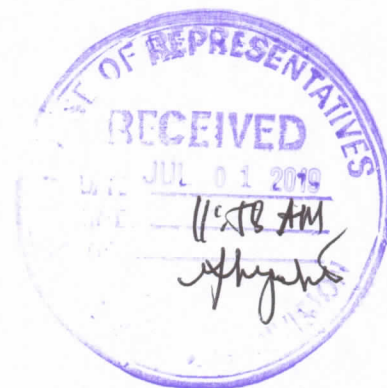


Republic of the Philippines
House of Representatives
Quezon City

Eighteenth Congress
First Regular Session

House Bill No. 0289



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:

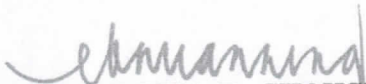
"The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all."

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.

This bill was filed as House Bill No. 9022 and passed Third and Final Reading during the 17th Congress. 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

**Republic of the Philippines
House of Representatives
Quezon City**

**Eighteenth Congress
First Regular Session**

House Bill No. 0289

Introduced by Representative Estrellita B. Suansing

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 advance education, higher technological, professional instruction and
7 training in the fields of agriculture, arts and sciences, teacher education,
8 commerce, business administration, engineering, and social sciences, and
9 short-term technical and vocational courses that will support the
10 development of the Province of Nueva Ecija and Region III.

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

19 The existing and any other future technical-vocational courses or
20 programs under the supervision of the Technical Education and Skills
21 Development Authority (TESDA) shall remain and continue to be offered
22 within the campus of the College.

23 The College may operate a reasonably-sized laboratory school if it has
24 a College of Education.

SECTION 4. *Administration.* – The College shall have the general powers of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the “Corporation 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 board of the College shall be the Board of Trustees, hereinafter referred to as the Board, which shall be chaired and co-chaired by the Chairperson of the Commission on Higher Education (CHED) and the President of the College, with the following as members:

(a) Chairperson of the Committee on Education, Arts and Culture of the Senate;

(b) Chairperson of the Committee on Higher and Technical Education of the House of Representatives;

(c) Regional Director of the National Economic and Development Authority (NEDA);

(d) Regional Director of the Department of Agriculture (DA);

(e) Regional Director of the Department of Science and Technology (DOST);

(f) Regional Director of the TESDA;

(g) President of the federation of faculty associations of the College;

(h) President of the federation of student councils of the College;

(i) President of the federation of alumni associations of the College;
and

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

The Board shall appoint the two (2) prominent citizens from a list of at least five (5) qualified persons in the Province of Nueva Ecija where the College is located, as recommended by the search committee to be constituted by the College President, in consultation with the CHED Chairperson and other members of the Board, based on the standards and qualifications for the position set by the Board. They shall serve for a term of two (2) years from the date of appointment.

Membership of the governing board of the President of the faculty associations, the President the student councils, and the President of the alumni associations shall be coterminous with their terms of office as provided under their terms of office as provided under their respective constitutions and bylaws.

SECTION 6. *Promulgation and Implementation of Policies.* – The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the

1 Constitution on education, agriculture, science and technology, as well as the
2 policies, standards and thrusts of the CHED under Republic Act No. 7722,
3 otherwise known as the "Higher Education Act of 1994."

4 **SECTION 7.** *Powers and Duties of the Board of Trustees.* – In
5 addition to its general powers of administration and the powers granted to the
6 board of directors of a corporation under existing laws, the Board shall have
7 the following specific powers and duties:

8 (a) Promulgate and implement policies in accordance with the
9 declared State policies and the provisions of the Constitution on education,
10 agriculture, science and technology, as well as the policies, standards and
11 thrusts of the CHED under RA No. 7722, otherwise known as the "Higher
12 Education Act of 1994";

13 (b) Approve the curricula, instructional programs, and rules of
14 discipline drawn by the Administrative and the Academic Councils herein
15 provided;

16 (c) Appoint, upon the recommendation of the President of the
17 College, the vice presidents, dean, directors, heads of the campuses, faculty
18 members, and other officials and employees of the College;

19 (d) Fix and adjust the salaries of faculty members and administrative
20 officials and employees, subject to the provisions of the Revised Compensation
21 and Position Classification System and other pertinent budget and
22 compensation laws, including those governing hours of service and such other
23 duties and conditions as it may promulgate, any provision of existing law to
24 the contrary notwithstanding; and remove them for cause in accordance with
25 the requirements of due process of law;

