget and Management the annual budget of the School;

(b) supervise and control the training and research programs of the School;

(c) recommend for the approval by the Civil Service Commission the appointments of teaching and non-teaching staff and other personnel of the School;

(d) recommend for review and approval by the TESDA Director General, plans and programs for the efficient and effective implement of the goals and objectives of the School;

(e) approve payrolls of the training and research staff, administrative personnel and other personnel attached to the School;

(f) maintain inventory of all assets of the School;

(g) submit to the TESDA Director General reports of the performance and accomplishments of the School; and

(h) perform other tasks assigned to him by the Board.

SEC. 10. Secretary of the School. – There shall be a Secretary of the School who shall be appointed by the Board upon the recommendation of the Superintendent of the School. He shall keep such records and exercise such powers as may be determined by the Board. He shall head the School Secretariat which shall take charge of the recording and reporting of the proceedings of the Board and the historical events of the School.

SEC. 11. Treasurer of the School. - The Treasurer of the Philippines shall be the *ex officio* treasurer of the School.

SEC. 12. Prohibition against any form of discrimination. - No student shall be denied admission to the School by reason of sex, nationality, religion, political affiliation, physical handicap, culture or economic situation.

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

Moreover, the School shall enjoy academic freedom.

SEC. 13. Opening of new branches. - The School may open new branches in consortium with other academic institutions only within the province of Zamboanga del Norte. For this purpose, the partner concerned shall, in addition to funds appropriated under the regular budget of the School, provide funds for the infrastructure and manpower needs of the branches thus established, until otherwise provided in the agreement.

All properties acquired for the use of the School shall be donated to and titled in the name of the School unless there are legal impediments thereto. Such branches shall offer highly specialized courses in agro-fisheries and other aquatic sciences and technology in accordance with detailed studies on the needs of business, industry and government in the localities to be served. For this purpose, the head of the School shall appoint a committee to study the feasibility of opening up such branches. Such committee shall include as members, at least a representative each from the business and the industry sector.

SEC. 14. Utilization of Real Property Site. - The School shall, within a reasonable time from the approval of this Act, develop and fully utilize all its real property situated in Barangay Olingan in Dipolog City, Zamboanga del Norte as research and programs site for agro-fisheries and other aquatic sciences and technology.

SEC. 15. Establishment of Trust Fund. - There is hereby established a special trust fund for the School. Such fees and charges, including government subsidies and other income generated by the School, 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 fund for the use of the School.

The School shall be allowed to retain whatever income it generates from tuition fees and other charges, as well as from the operation of auxiliary services and land grants.

The School is authorized to disburse whatever income it generates only upon the concurrence of the Board; *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which they are collected; *Provided, further*, That disbursements shall solely be for the enhancement of quality instruction, research, extension, or other programs/projects of the School

The Board may further authorize the use of said funds for any reasonable purposes which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the School.

SEC. 16. Entering agreements with LGUs for support. - The School may enter into agreements with local government units for the support of any of its branches; *Provided*, That the said agreements shall not in any way impair the autonomy of the School. Under such agreements, local government unit shall provide funds to the School in support of the programs of the School in addition to the regular annual appropriation of schools, colleges and universities. Such funds provided by the local government shall be dealt with in accordance with Section 4 hereof.

SEC. 17. Transfer of assets and liabilities. - All assets, personnel and records of the existing Dipolog School of Fisheries including its liabilities and obligations are hereby transferred to the Zamboanga del Norte School for Advanced Aquatic Sciences and Technology. The positions, rights and security of tenure of personnel employed therein under existing laws prior to the absorption by the School, however, shall not be impaired.

SEC. 18. Auditing. - All accounts and expenses of the School shall be subject to auditing procedures by the Commission on Audit.

SEC. 19. Detailing of employees. - The heads of bureaus and offices of the National Government are hereby authorized to loan or transfer, upon request of the Superintendent of the School, such apparatus, equipment or supplies as may be needed by the School 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. The employees so detailed shall perform such duties as required of them by the Superintendent of the School, and the time so employed shall be counted as part of their official service.

SEC. 20. Affiliation and/or integration of tertiary institutions. - It shall be the continuing policy of the School to accept the affiliation and/or integration within its operation of any existing tertiary institutions within the province, whose program can contribute largely and effectively to the attainment of its objectives; *Provided, however*, That in case of integration, the TESDA is hereby authorized to determine and approve that the existing tertiary institutions be integrated as part of the School. In this particular case, it is understood that all funds, properties, and other assets as well as obligations of the integrated schools shall be transferred to the School.

SEC. 21. Requirements upon effectivity. - Within a period of one hundred twenty (120) days after the approval of this Act, the School shall accomplish the following:

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

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

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

(d) Set in motion the establishment regular as well as special courses, training, seminars, workshops and the sorts on agro-fisheries and other aquatic sciences and technology.

SEC. 22. Appropriations. - The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Dipolog School of Fisheries. Thereafter, such sums as may be necessary for the continued operation and maintenance of the School shall be included in the annual General Appropriations Act.

SEC. 23. Transitory Provision. - For purposes of ensuring a smooth transition and turn-over of documents and other necessary completion of projects and programs, the incumbent School Superintendent shall continue to serve and complete the full term as mandated herein unless removed for a caused by the governing Board.

SEC. 24. Repealing clause. - All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modifies accordingly.

SEC. 25. Effectivity. - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines, whichever comes earlier.

Approved,