

*Republic of the Philippines  
House of Representatives  
Quezon City, Metro Manila*

*Thirteenth Congress  
First Regular Session*

House Bill No. 4242



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**Introduced by the Honorable Simeon A. Datumanong**

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**EXPLANATORY NOTE**

The Constitution is no less emphatic in declaring that it is an important duty of the State to protect and promote the right of all citizens to quality education at all levels and to make appropriate steps to make such education accessible to all. Verily, this constitutional mandate gains even more significance in the light of the meager provision for quality education in depressed and impoverished areas where the people lack the necessary learning tools to liberate themselves from their plight and uplift their standard of living.

One such area is in the province of Maguindanao, particularly in its 2<sup>nd</sup> District. Presently, the various municipalities comprising the 2<sup>nd</sup> District have their respective national high schools but do not have a polytechnic college which will cater to thousand of students in the area. Accordingly, it has been observed that the lack of school for tertiary education is a misfortune for many students who yearn for, but cannot afford, college or even technical and vocational education. Thus, there is a need to create a polytechnic college to address the educational needs of the people.

This Bill seeks to create the Maguindanao Polytechnic State College to be situated in Shariff Aguak, Maguindanao. The proposed college will not only serve the entire province of Maguindanao, but also its nearby environs.

This proposed creation of the college will serve the following purposes:

Firstly, it will play a vital role in the academic upliftment of the people in the area because it eliminates the need for students to migrate to urban areas for their high school education.

Secondly, it is essential to socio-economic development because it will afford greater opportunity for poor residents to have a quality and affordable college and vocational and technical education.

Thirdly, it will dramatically address the problem of the inadequacy of the school system vis-à-vis the rising student population in that area so that a greater number of students can further their tertiary education, without putting at risk the quality of education given to them.

Fourthly, it will carry out the policy to introduce vocational and technical training as an alternative mode of instruction for students in order to prepare them for the technological advances and requirements of the rapidly changing times.

Finally, it will hasten economic growth in the area because a dynamic polytechnic college is a source of potential investments.

From the foregoing, the urgent approval of this bill is earnestly sought.

  
SIMEON A. DATUMANONG  
Representative  
2<sup>nd</sup> District, Maguindanao

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**AN ACT**  
**CREATING THE MAGUINDANAO POLYTECHNIC STATE COLLEGE IN THE**  
**MUNICIPALITY OF SHARIFF AGUAK, PROVINCE OF MAGUINDANAO,**  
**DEFINING ITS POWERS, FUNCTIONS AND DUTIES, 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. *Establishment.* - There is hereby created in the Province of Maguindanao, with a central site and administration office in the Municipality of Shariff Aguak, a college to be known as the Maguindanao Polytechnic State College, hereinafter referred to as the College.

SEC. 2. *Conversion.* - The Maguindanao National High School in Shariff Aguak, Maguindanao is hereby converted into a polytechnic college to be known as the Maguindanao Polytechnic State College. The Board of Trustees of the College is hereby authorized to effect its organization.

SEC. 3. *Purpose.* - The College shall primarily give professional and technical training in science and technology and shall provide advanced and specialized instruction in literature, philosophy, arts and sciences, besides providing for the promotion of scientific and technological researches. It shall also provide relevant and in-demand vocational and technical instruction and training, particularly in

technological and industrial concerns, in accordance with the socio-economic needs of the province.

SEC. 4. *Powers of the College.* – The following are the powers of the College:

- (a) It shall have the general powers as set forth in Section Thirty-six of Batas Pambansa Blg. 68. The exercise of its corporate powers is hereby vested exclusively in the Board of Trustees and in the President of the College insofar as authorized by the Board.
- (b) It shall have the power to acquire public lands for its expansion and/or beneficial use; and to purchase the equipment, laboratory and library facilities which are required to carry out its educational objectives. It shall offer undergraduate courses in liberal arts, engineering, fisheries, agriculture and short-term vocational courses for the development of middle-level skills within the first five (5) years from the approval of this Act; and may, at the discretion of the Board, offer graduate courses thereafter;
- (c) It shall be authorized to undertake the construction of its buildings and other permanent improvements from such sums as may be necessary for the purpose, and included in the annual General Appropriations Act of the Department of Education.