26 (e) Fix the tuition fees and other necessary school charges, such as
27 matriculation fees, graduation fees, and laboratory fees, as the Board may
28 deem proper to impose, after due consultation with the concerned sectors.
29 The fees and charges, including government subsidies and other income
30 generated by the College, shall constitute its special trust funds, and shall be
31 deposited in any authorized government depository bank: *Provided*, That all
32 interests shall accrue therefrom shall form part of the same funds for the use
33 of the College;

34 Any provision of existing laws, rules or regulations to the contrary
35 notwithstanding, any income generated by the College from tuition fees and
36 other charges, as well as from the operation of auxiliary services and land
37 grants, shall be retained by the College, and may be disbursed by the Board
38 for instruction, research, extension services or other programs and projects
39 of the College: *Provided*, That all fiduciary fees shall be disbursed for the
40 specific purposes for which these are collected: *Provided, however*, That if, for
41 reasons beyond its control, the College shall not be able to pursue any project
42 for which the funds have been appropriated and allocated under its approved
43 program of expenditures, the Board may authorize the use of the funds for

1 any reasonable purpose which, in its discretion, may be necessary and urgent
2 for the attainment of the objectives and goals of the College;

3 (f) To adopt and implement a socialized scheme of tuition and other
4 school fees for greater access of poor but deserving students in accordance
5 with RA No 10931 or "Universal Access to Quality Tertiary Education Act";

6 (g) Establish professional chairs in the College and provide
7 fellowships for qualified faculty members, and scholarships to deserving
8 students;

9 (h) Receive and appropriate all sums as may be provided for the
10 support of the College in the manner it may determine, in its discretion, in
11 order to carry out the purposes and functions of the College;

12 (i) Set the policies on admission and graduation of students;

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

18 (k) Establish research and extension centers to promote the
19 development of the College;

20 (l) Develop academic arrangements for institutional capability
21 building with appropriate institutions and agencies, whether public, private,
22 local or foreign institutions and appoint experts/specialists as consultants,
23 part-time/visiting/exchange professors, scholars or researchers, as the case
24 may be;

25 (m) Adopt modern and innovative modes of transmitting knowledge
26 for the promotion of greater access to education such as the use of information
27 technology, dual training system, open distance learning, and community
28 laboratory;

29 (n) Collaborate with the governing boards of state universities and
30 colleges (SUCs) within the Province of Nueva Ecija and Region III, under the
31 supervision of the CHED and in consultation with the Department of Budget
32 and Management (DBM), in restructuring the College to make it more efficient,
33 relevant, productive and competitive;

34 (o) Absorb non-chartered tertiary institutions within the Province of
35 Nueva Ecija and Region III, as branches and extension/external centers, in
36 coordination with the CHED and in consultation with the DBM, and offer
37 therein programs or courses to promote and carry out equal access to
38 educational opportunities, as mandated by the Constitution;

39 (p) Authorize an external management audit of the College, to be
40 financed by the CHED, subject to the rules and regulation of the Commission
41 on Audit (COA), and institute reforms, including academic and structural
42 changes, on the basis of the audit results and recommendations;

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

(r) Import economic, technical and cultural books and publications;

(s) 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) Receive, in trust, legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose of the same, when necessary, for the benefit of the College, and subject to the limitations, direction and instructions of the donor, if any;

(u) Extend the term of the President of the College beyond the age of retirement, but not beyond the age of seventy (70), based on the guidelines, qualifications and standards set by the Board: *Provided*, That the President's performance has been rated by the Board as outstanding and unanimous recommendation has been decided by the search committee;

(v) Delegate any of its powers and duties provided to the President and other officials of the College, as it may deem appropriate, so as to expedite the administration of the affairs of the College;

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

(x) Authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real property, including the necessary supplies, materials and equipment;

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

(z) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of the College.

SECTION 8. *Meetings of the Board.* – The Board shall regularly convene at least once every quarter. The Chairperson of the Board may, however, 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 must be present in the meeting.

In the absence of the CHED Chairperson, a Commissioner of the CHED duly designated by the CHED Chairperson as representative in the meeting, shall have all the rights and responsibilities of a regular member: *Provided*, That during the meeting, the President of the College, as Vice-Chairperson

1 shall be the Presiding Officer: *Provided, further,* That this *provision*
2 notwithstanding, the Chairperson of the CHED is hereby authorized to
3 designate a CHED Commissioner as the regular Chairperson of the Board, in
4 which case said CHED Commissioner shall act as the Presiding Officer.

