

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 3121



Introduced by: Rep. CARMEN L. CARI

EXPLANATORY NOTE

This bill seeks to convert the Abuyog Community College into a State College to be known as the Abuyog State College.

Abuyog Community College is the only Community College existing in Region VIII. This school was established in late 70's pursuant to Sangguniang Bayan Resolution No. 110, series of 1978 of the Municipality of Abuyog, and the fund to maintain its operation solely come from a very minimal annual subsidy given by the municipality of Abuyog plus the tuition fees paid by the students. The status of the school in terms of finances is rather pathetic, as its teachers and employees are receiving salaries far below the salary standardization law. However, since the school personnel, both teaching and non-teaching are all from the locality, they persevere against all odds and try to give the best service they can for the students welfare.

With the existence of the Abuyog Community College the felt need of student craving for their ~~in~~ quest of knowledge especially those who are poor but deserving student were given a chance to fulfill their long cherished dream of finishing college, for most of the constituents could hardly afford to send their children to an expensive schools in the City, thus this will give them a chance to go to less expensive college.

Abuyog community college which was subsidies by the Municipal Government of Abuyog, Leyte is serving the student of the Municipality and the Municipalities of Javier, MAcArthur, Mahaplag, Mayorga and even as far as Dulag, Burauen, La Paz, Julita and Silago in Southern Leyte.

Since its creation in 1978 up to the present it has been a clamor of the student parents and faculty alike that this college be converted into a state college so as to expand its curricular offering and funds be appropriated from the National Government in the sense that the Local Government of Abuyog could hardly sustain the subsidy to the college to maintain a quality education.

Article XIV, Section 1 of the 1987 constitution provides that the state shall protect and promote the right of all citizen to quality education at all levels and shall take appropriate steps to make such education accessible to all.

In answer to this dream and clamor of all people within the Municipality and nearby Municipalities and in accord to the above-mentioned provision of the constitutions, bills had been filed and re-filed by previous congress particularly the 9th, 10th, 11th and 12th congress, but failed for lack of material time. For twenty eight years (28 yrs.) of its existence Abuyog Community College is now ripe to be converted into a state college for it produces successful graduates in the field of government services & several board passers in the Professional Board Examination for teachers. The passage of this bill is inevitable for this is the only college that could cater the educational needs of the people within the 42 km radius from this municipality.

Approval of this bill is earnestly requested.


CARMEN L. CARI
5th District of Leyte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 3121

Introduced by: Rep. CARMEN L. CARI

AN ACT CONVERTING THE ABUYOG COMMUNITY COLLEGE IN THE MUNICIPALITY OF ABUYOG, PROVINCE OF LEYTE INTO A STATE COLLEGE TO BE KNOWN AS THE ABUYOG STATE COLLEGE, EXPANDING ITS CURRICULAR OFFERINGS, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title* – The Abuyog Community College, in the municipality of Abuyog, Province of Leyte, is hereby converted into a state college, to be known as ABUYOG STATE COLLEGE, hereinafter referred to as the College.

SECTION 2. The college shall primarily offer professional, technical, special instructions for special purposes and promote research and extension services, advanced studies and progressive leadership in education, agriculture, education, community development, arts and sciences and other fields as may be relevant.

SECTION 3. *Courses to be Offered* – The College shall also offer technical and Academic courses leading to a degree as the Board of Trustees may deem necessary to carry out its objectives. It shall also offer short-term technical or vocational courses within the area of specialization to meet the needs of the nation.

SECTION 4. *Powers of the State College* – The College shall have the general powers of 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 insofar as authorized by the Board.

SECTION 5. *Board of Trustees* – 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
Regional Director of the NEDA -	Member
President of the Faculty Association of the College -	Member
President of the Supreme Student Council of the College -	Member
Chairman of the Committee on Education of the Sangguniang Bayan -	Member

Two (2) representatives from the private sector, one of whom must be a graduate of the College but not an employee thereof, as members, who shall be appointed by the Board upon the recommendation of a search committee and shall hold office for a term of two (2) years.

SECTION 6. The 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).

SECTION 7. *Powers of the Board* – 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) To enact rules and regulations not contrary to law as may be necessary to carry out the purpose and function 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, in its discretion, determine to carry out the powers and functions of the College.

