

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 4378



Introduced by: HON. HUSSIN U. AMIN

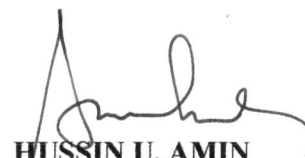
EXPLANATORY NOTE

The Philippines is a country richly endowed with agricultural resources yet its farmers, who comprise the bulk of its population, are poor. Outmoded farming methods and old fashioned farming skills had been identified to be among the reason for the slow growth of agriculture in the country.

Education has long been recognized as one of the potent forces that propels our country to progress. It can bring about changes that will allow much needed growth in the agricultural sector. It is for this reason that the Constitution enshrines the provision of quality education at all levels and guarantees the peoples' access to that kind of education.

The Jolo Agricultural School (JAS), for the past thirty years, has been providing quality education to the constituents of the Province of Sulu. The administrators, staff and faculty members, aware of their crucial roles in nation building, have endeavored to maintain and uphold academic standard of excellence, despite the very little assistance given by the national government. It has served not only the student population of Jolo and Indanan but also of the neighboring municipalities as well. It has also expanded its services and extension programs to the depressed areas in the locality. With its conversion to an agricultural college, JAS will be authorized to offer the four-year educational program which leads to graduation with a diploma or degree. In addition, it could offer general education or technical courses and may also offer graduate and research oriented programs.

Approval of this bill will bring innumerable benefits and opportunities for the realization of progress and poverty alleviation in the province, and is, therefore, earnestly recommended.


HUSSIN U. AMIN

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 4378

Introduced by: HON. HUSSIN U. AMIN

AN ACT
CONVERTING THE JOLO AGRICULTURAL SCHOOL (JAS) IN THE
MUNICIPALITY OF INDANAN, PROVINCE OF SULU, INTO AN
AGRICULTURAL COLLEGE TO BE KNOWN AS THE JOLO
AGRICULTURAL COLLEGE AND APPROPRIATING FUNDS THEREFOR.

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

SECTION 1. *Conversion.* The Jolo Agricultural School (JAS) located in the municipality of Indanan, Province of Sulu, is hereby converted, under the supervision of the Commission on Higher Education, into an agricultural college to be known as the Jolo Agricultural College (JAC) hereinafter called as the College.

SECTION 2. *General Mandate.* The College shall primarily provide higher professional, technical and special instructions and shall promote research, extension services, special studies, and progressive leadership in fisheries, agriculture, education, forestry, engineering, arts and science and other fields as may be relevant.

SECTION 3. *Curricular Offerings.* The College shall primarily offer undergraduate and graduate courses in the fields of education, agriculture, fisheries, forestry, engineering, arts and sciences and other degree courses as the Commission on Higher Education may deem necessary to carry out its objectives. It shall also offer opportunity in short-term technical or vocational courses within its areas of specialization to meet the needs of the nation.

SECTION 4. *Administration.* 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 insofar as authorized by the Board.

SECTION 5. *Governing Body.* 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:

- a) Secretary of Education, Culture and Sports, Chairman
- b) President of the College, Vice-Chairman
- c) Chairman of the Committee on Education of the Senate, Member
- d) Chairman of the Committee on Education of the House of Representatives, Member
- e) Representative of the National Economic and Development Authority, Member
- f) President of the Faculty Association of the College, Member
- g) President of the Supreme Student Council of the College, Member

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

- i. President of the Alumni Association of the College
- ii. President of the Employees Association of the College
- iii. Two (2) prominent citizens who have distinguished themselves in their profession or fields of specialization of the College chosen from among those qualified in the province of Sulu
- iv. The Presidents of the Alumni Association and of the Employees Association 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 Secretary of Education; the President of the College; the Education Committee Chairmen of the Senate and the House; and the representative of the National Economic and Development Authority shall have ex-officio terms of office, while the Presidents of the Faculty Association and the Supreme Student Council and when deemed necessary, the Presidents of the Alumni Association of the Employees Association, shall serve for one (1) year, and when likewise necessary, the two (2) prominent citizens shall for four (4) years, respectively.

SECTION 6. *Promulgation and Implementation of Policies.* The Commission on Higher Education 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, and shall formulate the curricula of the College in order to implement the provisions of this Act.

