

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. **7473**



Introduced by HON. MANUEL F. ZUBIRI

EXPLANATORY NOTE

As a general policy, Sec. 17 of Art. II of the 1987 Constitution provides:

"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."

This general policy is further amplified by provisions of Article XIV, where the government is mandated to provide free and accessible education when it can to all Filipinos.

I file this bill in light of my constituents' request to have the Don Carlos Polytechnic College (DCPC) converted into a Polytechnic State College, given the DCPC's strategic location in relation to several municipalities further south of Don Carlos. Given the increasing number of students and the accompanying increase in demand for education in the area, it is necessary to expand the capacities and capabilities of the DCPC to allow it to accommodate more of our Bukidnon youth yearning for a classroom education. Given the limitations and the distance of the Central Mindanao University and the Bukidnon State University, the DCPC is in a prime position to fill the demand if given the status of a Polytechnic State College.

As brilliantly put by human rights activist Malcolm X, "Education is the passport to the future, for tomorrow belongs to those who prepare for it today."

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

MANUEL F. ZUBIRI

A large, stylized handwritten signature in black ink, written over the printed name "MANUEL F. ZUBIRI".

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **7473**

Introduced by Representative HON. MANUEL F. ZUBIRI

AN ACT CONVERTING THE DON CARLOS POLYTECHNIC COLLEGE INTO A STATE COLLEGE KNOWN AS DON CARLOS POLYTECHNIC STATE COLLEGE

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

1 SECTION 1. **Conversion.** – The Don Carlos Polytechnic College in the Municipality
2 of Don Carlos, Province of Bukidnon, is hereby converted into a state college to be known
3 as the Don Carlos Polytechnic State College, hereinafter referred to as the Polytechnic
4 State College.

5
6 SECTION 2. **Purpose.** – The Polytechnic State College shall primarily offer
7 professional and technical instructions and trainings in both the graduate and
8 undergraduate levels in the fields of agriculture, agricultural entrepreneurship, fishery
9 education, marine transportation, tourism, trade and the arts. It shall also offer vocational
10 and technology courses in welding technology, vocational technology, fishery technology,
11 hotel and restaurant services, hotel and household services, baking technology, electronic
12 services and repair. The Polytechnic State College shall continue to offer the Junior High
13 School and Senior High School Program under the technical-vocational curriculum of the K
14 to 12 program of the Department of Education.

15
16 It shall serve as the center for development of the agricultural industry and shall
17 provide technological, professional, and occupational training on the utilization and
18 development of appropriate technologies. It shall also undertake research and extension
19 services and provide progressive leadership in the area of agricultural education.

20
21 The Polytechnic State College shall offer undergraduate, graduate, and short-term
22 technical courses within its area of specialization as the Board of Trustees may deem
23 necessary to carry out its objectives, particularly in order to meet the needs of the
24 municipality and the province.

25
26 SECTION 3. The Governing Board; Manner of Appointment. –

27 a) Composition – The governing body of the Polytechnic State College shall be the
28 Board of Trustees, hereinafter referred to as the Board, composed of the following:

29 1) Chairperson of the Commission on Higher Education (CHED), Chairperson;

- 2) President of the Polytechnic State College, Vice-Chairperson;
 - 3) Regional Director of the National Economic Development Authority (NEDA) or a duly-authorized representative, member;
 - 4) Regional Director of the Department of Science and Technology (DOST) or a duly authorized representative, member;
 - 5) President of the faculty association of the Polytechnic State College, member;
 - 6) President of the student council of the Polytechnic State College, member;
 - 7) President of the alumni association of the Polytechnic State College, member;
 - 8) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization chosen from among at least five (5) qualified persons in Iligan City, as recommended by the search committee constituted by the President of the Polytechnic State College in consultation with the Chairperson of the CHED based on the normal standards and qualifications for the position. The two (2) private sector representatives shall be appointed by the Board upon recommendation of the duly appointed search committee. The Municipal Government of Don Carlos shall be represented in the search committee.
- b) Term of Office – The president of the faculty, the president of the alumni association, and the president of the student council shall sit in the Board until the expiration of their term of office in such capacities. The prominent citizens shall serve for a term of two (2) years from the date of appointment.

