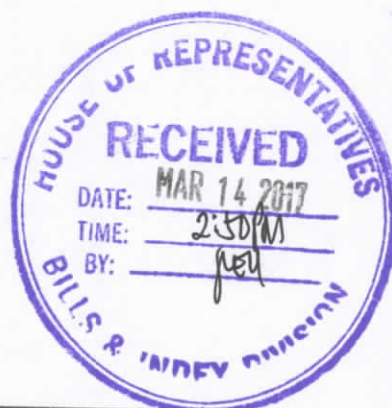


Republic of the Philippines
House of Representatives
Quezon City

Seventeenth Congress
First Regular Session

House Bill No. 5261



Introduced by Representative Estrellita B. Suansing

EXPLANATORY NOTE

This bill provides for the establishment of a Polytechnic State College in the Municipality of Aliaga, Province of Nueva Ecija to be known as the Aliaga Polytechnic State College and appropriating funds therefor.

The State recognizes the importance of education in national growth and development. Under Section 17, Article II of the 1987 Philippine Constitution, it is provided that:

"The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development."

Moreover, under Section 1, Article XIV of the 1987 Philippine Constitution, it is further stated 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."

There are two state universities in the Province of Nueva Ecija, namely: the Central Luzon State University (CLSU) located in the Science City of Muñoz, and the Nueva Ecija University of Science and Technology (NEUST) located in Cabanatuan City.

The campuses of both state universities are very far, making it hard for most of the prospective college students coming from the Municipality of Aliaga and its neighboring towns due to either the distant travel or the additional expenses for board and lodging that most families could not afford.

Hence, this bill seeks to fulfill the State's promise to make education accessible to all. The establishment of a polytechnic state college will not only serve the Municipality of Aliaga, but also the neighboring Municipalities of Zaragoza, Licab and Quezon.

In view of the foregoing, the passage of this bill is earnestly sought.


ESTRELLITA B. SUANSING

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AN ACT

ESTABLISHING A POLYTECHNIC STATE COLLEGE IN THE MUNICIPALITY OF
ALIAGA, PROVINCE OF NUEVA ECIIJA TO BE KNOWN AS THE ALIAGA
POLYTECHNIC STATE COLLEGE AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Establishment.** – There is hereby established a polytechnic state
2 college in the Municipality of Aliaga, Province of Nueva Ecija to be known as the Aliaga
3 Polytechnic State College, hereinafter referred to as the College.

4 **SECTION 2. General Mandate.** – The College shall primarily provide advanced
5 education, higher technological, professional instruction and training in the fields of
6 agriculture, arts and sciences, teacher education, commerce, business administration,
7 engineering, and social sciences as well as short-term technical and vocational
8 courses that will support the development of the Province of Nueva Ecija and Region
9 III. It shall likewise promote research and advanced studies in its areas of
10 specialization.

11 **SECTION 3. Curricular Offerings.** – The College shall offer undergraduate and
12 graduate studies in the fields of agriculture, arts and sciences, teacher education,
13 commerce, business administration, engineering, and social sciences as well as short-
14 term technical and vocational courses, and other courses within its areas of
15 specialization and according to its capability as the Board of Trustees may deem
16 necessary to carry out its objectives, particularly in meeting the needs of the Province
17 of Nueva Ecija and Region III.

18 The College may operate a reasonably-sized laboratory school, if it has a
19 College of Education.

20 **SECTION 4. Administration.** – The College shall have the general powers of a
21 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as
22 “The Corporate Code of the Philippines.” The Administration of the College and the
23 exercise of its corporate powers shall be vested exclusively in the Board of Trustees
24 and the President of the College.

SECTION 5. *The Governing Board.* – The governing body of the College shall be vested in its Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

(a) The Chairperson of the Commission on Higher Education (CHED), Chairperson;

(b) The President of the College, Vice Chairperson;

(c) The Chairperson of the Committee on Education, Arts and Culture of the Senate, member;

(d) The Chairperson of the Committee on Higher and Technical Education of the House of Representatives, member;

(e) The Regional Director of the National Economic and Development Authority (NEDA) of Region III, member;

(f) The Regional Director of the Department of Science and Technology (DOST) of Region III, member;

(g) The President of the faculty association of the College, member;

(h) The President of the student council or student representative elected by the student council, member;

(i) The President of the alumni association of the College, member; and

(j) Two (2) prominent citizens from the private sector who have distinguished themselves in their profession or fields of specialization of the College, members.