5 In case the Chairpersons of the House and Senate Committees on
6 Education shall not be able to attend the Board meeting, they may designate
7 their respective representatives to attend the meeting, who shall have the
8 same rights and responsibilities as regular members of the Board.

9 The members of the Board shall not receive any salary, but shall be
10 entitled to reimbursements for actual and necessary expenses incurred in
11 attending to the meetings of the Board or in connection with other official
12 business authorized by resolutions of the Board, subject to existing laws and
13 regulations.

14 **SECTION 9.** *The College President.* – The College shall be headed by a
15 President, who shall render full-time service and shall be appointed by the
16 Board, subject to the guidelines, qualifications and standards set by the
17 Board, upon the recommendation of a duly constituted search committee.

18 The Board shall designate an Officer-in-Charge (OIC) of the College in
19 case of vacancy in the Office of the President by reason of death, compulsory
20 retirement, resignation, removal for cause, or incapacity of the President to
21 perform the functions of the office, pending the appointment of a new
22 President: *Provided,* That the OIC shall serve only during the unexpired
23 portion of the term.

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

27 The salary of the President of the College shall be in accordance with
28 the Revised Compensation and Position Classification System as modified by
29 Joint Resolution No. 4 dated June 17, 2009 and other pertinent budget and
30 compensation laws, and shall be comparable to that being receive by the
31 Presidents of similar educational institutions.

32 The President of the College shall be assisted by a Vice President for
33 Academic Affairs and a Vice President for Administration, who shall be
34 appointed by the Board upon recommendation of the President.

35 **SECTION 10.** *The Administrative Council.* – There shall be an
36 Administrative Council consisting of the President of the College as
37 Chairpersons, vice presidents, deans, directors and other officials of equal
38 rank, as members, whose duty is to review and recommend to the Board the
39 policies governing the administration, management, and development plan of
40 the College.

41 **SECTION 11.** *The Academic Council.* – There shall be an Academic
42 Council to be composed of the President of the College, who shall act as

1 Chairperson, and all the academic staff with the rank of at least an assistant
2 professor, as members.

3 The Academic Council shall have the power to review and recommend
4 the curricular offerings and rules of discipline of the College, subject to the
5 approval of the Board. It shall fix the requirements for the admission of
6 students, as well as for their graduation and the conferment of degrees,
7 subject to review and approval of the Board through the President of the
8 College. It shall have the disciplinary power over students of the College and
9 shall formulate academic policies and rules and regulations on discipline,
10 subject to the approval of the Board.

11 **SECTION 12.** *The Secretary of the College.* – The Board shall
12 appoint a Secretary who shall serve as such for both the Board and the
13 College, and shall keep all records and proceedings of the Board in addition
14 to other duties and responsibilities. The Secretary shall serve upon each
15 member of the Board the appropriate notice of Board meetings.

16 **SECTION 13.** *The Treasurer of the College.* – The Treasurer of the
17 Philippines shall be the *ex officio* treasurer of the College.

18 **SECTION 14.** *The Faculty.* – No political beliefs, gender preference,
19 cultural or community affiliation or ethnic origin, nor religious opinion or
20 affiliation shall be a matter of inquiry in the appointment of faculty members
21 of the College: *Provided, however,* That said appointment shall be subject to
22 the guidelines, qualifications and standards set by the Board: *Provided,*
23 *further,* That no member of the faculty shall teach for or against any particular
24 church or religious set.

25 **SECTION 15.** *Academic Freedom and Institutional Autonomy.* – The
26 College shall enjoy academic freedom and institutional autonomy, pursuant
27 to paragraph 2, Section 5 of Article XIV of the Constitution.

28 **SECTION 16.** *Scholarship Programs/ Admission.* – The College shall
29 provide a scholarship programs and other affirmative action programs to
30 assist poor but deserving students who qualify for admission to the College.
31 No student shall be denied admission to the College by reason of sex, religion,
32 cultural or community affiliation or ethnic origin.

33 **SECTION 17.** *Authority to Loan or Transfer*
34 *Apparatus/ Equipment/ Supplies and Detail of Personnel.* – The heads of the
35 bureaus and offices of the national government are hereby authorized to loan
36 or transfer, upon the request of the President of the College, such apparatus,
37 equipment or supplies as may be needed by the College, and detail employees
38 for duty therein when, in the judgment of the head of bureau or office, such
39 apparatus, equipment, supplies or services of such employees can be spared
40 without serious detriment to public service. The employees so detailed shall
41 perform such duties as required of them by the President of the College and
42 the time so employed shall be counted as part of their regular services.