SECTION 4. Powers and Duties of the Board of Trustees. – The Board shall have the specific powers and duties in addition to its general powers of administration and the exercise of all powers granted to the board of directors of a corporation under existing laws:

- a) To promulgate rules and regulations necessary to law as may be necessary to carry out the purposes and functions of the Polytechnic State College;
- b) To receive and appropriate all sums as may be provided for the support of the Polytechnic State College in the manner it may determine, in its discretion, to carry out the purposes and functions of the Polytechnic State College;
- c) To receive in trust legacies, gifts and donations of real properties of all kinds, to administer and dispose of the same when necessary for the benefit of the Polytechnic State College, subject to the limitations, directions and instructions of the donor, if any. Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of income tax of the donor, in accordance with the provisions of the National Internal Revenue Code (NIRC), as amended, *Provided*, that such donations shall not be disposed of, transferred, or sold;
- d) To fix tuition fees and other necessary school fees and charges including matriculation fees, graduation fees, and laboratory fees as the Board may deem proper to impose after due consultations with the involved sectors;

1 Such fees and charges, including government subsidies and other incomes
2 generated by the Polytechnic State College, shall constitute special trust funds and
3 shall be deposited in any authorized government depository bank, and all interests that
4 shall accrue therefrom shall form part of the same fund for the use of the Polytechnic
5 State College.

6 Any provision of existing laws, rules and regulations to the contrary notwithstanding,
7 any income generated by the Polytechnic State College from tuition fees and other
8 charges, as well as from the operation of auxiliary services and land grants, shall be
9 retained by the Polytechnic State College and may be disbursed by the Board for
10 instruction, research, extension, or other programs and projects of the Polytechnic State
11 College. *Provided*, that all fiduciary fees shall be disbursed for the specific purposes for
12 which they are collected.

13 If for reasons beyond its control, the Polytechnic State College shall not be able to
14 pursue any project for which funds have been appropriated and allocated under its
15 approved program of expenditures, the Board may authorize the use of said funds for
16 any reasonable purpose which, in its discretion, may be necessary and urgent for the
17 attainment of the objectives and goals of the Polytechnic State College;

- 18 e) To adopt and implement a socialized scheme of tuition and school fees for greater
19 access by poor but deserving students;
- 20 f) To authorize construction and repair of buildings, equipment, and other facilities,
21 and the purchase and acquisition of real and personal properties, including
22 necessary supplies, materials, and equipment. Purchases and other transactions
23 entered into by the Polytechnic State College through the Board shall be exempted
24 from all taxes and duties;
- 25 g) To appoint, upon the recommendation of the President of the Polytechnic State
26 College, vice presidents, deans, directors, heads of departments, faculty members
27 and other officials and employees;
- 28 h) To fix and adjust the salaries of faculty members and administrative officials and
29 employees subject to the provisions of the Revised Compensation and Position
30 Classification System, as amended, and other pertinent budget and compensation
31 laws governing hours of service, and such other duties and conditions as it may
32 deem proper, to grant them at its discretion, leaves of absence under regulations as
33 it may promulgate, any provision of existing law to the contrary notwithstanding; and
34 to remove them for cause in accordance with the due process of law;
- 35 i) To approve the curricula, institutional programs and rules of discipline drawn by the
36 administrative and academic councils as herein provided;
- 37 j) To set policies on admission, graduation, and certification of students;
- 38 k) To award honorary degrees upon persons in recognition of outstanding contribution
39 in the field of education, public service, arts, science and technology, or in any field
40 of specialization within the competence of the Polytechnic State College and to
41 authorize the award of certificates of completion of non-degree and non-traditional
42 courses;
- 43 l) To absorb non-chartered institutions within the province of Bukidnon in coordination
44 with CHED and in consultation with the Department of Budget and Management

- (DBM), and to offer therein needed programs and courses , to promote and carry out equal access to educational opportunities mandated by the Constitution;
- m) To establish research and extension centers of the Polytechnic State College where such will promote the development of the latter;
 - n) To establish chairs in the Polytechnic State College and to provide fellowships for qualified faculty members and scholarship grants to deserving students;
 - o) To delegate any of its powers and duties provided for hereinabove to the President or other officials of the Polytechnic State College as it may deem appropriate so as to expedite the affairs of the Polytechnic State College;
 - p) To authorize an external management audit of the institution to be financed by the CHED and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;
 - q) To collaborate with CHED, TESDA, and other governing boards of state colleges and universities within the region, under the supervision of CHED and in consultation with the DBM, in the restructuring of the Polytechnic State College to become more efficient, relevant, productive and competitive in producing professionals, technologists, and technicians;
 - r) To enter into joint ventures with business and industry for the profitable development and management of the assets of the Polytechnic State College, the proceeds of which will be used for the development and strengthening of the Polytechnic State College;
 - s) To develop partnerships 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 Polytechnic State College;
 - t) To develop academic arrangements for institutional capacity building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts or specialists or consultants, or visiting or exchange professors, scholars, and researchers, as the case may be;
 - u) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology , the dual system, open learning, community laboratory, and competency-based training for the promotion of greater access to higher education, professional and technological education and skills development;
 - v) To establish policy guidelines and procedures for participative decision-making and transparency within the Polytechnic State College;
 - w) To privatize, where most advantageous to the Polytechnic State College, management and non-academic services such as health, food, building or grounds or property maintenance and similar such other activities; and
 - x) To extend beyond the age of retirement but not later than the age of seventy (70) the term of the President of the Polytechnic State College whose performance has been unanimously rated as outstanding and upon unanimous recommendation by the Search Committee for the President of the Polytechnic State College.