SEC. 5. *The Governing Board; Manner of Appointment.* – (a) *Composition* – The governing body of the College is hereby vested in a Board of Trustees which shall be composed of the following:

Secretary of the Department of Education (Dep Ed), Chairman;  
President of the College, Vice-Chairman;  
Chairman of the Committee on Education of the Senate, member;  
Chairman of the Committee on Education of the House of Representatives,  
member;

Representative of the National Economic and Development Authority (NEDA), member;

Representative of the Faculty Association of the College, member;

Representative of the Supreme Student Council of the College, member;

Representative of the Alumni Association of the College, member;

Representative of the Employee Association of the College, member; and

Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the College chosen from among those qualified in the city or province where the school is located, members: *Provided*, That the representatives of the Alumni Association and the Employee Association as the two (2) prominent citizens shall be elected by the Board when deemed necessary who shall have the same powers, authority and privileges as the regular members of the Board: *Provided, further*, That the Secretary of DepEd, the President of the College, the Education Committee Chairmen of the Senate and the House, and the NEDA representative shall have an *ex officio* term of office, while the representatives of the Faculty Association, Supreme Student Council and when deemed necessary the representatives of the Alumni Association and the Employee Association shall serve for one (1) year, and when likewise necessary the two (2) prominent citizens shall serve for four (4) years and two (2) years, respectively.

No person in the employ of the College, other than those aforementioned, or any other educational institution in the province shall be eligible for membership in the Board.

The regular members of the Board shall each receive, for every Board meeting attended, a per diem of Three hundred pesos (P300.00): *Provided*, That in no case shall the total amount received by each exceed the sum of Five hundred pesos (P500.00) for any one month. Besides the *per diem*, they and the *ex officio* members shall be reimbursed for actual and necessary expenses incurred upon attendance in meetings of the Board or upon performing other official business authorized by resolution of the Board, subject to existing budget laws on honoraria and allowances.

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

(c) *Powers and Duties of the Board* – The Board of Trustees shall have the following powers and duties in addition to its general powers of administration and the exercise of the powers of a corporation:

- (1) To determine and fix the dates and time of its regular meetings, as well as special meetings as the need for the same may arise: *Provided,* that such meetings shall not be more than three (3) times in any one month nor less than one (1) time in any one quarter;
- (2) To appoint the President of the College whose term of office shall be in accordance with Section 5 hereof;
- (3) To fix the compensation of the President of the College;
- (4) To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the College;
- (5) To receive in trust legacies, gifts and donations of real and personal property of all kinds and to administer the same for the benefit of the College, or of a departure thereof, or for aid to any student or students in accordance with the desire of the donor, and/or in default thereof, in such manner as the Board may in its discretion determine. All such donations shall be exempt from income tax of the donors; to import duty-free commodities for educational purposes as an exception to existing laws;
- (6) To appoint, upon recommendation of the President of the College, a vice-president, directors, deans, secretary of the College, treasurer, professors, lecturers, instructors, registrar, department heads, division chiefs, and other employees of the College from among the qualified applicants, preferably residents of the province of Maguindanao;

- (7) To fix the compensation and term of service of all personnel and such other duties and conditions as it may deem proper, subject to the provisions of Presidential Decree No. 985 and other pertinent budget and compensation laws, rules and regulations;
- (8) To approve the courses of study and rules of discipline drawn up by the College and fix the required tuition fees, matriculation fees, fees for laboratory courses, diploma fees, and all special and other fees; and to utilize the income derived therefrom for the maintenance of the College, together with the annual appropriation provided for in Section 16 hereof;
- (9) To provide fellowships to qualified faculty members and scholarships to deserving students;
- (10) To establish chairs in the College and provide for the maintenance and endowment of such chairs;
- (11) To confer honorary degrees upon persons other than graduates of the College in recognition of learning, statesmanship or eminence in education, sciences and arts: *Provided*, That such degrees shall not be conferred in consideration of the payment of money or other valuable consideration; and
- (12) To submit an annual report to the Secretary of the DepEd and to both Houses of Congress within two (2) weeks after the close of each school year about the performance of the College in the school year just ended, its progress, needs and problems.

SEC. 6. *The Administration.* – The administration of the College shall be vested in the President of the College who shall render full-time service.

The College President shall be appointed by the Board of Trustees. He shall be assisted by a Vice-President for Academic Affairs who shall be appointed by the Board upon recommendation of the College President. His compensation shall be fixed by the Board

The President shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or earlier removed for cause or incapacitated to discharge the duties of the office.

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 of the College 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 but in no case shall his term be more than six (6) years.