The Board shall appoint the two (2) prominent citizens from among a list of five (5) qualified persons in the Province of Nueva Ecija, as recommended by the search committee constituted by the College President, in consultation with the Chairperson of the CHED and the other members of the Board, based on the normal standards and qualifications for the position.

The term of office of the President of the faculty association, the President of the student council and the President of the alumni association shall be coterminous with their respective terms of office, as set forth in their respective constitutions and bylaws.

The two (2) prominent citizens shall serve for a term of two (2) years from the date of appointment.

SECTION 6. *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:

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

1 (b) To receive and appropriate all sums as may be provided for the support
2 of the College in the manner it may determine in its discretion, in order to carry out the
3 purposes and functions of the College;

4 (c) To import duty-free economic, technical and cultural books and/or
5 publications, upon certification by the CHED that such imported books and/or
6 publications are for economic, technical, vocational, scientific, philosophical, historical
7 or cultural purposes, in accordance with the provisions of the Tariff and Customs Code
8 of the Philippines, as amended;

9 (d) To receive in trust legacies, gifts and donations of real properties of all
10 kinds and to administer and dispose of the same when necessary for the benefit of the
11 College, subject to the limitations, directions and instructions of the donor, if any.

12 Such donations shall be exempt from the donor's tax and the same shall be
13 considered as allowable deductions from the gross income in the computation of the
14 income tax of the donor, in accordance with the provisions of the National Internal
15 Revenue Code (NIRC) of 1997, as amended: *Provided*, That such donations shall not
16 be disposed of, transferred or sold;

17 (e) To fix the tuition fees and other necessary school charges such as, but
18 not limited to, matriculation fees, graduation fees and laboratory fees, as the Board
19 may deem proper to impose, after due consultations with the involved sector.

20 Such fees and charges, including government subsidies and other income
21 generated by the College, shall constitute special trust funds and shall be deposited
22 in any authorized government depository bank, and all interests that shall accrue
23 therefrom shall form part of the same funds for the use of the College.

24 Any provision of existing laws, rules and regulations to the contrary
25 notwithstanding, any income generated by the College from tuition fees and other
26 charges, as well as from the operation of auxiliary services and land grants, shall be
27 retained by the College and may be disbursed by the Board for instruction, research,
28 extension or other programs and/or projects of the College: *Provided*, That all fiduciary
29 fees shall be disbursed for the specific purposes for which they are collected.

30 If, for reasons beyond its control, the College shall not be able to pursue any
31 project for which the funds have been appropriated and allocated under its approved
32 program of expenditures, the Board may authorize the use of said funds for any
33 reasonable purpose which, in its discretion, may be necessary and urgent for the
34 attainment of the objectives and goals of the College;

35 (f) To adopt and implement a socialized scheme of tuition and other school
36 fees for greater access to poor but deserving students;

37 (g) To authorize the construction or repair of its buildings, machinery,
38 equipment and other facilities, and the purchase and acquisition of real property,
39 including necessary supplies, materials and equipment;

40 (h) To appoint, upon recommendation of the President of the College, Vice
41 Presidents, deans, directors, heads of campuses, faculty members and other officials
42 and employees of the College;

1 (i) To fix and adjust salaries of faculty members and administrative officials
2 and employees, subject to the provisions of the Revised Compensation and Position
3 Classification System and other pertinent budget and compensation laws governing
4 hours of service, and such other duties and conditions as it may deem proper; to grant
5 them, at its discretion, leaves of absence under such regulations as it may promulgate,
6 any provision of existing law to the contrary notwithstanding; and to remove them for
7 cause in accordance with the requirements of due process of law;

8 (j) To approve the curricula, instructional programs and rules of discipline
9 drawn by the Administrative and Academic Councils herein provided;