1 **SECTION 5. Promulgation and Implementation of Policies.** – The Board shall
2 promulgate and implement policies on education and other pertinent provisions of the
3 Philippine Constitution on education, science and technology, arts, culture and sports; as
4 well as policies and standard and thrusts of the CHED under Republic Act No. 7722 and
5 also in accordance with the policies, standards, and programs of the Technical Education
6 and Skills Development Authority (TESDA), the designated government authority in
7 technical education and skills development.

8
9 **SECTION 6. Board Meetings; Quorum.** – The Board shall regularly convene at
10 least once every quarter. The Chairperson of the Board of Trustees may call a special
11 meeting whenever necessary. *Provided*, that members are notified in writing at least three
12 (3) days prior to said meeting.

13 A majority of all members holding office shall constitute a quorum for board
14 meetings. *Provided*, that the Chairperson of the CHED who is the Chairperson of the Board
15 or the President of the Polytechnic State College is among those present in the meeting. In
16 the absence of the Chairperson of the CHED, a duly designated Commissioner of the
17 CHED shall represent the Chairperson of the CHED in the meeting with all the rights and
18 responsibilities of a regular member. *Provided, however*, in the said meeting the President
19 of the Polytechnic State College as vice-chairperson shall be the presiding officer.
20 *Provided, further*, that this proviso notwithstanding, the Chairperson of the CHED is hereby
21 authorized to designate a CHED Commissioner as the regular Chairperson to the Board of
22 the Polytechnic State College, in which case said CHED Commissioner shall act as the
23 presiding officer. The members shall serve without compensation, but they shall be
24 reimbursed for necessary expenses incurred in the attendance of meetings of the Board or
25 in connection with their official business authorized by resolution of the Board, subject to
26 existing laws and regulations.

27
28 **SECTION 7. Administration.** – The administration of the Polytechnic State College
29 shall be vested in a President who shall render full-time service. The President shall be
30 appointed by the Board upon the recommendation of a duly appointed search committee.
31 The President shall have a term of four (4) years and shall be eligible for reappointment for
32 another term. In order to effect a smooth transition to a Polytechnic State College, the
33 current head of the Don Carlos Polytechnic College shall become the first President of the
34 Don Carlos Polytechnic State College.

35 The President shall be assisted by a Vice President for Academic Affairs who shall
36 be appointed by the Board upon the recommendation of the President of the Polytechnic
37 State College without prejudice to the appointment of more through another Vice President
38 when so warranted.

39 Within six (6) months before the expiration of the term of the incumbent President,
40 the Board shall create a search committee for the Presidency.

41 In case of vacancy by reason of death, compulsory retirement, resignation, removal
42 for cause or incapacity of the President to perform the functions of the office, the Board
43 shall have the authority to designate an officer-in-charge of the Polytechnic State College

1 within six (6) months from the date of vacancy, pending the appointment of a new
2 President.

3 The powers and duties of the President of the Polytechnic State College in addition
4 to those specifically provided in this Act shall be those usually pertaining to the office of the
5 President and of other educational institutions.

6 The salary of the President of the University shall be in accordance with the Revised
7 Compensation and Position Classification System, as modified by Joint Resolution No. 4
8 dated 17 June, 2009 and other pertinent budget and compensation laws , and shall be
9 comparable to that being received by the president of similar institutions.

10
11 **SECTION 8. Secretary.** – The Board shall appoint a Secretary, who shall serve as
12 such for both the Polytechnic State College and the Board, and shall keep all records of the
13 Board.

14
15 **SECTION 9. Treasurer.** – The Treasurer of the Philippines shall be the ex officio
16 Treasurer of the Polytechnic State College.

17
18 **SECTION 10. Administrative Council.** – There shall be an administrative council
19 consisting of the President of the Polytechnic College as Chairperson, vice presidents,
20 deans, directors, and other officials of equal rank as members whose duty is to review and
21 recommend to the Board policies governing the administration, management, and
22 development planning of the institution.

