

Republic of the Philippines
House of Representatives
Quezon City

Seventeenth Congress
Third Regular Session

House Bill No. **8137**



Introduced by Representative Estrellita B. Suansing

EXPLANATORY NOTE

This bill provides for the establishment of a Polytechnic State College in the Municipality of Cuyapo, Province of Nueva Ecija to be known as the Cuyapo Polytechnic State College.

The Philippine Constitution provides 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."*¹

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."

The Province of Nueva Ecija has two state universities, namely, the Central Luzon State University (CLSU) in the Science City of Muñoz, and the Nueva Ecija University of Science and Technology in Cabanatuan City.

Both campuses are far from the Municipality of Cuyapo, which lies at the northernmost tip of the province, bordering Nueva Ecija and Pangasinan. Such distance makes it hard for most of the prospective college students coming from the said municipality and its neighboring towns as the trip not only entails additional expenses but also takes a toll on their bodies.

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 Cuyapo, but also the neighboring towns surrounding it.

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


ESTRELLITA B. SUANSING

¹ Section 17, Article II of the 1987 Philippine Constitution

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AN ACT

**ESTABLISHING A POLYTECHNIC STATE COLLEGE IN THE
MUNICIPALITY OF CUYAPO, PROVINCE OF NUEVA ECIJA TO BE KNOWN
AS THE CUYAPO 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
2 polytechnic state college in the Municipality of Cuyapo, Province of Nueva
3 Ecija to be known as the Cuyapo Polytechnic State College, hereinafter
4 referred to as the College.

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

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

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

22 **SECTION 4.** *Administration.* – The College shall have the general
23 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,
24 otherwise known as "The Corporate Code of the Philippines." 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.

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (l) To award honorary degrees upon persons in recognition of their
22 outstanding contribution in the fields of education, public service, arts,
23 science and technology, agriculture or in any field of specialization within the
24 academic competence of the College; and to authorize the awarding of
25 certificates of completion of non-degree and nontraditional courses;

26 (m) To establish and absorb non-chartered tertiary institutions
27 within the Province of Nueva Ecija as branches and centers in coordination
28 with the CHED, and in consultation with the Department of Budget and
29 Management (DBM), and to offer therein programs or courses, to promote and
30 carry out equal access to education opportunities as mandated by the
31 Constitution;

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

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

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

40 (q) To authorize an external management audit of the College, to be
41 financed by the CHED, subject to the rules and regulations of the Commission

on Audit (COA); and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

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

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

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

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

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

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

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

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

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

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

1 In the absence of the Chairperson of the CHED, a Commissioner of the
2 CHED, duly designated by him/her, shall represent him/her in the meeting
3 with all the rights and responsibilities of a regular member: *Provided,*
4 *however,* That during this meeting, the President of the College as Vice
5 Chairperson shall be the Presiding Officer: *Provided, further,* That this *proviso*
6 notwithstanding, the Chairperson of the CHED is hereby authorized to
7 designate a CHED Commissioner as the regular Chair of the Board, in which
8 case said CHED Commissioner shall act as the Presiding Officer.

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

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

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

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

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

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

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

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

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

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

11 The President shall be assisted by a Vice President for Academic Affairs
12 who shall be appointed by the Board upon the recommendation of the
13 President.

14 **SECTION 11.** *The Secretary of the College.* – The Board shall
15 appoint a Secretary who shall serve as such for both the Board and the College
16 and shall keep all records and proceedings of the Board. The Secretary shall
17 communicate to each member of the Board the notice of meetings.

18 **SECTION 12.** *The Treasurer of the College.* – The Treasurer of the
19 Philippines shall be the *ex officio* treasurer of the College. All accounts and
20 expenses of the College shall be audited by the Commission on Audit or its
21 duly authorized representative.

22 **SECTION 13.** *Faculty.* – No political beliefs, gender preference,
23 cultural or community affiliation or ethnic origin, and religious opinion or
24 affiliation shall be a matter of inquiry in the appointment of faculty members
25 of the College: *Provided, however,* That said appointment shall be subject to
26 the guidelines, qualifications and/or standards set by the Board: *Provided,*
27 *further,* That no member of the faculty shall teach for or against any particular
28 church or religious set.

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

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

39 The Academic Council shall have the power to review and recommend
40 the curricular offerings and rules of discipline of the College, subject for
41 appropriate action of the Board. It shall fix the requirements for admission as

1 well as for graduation and conferment of degrees, subject to review and/or
2 approval by the Board through the President of the College.

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

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

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

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

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

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

29 The Board shall forthwith recommend a suitable site within the
30 Municipality of Cuyapo for this purpose. This parcel of land to be occupied by
31 the Cuyapo Polytechnic State College is hereby declared to be the property of
32 the College, and shall be titled under that name: *Provided*, That should the
33 College cease to exist or be abolished, or should said parcel of land
34 aforementioned be no longer needed by the College, the same shall revert to
35 the LGU concerned.

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

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

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

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

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

11 **SECTION 23.** *Suppletory Application.* – The provisions of Republic
12 Act No. 8292, otherwise known as the “Higher Education Modernization Act
13 of 1997”, shall be an integral part of this Act and shall serve as part of the
14 Governing Charter of the College.

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

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

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

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

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

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

Approved,