SECTION 7. *Powers and Duties of the Board of Trustees.* 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:

- i. Act rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the College.
- ii. To 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.

- iii. To import duty-free essential commodities, materials and equipment for education or technological programs as an exception to existing laws, provided such commodities, materials and equipment are not available locally.
- iv. 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 instructions of the donor, if any.
Such donations shall be exempt from taxes and shall be considered as deductible items from the income tax of the donor.
- v. 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. Such fees and charges, including government subsidies and other income generated by the College constitute special trust funds and shall be deposited in any authorized government depository bank. 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 purposes under this Act. If for reasons beyond the control of the College, the same shall not be able to pursue any project for which funds have been appropriated and allocated under its approved program of expenditures, the Board shall authorize 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.
- vi. To authorize the construction or repair of its buildings, machinery, 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.
- vii. To confirm appointments of vice-presidents, deans, directors, heads of departments, faculty members and other officials and employees of the College made by the President of the College.
- viii. To fix and adjust the salaries of faculty members, administrative officials and employees.
- ix. To approve the curricula, institutional programs and rules of discipline Drawn by the Administrative and Academic Councils as herein provided.
- x. To confer degrees upon successful candidates for graduation, to award honorary degrees upon persons in recognition of outstanding contributions in the field of education, public service, arts, science and technology or in any field of specialization and to authorize the award of certificates for completion of non-degree and non-traditional courses.

- xi. To establish branches in municipalities, if and when it becomes essential and necessary, where there is no existing school offering similar programs or courses to promote and carry out equal access to education opportunities as mandated by the Constitution.
- xii. To establish chairs in the College and to provide fellowships for qualified faculty members and scholarships to deserving students.

SECTION 8. 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 are the Secretary of Education, who is Chairman of the Board or the President of the College, who is presiding officer in the absence of the former. The Board shall convene regularly once every two (2) months and the Chairman of the Board may call a special meeting whenever necessary.

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

SECTION 9. The College shall be headed by a President to be appointed by the President of the Philippines upon the recommendation of the Commission on Higher Education: Provided that the incumbent Head of the Jolo Agricultural School, if qualified under the rules and regulations of the Department of Education, shall be the Officer-in-Charge of the College pending the appointment of the President.

SECTION 10. The President of the College, whose term may be terminated according to this Act, shall be entitled to full retirement benefits under existing laws.

SECTION 11. 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.

SECTION 12. There shall be an Academic Council with the President of the College, as Chairman and all members of the instructional staff with rank of not lower than assistant professor as members. The Academic Council shall have the power to prescribe curricular offerings subject to the approval by the Board. It shall fix the requirements for admission to the College as well as for graduation and for conferring of degrees subject to the review and/or approval by the President of the College. It shall also have disciplinary power through the President over the students within the limits prescribed by the rules of discipline as approved by the Board.

SECTION 13. 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 14. The Treasurer of the Philippines shall be the ex-officio Treasurer of the College.

SECTION 15. The 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.

SECTION 16. No student shall be denied admission to the College by reason of sex, nationality, religion or political affiliation.

SECTION 17. The College shall enjoy academic freedom.

SECTION 18. On or before the fifteenth day of the second month after the opening of regular classes each year, the College shall file with the Office of the President of the Philippines through the Secretary of Education and to both Houses of Congress a detailed report on the progress, conditions and needs of the College.

SECTION 19. All the assets, fixed and movable, personnel and records of JAS, except those belonging to or used to be by the high schools, 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 the absorption by the College shall not be impaired; Provided, further, that the incumbent of the positions shall remain in the same status, until otherwise provided for by the Commission on Higher Education. All parcels of land belonging to the government occupied by the JAS are hereby declared to be the property of JAS and shall be titled under that name: Provided, 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 Province of Sulu.

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

SECTION 21. 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.

SECTION 22. 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 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 College.

SECTION 23. The appropriations for JAS, except the sum necessary to continue the operations of the existing high school, are hereby transferred to the College. Such additional amount as may be necessary for the effective implementation of this Act shall be funded from the appropriations for the Department of Education under the current 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.

SECTION 24. All laws, presidential decrees, executive orders, rules and regulations and other issuance's, or parts thereof, contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 25. This Act shall effect upon its approval.

Approved,