- c) To import duty-free essential commodities, materials and equipment for educational or technological programs as an exception to existing laws, provided such commodities, materials and equipment are not available locally;
- d) 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 College and subject to the limitations, directions and instruction of the donor, if any. Such donations shall be exempt from all taxes and shall be considered a deductible items from the income tax of the donor;
- e) To 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.
- f) To authorize the construction or repair of its buildings, machinery, equipment and other facilities and the purchase and acquisition of real and personal properties, include necessary supplies and materials and equipment. Purchase and other transactions entered into by the College through the Board shall be exempt from all taxes and duties;
- g) To confirm appointments and/or designations of Vice-Presidents Deans, Directors, Head of Departments, Faculty members and other officials and employees of the College made by the President of the College.
- h) To fix and adjust salaries of faculty members and administrative officials and employees in accordance with the revised compensation and position classification system;
- i) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- j) To confer degrees upon successful candidates for graduation, to award honorary degrees upon persons in recognition of their outstanding contributions in the field of

education, public service, arts, science and technology, or in any field or specialization; and to authorize the award of certificates for completion of non-degree and non-traditional courses;

- k) To establish branches in the Province of Leyte, if and when it becomes essential and necessary, where there is no existing school offering similar programs of courses to promote and carry out equal access to educational opportunities as mandated by the Constitution; and
- l) To establish chairs in the College and to provide fellowship for qualified faculty members and scholarship to deserving students.
- m) To create a research committee that will handle function stipulated in this Act.

SECTION 8. The Board of Trustees shall convene regularly at least one every two (2) months. The Chairman of the Board of Trustees may, upon three (3) days prior written notice, call a special meeting whenever necessary.

A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting. *Provided, however,* that the chairman of the CHED, who is the Chairman of the Board or the President of the College are 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.

SECTION 9. The College shall be headed by a President to be appointed by the Board upon recommendation of a duly constituted search committee, and shall hold office for a term of three (3) years extendible only for another three (3) years unless he reaches the age of retirement or earlier removed for cause or becomes incapacitated to discharge the duties of the office.

In case of the vacancy in the Office of the President of the College by reason of death, resignation, incapacity of the President of the College to perform the functions of his 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 of the College shall hold office only for the unexpired term but in no case shall his term be more than six (6) years subject to the provisions of the preceding paragraph.

The salary of the President of the College shall be comparable to that being received by the presidents of similar educational institutions of like enrollment and standing.

SECTION 10. There shall be an administrative council consisting 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.

SECTION 11. 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 not lower than the assistance professor, as members. The Academic Council shall have the power to prescribe curricular offering subject to the approval of the Board. It shall fix the requirements for the admission to the College, as well as far graduation and the conferring of degrees, subject to review and/or approval by the Board through the President of the College. It shall also have disciplinary powers over the students through the President within the limits prescribed by the rules of discipline, as approved by the Board.

SECTION 12. 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.

SECTION 13. The Treasurer of the Philippines shall be the ex-officio treasurer of the College.

SECTION 14. Member of the faculty of the college shall not be exempted from any civil service examination or regulation as 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 any against particular church or religious sect.

SECTION 15. No student shall be denied admission to the College by reason of sex, nationality, religion, or political affiliation.

SECTION 16. 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 17. 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 CHED.

Section 18. 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 Chairperson of the CHED and to both Houses of Congress, a detailed report on the progress, conditions and needs of the College.

SECTION 19. All assets, fixed and movable, personnel and records of the Abuyog Community College as well as its liabilities or obligations, are hereby transferred to the College: *Provided*, That the positions, rights and security of tenure personnel therein employed under existing laws prior to its conversion as a College are not impaired: *Provided, further*, That the incumbents of the positions shall remain under the same status until otherwise provided for by the Board.

All parcels of land belonging to the government occupied by Abuyog Community College are hereby declared the property of the ^{Abuyog} Eastern Leyte State College and shall be titled under its name: *Provided, furthermore*, That should the College cease to exist or to be abolished or such parcels of land aforementioned be no longer needed by the College, the same shall revert to the Municipality of Abuyog, Province of Leyte.

SECTION 20. All accounts and expenses of the College shall be audited by the Commission on Audit or its duly authorized representative

SECTION 21. 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 apparatus, equipment or supplies as may be needed by the College and to detail employees for duty therein when in judgment 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 State College, and the time so employed shall be counted as part of their regular services.

SECTION 22. It shall be the continuing policy of the College to accept the affiliation and/or integration within its operation of any existing national school whose programs can contribute largely and effectively to the attainment of its objectives.

SECTION 23. The amount needed to carry out the provisions of this Act shall be charged against the current year's appropriations of the Abuyog Community College, except the sum necessary to continue the operations of its existing college. Thereafter, such sums as may be necessary for the operation and maintenance of the College shall be included in the annual General Appropriations Act.

SECTION 24. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with this ACT we hereby repealed, amended, or modified accordingly.

SECTION 25. This Act shall take effect upon its approval.

Approved.