10 (k) To set policies on admission and graduation of students;

11 (l) To award honorary degrees upon persons in recognition of their
12 outstanding contribution in the fields of education, public service, arts, science and
13 technology, agriculture or in any field of specialization within the academic
14 competence of the College; and to authorize the awarding of certificates of completion
15 of nondegree and nontraditional courses;

16 (m) To establish and absorb nonchartered tertiary institutions within the
17 Province of Nueva Ecija as branches and centers in coordination with the CHED, and
18 in consultation with the Department of Budget and Management (DBM), and to offer
19 therein programs or courses, to promote and carry out equal access to education
20 opportunities as mandated by the Constitution;

21 (n) To establish research and extension centers of the College where such
22 will promote the development of the latter;

23 (o) To establish professorial chairs in the College and to provide fellowships
24 for qualified faculty members and scholarships to deserving students;

25 (p) To delegate any of its powers and duties provided for hereinabove to the
26 President and/or other officials of the College as it may deem appropriate, so as to
27 expedite the administration of the affairs of the College;

28 (q) To authorize an external management audit of the College, to be
29 financed by the CHED, subject to the rules and regulations of the Commission on Audit
30 (COA); and to institute reforms, including academic and structural changes, on the basis
31 of the audit results and recommendations;

32 (r) To collaborate with other governing boards of the state colleges and
33 universities within the Province of Nueva Ecija, under the supervision of the CHED
34 and in consultation with the DBM, and work towards the restructuring of the College
35 to become more efficient, relevant, productive and competitive;

36 (s) To enter into joint ventures with business and industry for the profitable
37 development and management of the economic assets of the College, the proceeds
38 from which shall be used for the development and strengthening of the College;

39 (t) To develop consortia and other economic forms of linkages with local
40 government units (LGUs), institutions and agencies, both public and private, local and
41 foreign, in the furtherance of the purposes and objectives of the College;

1 (u) To develop academic arrangements for institutional capability building
2 with appropriate institutions and agencies, public and private, local and foreign, and to
3 appoint experts/specialists as consultants, part-time or visiting or exchange
4 professors, scholars or researchers, as the case may be;

5 (v) To set up the adoption of modern and innovative modes of transmitting
6 knowledge such as the use of information technology, the dual learning system, open
7 learning or distance education and community laboratory for the promotion of greater
8 access to education and graduate studies, as the case may be;

9 (w) To establish policy guidelines and procedures for participative decision-
10 making and transparency within the College;

11 (x) To privatize, where most advantageous to the College, management of
12 nonacademic services such as health, food, building or grounds or property
13 maintenance and such other similar activities; and

14 (y) To extend the term of the President of the College beyond the age of
15 retirement but not beyond the age of seventy (70), whose performance has been
16 unanimously rated by the governing board as outstanding, based on the guidelines,
17 qualifications and/or standards set by the Board, after unanimous recommendation by
18 the search committee.

19 **SECTION 7. Meetings of the Board.** – The Board shall regularly convene at
20 least once every quarter. However, the Chairperson of the Board may, upon three (3)
21 days' prior written notice, call a maximum of two (2) special meetings whenever
22 necessary.

23 A quorum of the Board shall consist of majority of all its members holding office
24 at the time of the meeting: *Provided, however,* That the Chairperson of the Board or
25 the President of the College is among those present in the meeting.

26 In the absence of the Chairperson of the CHED, a Commissioner of the CHED,
27 duly designated by him/her, shall represent him/her in the meeting with all the rights
28 and responsibilities of a regular member: *Provided, however,* That during this meeting,
29 the President of the College as Vice Chairperson shall be the Presiding Officer:
30 *Provided, further,* That this *proviso* notwithstanding, the Chairperson of the CHED is
31 hereby authorized to designate a CHED Commissioner as the regular Chair of the
32 Board, in which case said CHED Commissioner shall act as the Presiding Officer.

33 In case the Chairpersons of the Congressional Committees on Education shall
34 not be able to attend the Board meeting, they may duly designate their respective
35 representatives to attend the said meeting, who shall have the same rights and
36 responsibilities as a regular member of the Board.