SEC. 7. *Powers of the President.* - The powers and duties of the President, in addition to those which are usually exercised by college presidents which are not inconsistent with the provisions of this law, are the following:

- (a) To recommend to the Board of Trustees for appointment a vice-president, deans, professors, instructors, lecturers, and other employees of the College;
- (b) To promulgate for the government of the College such general ordinances and regulations, not contrary to law, as are consistent with the purposes of the College; and
- (c) To suggest to the Chairman of the Board special meetings of the Board when the need arises.

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 College Council Powers.* – There shall be a College Council, under the chairmanship of the President of the College, consisting of faculty members with the rank of dean, professor, associate professor, and assistant professor. Subject to existing laws and orders, the Council shall have the power to prescribe the courses of study and rules of discipline; fix the requirements for admission to the College; serve as advisory council to the President; and through a tribunal of not more than five (5) members elected by the members, the Council shall administer disciplinary measures among the student body and the faculty of the College.

SEC. 10. *College Centers.* – The President shall organize the following centers whose staff shall be selected from among the members of existing faculty whose heads shall be known as Director of the Center;

- (a) *Research and Planning Center.* – The Research and Planning Center is charged with the responsibility of coordinating all researchers of the College and planning for its expansion and development in line with the philosophy of the College and the national goals of the Republic of the Philippines;
- (b) *Guidance and Counseling Center.* – It shall be the duty of this center to provide counseling and guidance programs for the faculty, students and employees of the College; and
- (c) *Student Service Center.* – It shall be the duty of this center to look after the interest of the student-body, provide them with facilities for development and organize them into social action groups to help in countryside development

SEC. 11. *The Officers of the Administration.* – The Officers of the Administration of the College are the President, the Vice-President for Academic Affairs, the Deans of the different colleges, the Secretary of the College, Center Directors, and the College Treasurer.

SEC. 12. *The Faculty and Other Personnel of the College.* - The body of professors and instructors of each college shall constitute its faculty. They shall be appointed by the Board of Trustees upon recommendation of the President of the College. In the recruitment of professors, instructors, and other personnel of the College, no religious test shall be required nor shall their religious opinion or affiliation be made a matter of examination or inquiry: *Provided, however,* That no professor or instructor or any of its personnel shall inculcate sectarian tenets in any of his teachings.

SEC. 13. *Civil Service Requirements.* - Except the President and the Vice-President for Academic Affairs, all employees of the College shall be subject to the rules of the civil service. Highly technical positions may be exempt from civil service eligibility upon approval of the Board as recommended by the President: *Provided, however,* That all shall be entitled to the privileges and rights of security of tenure, promotion in positions and salaries for meritorious service, leaves and retirement benefits, as in the government service as now provided for by law.

SEC. 14. *The Auditor of the College.* - The Commissioner of Audit of the Philippines shall be *ex officio* auditor of the College and shall designate his representative who must hold regular office therein to be able to perform his duties efficiently and satisfactorily as a regular official thereof. The designated representative shall be at least a certified public accountant with the rank of chief of a division in the Commission on Audit, whose salary shall vary and whose benefits shall be paid by the College.

SEC. 15. *Loans or Transfer of Apparatus or Supplies; Details of Employees for Duty in the College.* - The heads of bureaus and offices of the National Government are hereby authorized to loan and transfer, upon request of the President of the College, such apparatus or supplies as may be needed by the College and to detail employees for duty therein when in the judgment of the bureau or office such supplies or employees can be spared without serious detriment to the public service. Employees

so detailed shall perform such duties as are required under such detail, and the time so employed shall be counted as part of their regular service.

SEC. 16. *The Board of Visitors.* – The President of the Philippines, the Members of the Cabinet, and the Speaker of the House of Representatives or their designated representatives shall constitute a Board of Visitors of the College whose duty shall be to attend commencement exercises, to make visits at such other time as it may deem proper, to examine the property, courses of study, discipline, and state of finances of the College, to inspect all books and accounts of the institution, and to make reports to the President of the Philippines upon the same with such recommendation as it may favor.

SEC. 17. *Appropriations.* – The sum of ONE HUNDRED MILLION PESOS (P100,000,000.00) shall be appropriated and included in the budget of the Department of Education in the Annual General Appropriations Act for the implementation of this Act.

SEC. 18. *General Provisions.* – The Secretary of the Department of Education is hereby directed to take such steps as are necessary for the immediate implementation of this Act

All laws inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 19. *Effectivity.* – This Act shall take effect upon its approval.

*Approved,*