23
24 **SECTION 11. Academic Council.** - There shall be an academic council consisting
25 of the President of the Polytechnic College as Chairperson, vice presidents, and all
26 members of the instructional staff with the rank not lower than assistant professor, as
27 members. The academic council shall have the power to review and recommend the
28 curricular offerings and rules of discipline of the Polytechnic State College for the approval
29 of the board. It shall fix the requirements for admission to the Polytechnic State College, as
30 well as for graduation and the conferring of certificates and diplomas, subject to review and
31 approval by the Board through the President of the Polytechnic State College.

32
33 **SECTION 12. Academic Freedom.** – Pursuant to Section 5(2) of Article XIV of the
34 Constitution of the Republic of the Philippines, all institutions of higher learning, public or
35 private, shall enjoy academic freedom and institutional autonomy.

36
37 **SECTION 13. Admission and Scholarships.** – No student shall be denied
38 admission to the Polytechnic State College by reason of gender, nationality, religion,
39 cultural, or community affiliation or ethnic origin, or political affiliation.

40
41 The Polytechnic State College shall provide a scholarship program and other
42 subsidies to assist poor but deserving students who qualify for admission to the Polytechnic
43 State College.

1 **SECTION 14. Faculty.** – No religious opinion or affiliation, political beliefs, gender,
2 preference, cultural or community affiliation or ethnic origin, shall be a matter of inquiry in
3 the appointment of faculty members of the Polytechnic State College: *Provided, however,*
4 that no member of the faculty shall teach for or against any particular church or regular
5 sect.

6
7 **SECTION 15. Development Plan; Management Audit; Organizational,**
8 **Administrative, and Academic Structure.** – Within the period of one hundred and twenty
9 (120) days after the approval of this Act, the Polytechnic State college shall accomplish the
10 following:

- 11 (a) Submit a five (5) year development plan, including the program budgets to CHED
12 and TESDA, for corresponding recommendation to the DBM;
13 (b) Undergo a management audit in cooperation with CHED and TESDA; and
14 (c) Set up its organizational, administrative, as well as academic structure, including the
15 appointment of key Polytechnic State College officials.

16
17 **SECTION 16. Transfer of Assets.** – All assets, real and personal, personnel and
18 records of the Don Carlos Polytechnic College, as well as liabilities or obligations, are
19 hereby transferred to the Polytechnic State College. The position, rights, and security of
20 tenure of personnel are therein under existing employment laws shall be respected.

21 All parcels of land belonging to the government and occupied by the Don Carlos
22 Polytechnic College are hereby declared to be the property of the Polytechnic State
23 College and shall be titled under that name.

24
25 **SECTION 17. Loan of Equipment.** – The heads of bureaus and offices of the
26 national government are hereby authorized to loan or transfer upon request of the
27 President of the Polytechnic State College such apparatus, equipment, or supplies as
28 may be needed by the Polytechnic State College, and to detail employees for duty
29 therein when, in the judgment of the head of the bureau or office, such apparatus,
30 equipment, or supplies or services of such employees can be spared without detriment
31 to the public service. Employees detailed shall perform such duties as required of them
32 by the President of the Polytechnic State College and the time so employed shall be
33 counted as part of their regular services.

34
35 **SEC. 18 Auditing.** – All accounts and expenses of the Polytechnic State College
36 shall be audited by the Commission on Audit or its duly authorized representative.

37
38 **SEC. 19. Filing of Report.** – Not later than the 15th day of the second month after
39 the opening of regular classes of each year, the Board shall file with the Office of the
40 President, through CHED and TESDA, and to both Houses of Congress, a detailed
41 report on the progress, conditions, and needs of the Polytechnic State College.

42
43 **SEC. 20. Appropriations.** – The amount necessary for the implementation of this
44 Act shall be charged against the current appropriations of the Don Carlos Polytechnic

1 College. Thereafter, such sums as may be necessary for the continued operations and
2 maintenance of the Polytechnic State College shall be included in the General
3 Appropriations Act.

4
5 SEC. 21 **Repealing Clause.** – All laws, presidential decrees, executive orders,
6 memoranda, rules and regulations contrary or inconsistent with the provisions of this
7 Act are hereby repealed, amended, or modified accordingly.

8
9 SECTION 22. **Separability Clause.** - If any portion or provision of this Act is
10 declared unconstitutional, the same shall not affect the validity and effectivity of the other
11 provisions not affected thereby.

12
13 SECTION 23. **Repealing Clause.** - All laws, parts of laws, decrees, presidential
14 issuances, proclamations, orders, ordinances, and administrative regulations in conflict with
15 the provisions of this Act are hereby amended, modified or repealed accordingly.

16
17 SECTION 24. **Effectivity.** - This Act shall take effect fifteen (15) days after its
18 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

19
20
21 *Approved,*
22
23