37 **SECTION 8. Compensation.** – The members of the Board shall not receive any
38 salary but shall be entitled to reimbursements for actual and necessary expenses
39 incurred, either in their attendance to meetings of the Board or in connection with other
40 official business authorized by resolution of the Board, subject to existing laws and
41 regulations.

1 **SECTION 9. *Promulgation and Implementation of Policies.*** – The Board shall
2 promulgate and implement policies in accordance with the declared State policies on
3 education and other pertinent provisions of the Philippine Constitution on education,
4 agriculture, science and technology, as well as the policies, standards and thrusts of
5 the CHED under Republic Act No. 7722, otherwise known as the “Higher Education
6 Act of 1994.”

7 **SECTION 10. *The College President.*** – The College shall be headed by a
8 President, who shall render full-time service. He/She shall be appointed by the Board,
9 subject to the guidelines, qualifications and/or standards set by the Board, upon
10 recommendation of a duly constituted search committee. He/She shall have a term of
11 four (4) years and shall be eligible for reappointment for another term.

12 Pending the appointment of the first President of the College, the Chairperson
13 of the CHED shall appoint an Officer-in-Charge of the College.

14 Within six (6) months before the expiration of the term of office of the incumbent
15 President of the College, the Board shall constitute the Search Committee for the
16 Presidency (SCP).

17 In case of vacancy in the Office of the President by reason of death, compulsory
18 retirement, resignation, removal for cause or incapacity of the President to perform the
19 functions of his/her office, the Board shall designate an Officer-in-Charge of the
20 College within six (6) months from the date of the vacancy, pending the appointment
21 of a new President.

22 In case of vacancy in the Office of the President as mentioned in the
23 immediately preceding paragraph, his/her successor or the Officer-in-Charge shall
24 serve only the unexpired portion of the term.

25 The powers and duties of the President of the College, in addition to those
26 specifically provided in this Act, shall be those usually pertaining to the Office of the
27 President of similar colleges, and those delegated by the Board.

28 The salary of the President of the College shall be in accordance with the
29 Revised Compensation and Position Classification System and shall be comparable
30 to that being received by the Presidents of similar educational institutions.

31 The President shall be assisted by a Vice President for Academic Affairs who
32 shall be appointed by the Board upon the recommendation of the President.

33 **SECTION 11. *The Secretary of the College.*** – The Board shall appoint a
34 Secretary who shall serve as such for both the Board and the College and shall keep
35 all records and proceedings of the Board. The Secretary shall communicate to each
36 member of the Board the notice of meetings.

37 **SECTION 12. *The Treasurer of the College.*** – The Treasurer of the Philippines
38 shall be the *ex officio* treasurer of the College. All accounts and expenses of the
39 College shall be audited by the Commission on Audit or its duly authorized
40 representative.

41 **SECTION 13. *Faculty.*** – No political beliefs, gender preference, cultural or
42 community affiliation or ethnic origin, and religious opinion or affiliation shall be a

1 matter of inquiry in the appointment of faculty members of the College: *Provided,*
2 *however,* That said appointment shall be subject to the guidelines, qualifications
3 and/or standards set by the Board: *Provided, further,* That no member of the faculty
4 shall teach for or against any particular church or religious set.

5 **SECTION 14. *Administrative Council.*** – There shall be an Administrative
6 Council consisting of the President of the College as Chairperson, the vice
7 president(s), deans, directors and other officials of equal rank, as members, whose
8 duty is to review and recommend to the Board the policies governing the
9 administration, management and development planning of the College.

10 **SECTION 15. *Academic Council.*** – There shall be an Academic Council, with
11 the President of the College, as Chairperson, and all members of the instructional staff
12 with the rank not lower than assistant professor, as members.

13 The Academic Council shall have the power to review and recommend the
14 curricular offerings and rules of discipline of the College, subject for appropriate action
15 of the Board. It shall fix the requirements for admission as well as for graduation and
16 conferment of degrees, subject to review and/or approval by the Board through the
17 President of the College.