43 **SECTION 18.** *Assets, Liabilities and Personnel.* – All parcels of land
44 belonging to the government occupied by the Cuyapo Polytechnic State

College are hereby declared to be property of the College and shall be titled under that name: *Provided*, That should the College cease to exist or be abolished, or should such aforementioned parcels of land be no longer needed by the College, the same shall revert to the national government or to the concerned LGU.

SECTION 19. *Tax Exemption.* – The importation of economic technical and cultural books or publications, which are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes made by the College upon certification by the CHED shall be exempt from customs duties in accordance with the provisions of RA No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA).”

All grants, bequests, endowments, donations and contributions made to the College to be used actually, directly and exclusively by it, shall be exempt from donor’s tax and the same shall be allowed as allowable deductions from the gross income of the donor for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SECTION 20. *Compliance with CHED Requirements.* – The provisions of this Act notwithstanding, the establishment of the institution into a state college shall become effective only upon the determination and declaration by the CHED based on the recommendation of a panel of experts it shall constitute for the purpose, that the institution has complied with the requirements for a college status based on CHED Memorandum Order No. 46, series of 2012 (Policy-Standard to Enhance Quality Assurance in Philippine Higher Education Through an Outcomes-Based and Typology-Based Quality Assurance): *Provided*, That the panel may issue such recommendation when the institution has substantially complied with the requirements for the grant of status as a state college.

The following operational requirements for a state college, as established by the CHED, shall be complied with. As such, the college shall:

(a) Possess full-time permanent faculty members must possess relevant degrees as required by the CHED and shall experience in the subject areas they handle’

(b) Offer a comprehensive range of degree programs characterized by a core curriculum that holistically develops thinking, problem solving, decision-making, communication, technical, and social skills in line with the mission of the College;

(c) Conduct viable research program in specific disciplinal and multidisciplinary areas of study, produce new knowledge, as evidenced by refereed publications, citations, inventions, and patents, among others;

(d) Possess learning resources and support structures that are appropriate for developing knowledge and skills in the specific natural science, social science, humanities, and professional disciplines offered by the College, including laboratories, books and journals, etc.;

1 (e) Have linkages with the community that would ensure the
2 development of relevant academic and extension programs as well as the
3 application of their learning outcomes; and

4 (f) Conduct outreach programs involving students in social-
5 development oriented experiences that allow them to contextualize their
6 knowledge within actual social and human experiences.

7 The CHED, through its regional office, shall regularly provide technical
8 assistance to the institution and monitor compliance with the requirements
9 of the Commission.

10 The institution shall retain its status prior to the effectivity of this Act
11 until it is able to comply with the requirements provided herein.

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

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

18 (b) Set up its organizational, administrative, as well as academic
19 structure, including the appointment of key officials of the College;

20 (c) Set in motion the establishment of at least four (4) separate
21 degree-granting units, one of which is in the arts and sciences, and another
22 unit for nondegree technical-vocational education and training; and

23 (d) Undergo a management audit in cooperation with the CHED.

24 **SECTION 22.** *Filing of Report.* – On or before the fifteenth (15th) day
25 of the second (2nd) month after the opening of the regular classes each year,
26 the Board shall file with the Office of the President of the Philippines, through
27 the Chairperson of the CHED, and with both Houses of Congress, a detailed
28 report on the progress, condition and needs of the College.

29 **SECTION 23.** *Supplementary Application.* – The provisions of Republic
30 Act No. 8292, otherwise known as the “Higher Education Modernization Act
31 of 1997”, shall form as an integral part of this Act and shall serve as part of
32 the governing charter of the College.

33 **SECTION 24.** *Appropriations.* – The amount necessary to carry out
34 the provisions of this Act shall be included in the annual General
35 Appropriations Act.

36 **SECTION 25.** *Parity Clause.* – All other powers, functions and
37 privileges, responsibilities and limitations under existing laws shall be
38 deemed granted to or imposed upon the College and officials, whenever
39 appropriate.

40 **SECTION 26.** *Implementing Rules and Regulations.* – Within sixty
41 (60) days after the effectivity of this Act, the Board shall, in consultation with

1 the CHED, formulate the guidelines to fully implement the provisions of this
2 Act.

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

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

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

Approved,