18 **SECTION 16. *Admission.*** – No student shall be denied admission to the
19 College by reasons of sex, nationality, religion, political affiliation, physical disability,
20 cultural or community affiliation or ethnic origin.

21 **SECTION 17. *Scholarship Program.*** – The College shall provide for a
22 scholarship program and other affirmative action programs to assist poor but
23 deserving students who qualify for admission to the College.

24 **SECTION 18. *Academic Freedom and Institutional Autonomy.*** – The College
25 shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2,
26 Section 5 of Article XIV of the Constitution of the Republic of the Philippines.

27 **SECTION 19. *Authority to Loan or Transfer Apparatus/Equipment/Supplies***
28 ***and Detail of Personnel.*** – The heads of the bureaus and offices of the national
29 government are hereby authorized to loan or transfer, upon the request of the
30 President of the College, such apparatus, equipment or supplies as may be needed
31 by the College, and to detail employees for duty therein when, in the judgment of the
32 head of bureau or office, such apparatus, equipment, supplies or services of such
33 employees can be spared without serious detriment to public service.

34 The employees so detailed shall perform such duties as required of them by
35 the President of the College, and the time so employed shall be counted as part of
36 their regular services.

37 **SECTION 20. *Campus Site.*** – The College shall have an area of not less than
38 five (5) hectares, at least three (3) hectares of which are contiguous to the main
39 campus, for its exclusive use as campus site for its academic and instructional
40 programs, research and development activities and experimental and laboratory
41 facilities.

1 The Board shall forthwith recommend a suitable site within the Municipality of
2 Aliaga for this purpose. This parcel of land to be occupied by the Aliaga Polytechnic
3 State College is hereby declared to be the property of the College, and shall be titled
4 under that name: *Provided*, That should the College cease to exist or be abolished, or
5 should said parcel of land aforementioned be no longer needed by the College, the
6 same shall revert to the LGU concerned.

7 **SECTION 21. *Development Plan, Management Audit, Organizational/***
8 ***Administrative/Academic Structure.*** – Within the period of one hundred twenty (120)
9 days after the approval of this Act, the College shall accomplish the following:

10 (a) Submit a five (5)-year development plan, including its corresponding
11 program budget to the CHED for corresponding recommendation to the DBM;

12 (b) Undergo a management audit in cooperation with the CHED; and

13 (c) Accordingly set up its organizational, administrative as well as academic
14 structure, including the appointment of the key officials of the College.

15 **SECTION 22. *Annual Report.*** – On or before the fifteenth (15th) day of the
16 second (2nd) month after the opening of the regular classes each year, the President
17 of the College shall file with the Office of the President of the Philippines through the
18 Chairperson of the CHED, and with the Senate and the House of Representatives, a
19 detailed report on the progress, conditions and needs of the College.

20 **SECTION 23. *Supplementary Application.*** – The provisions of Republic Act No.
21 8292, otherwise known as the “Higher Education Modernization Act of 1997”, shall be
22 an integral part of this Act and shall serve as part of the Governing Charter of the
23 College.

24 **SECTION 24. *Parity Clause.*** – All other powers, functions and privileges,
25 responsibilities and limitations to state colleges and/or their officials under existing
26 laws shall be deemed granted to or imposed upon the College and/or its officials,
27 whenever appropriate.

28 **SECTION 25. *Appropriations.*** – The amount necessary to carry out the
29 provisions of this Act shall be included in the annual General Appropriations Act.

30 **SECTION 26. *Implementing Rules and Regulations.*** – The Board, in
31 consultation with the CHED, shall formulate the guidelines to fully implement the
32 provisions of this Act.

33 **SECTION 27. *Separability Clause.*** – If, for any reason, any part or provision of
34 this Act is declared invalid or unconstitutional, the remaining parts or provisions not
35 affected thereby shall remain in full force and effect.

36 **SECTION 28. *Repealing Clause.*** – All laws, presidential decrees, executive
37 orders, rules and regulations contrary to or inconsistent with the provisions of this Act
38 are hereby repealed or modified accordingly.

39 **SECTION 29. *Effectivity.*** – This Act shall take effect fifteen (15) days following
40 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,