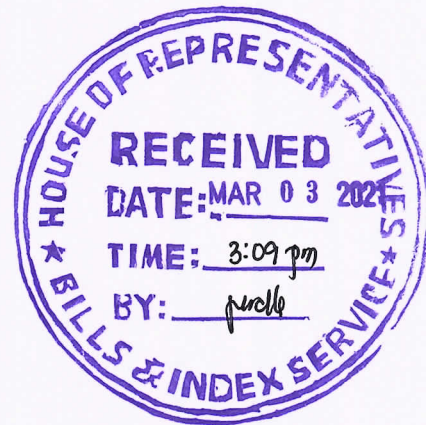




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Eighteenth Congress
Second Regular Session

HOUSE BILL NO. 8878

Introduced by Representative Senior Deputy Speaker Doy C. Leachon

EXPLANATORY NOTE

This bill seeks to establish a state college in the Municipality of Pinamalayan, Province of Oriental Mindoro, to be known as the “*Oriental Mindoro National Business and Technology College*.”

Education is one of the most important legacies that Filipino parents can impart to their children. A good education opens opportunities that ensure a better future. A college education paves the way to brighter career opportunities.

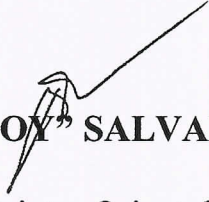
The Sangguniang Panlalawigan of Oriental Mindoro adopted Resolution No. 5142-2020 appealing to President Rodrigo Roa Duterte, the Department of Education, Commission on Higher Education, Senate and House of Representatives, for the establishment of a state college that will offer tertiary education with affordable tuition fees for public high school graduates of the province. The proposed state college will be located in the Municipality of Pinamalayan of the Second Legislative District of Oriental Mindoro.

Establishing a state college in the province will give the students a wider latitude for learning at the tertiary level. Moreover, it will enable the students to finish their studies in an institution that is accessible and will give them the opportunity of improving their status in life.

The state college will provide the necessary facility to enhance the desire of the people of Oriental Mindoro for better education, and develop the talents and skills of the youth in the province in the field of business, arts, sciences and technology, education, agriculture, aquaculture, engineering, food technology, nutrition, as well as in vocational and other technical courses.

The residents of Oriental Mindoro firmly believe that development goals must focus on the continuing improvement of education, by providing accessible, quality, and affordable tertiary education that primarily focuses on business, science, and technology.

In view of the foregoing, approval of this bill is highly and earnestly recommended.



ATTY. PAULINO “DOY” SALVADOR C. LEACHON
Senior Deputy Speaker
Representative, 1st District – Oriental Mindoro



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Eighteenth Congress
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HOUSE BILL NO. 8878

Introduced by Representative Doy C. Leachon

AN ACT

**ESTABLISHING A STATE COLLEGE IN THE MUNICIPALITY OF
PINAMALAYAN, PROVINCE OF ORIENTAL MINDORO, TO BE
KNOWN AS THE “ORIENTAL MINDORO NATIONAL BUSINESS AND
TECHNOLOGY COLLEGE” AND APPROPRIATING FUNDS
THEREFOR**

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

SECTION 1. *Oriental Mindoro National Business and Technology*

College. – There is hereby established in the Municipality of Pinamalayan,
Province of Oriental Mindoro, a state college to be known as the “*Oriental
Mindoro National Business and Technology College*,” hereinafter referred to as
the College. The College shall primarily provide technical and professional
training in science, arts, education, agriculture, engineering and technology,
fisheries, food production, nutrition, health, and sports development, as well as

1 short-term vocational courses. It shall likewise promote research, advanced
2 studies, and academic leadership in the stated areas of specialization.

3 The College shall exercise the powers specified in this Act, other special
4 laws, and the general powers set forth in Republic Act No. 11232, otherwise
5 known as the “*Revised Corporation Code of the Philippines*.” The administration
6 of the College and the exercise of its corporate powers shall be exercised
7 exclusively by a Board of Trustees.

8 SEC. 2. ***Board of Trustees***. – The governing body of the College shall be
9 vested in a Board of Trustees, hereinafter referred to as the Board, which shall be
10 composed of eleven (11) members, as follows:

11 a) Chairperson of the Commission on Higher Education,
12 as chairperson;

13 b) President of the College, as vice-chairperson;

14 c) Chairperson of the Committee on Education, Arts and Culture in the
15 Senate;

16 d) Chairperson of the Committee on Higher and Technical Education
17 in the House of Representatives;

18 e) Regional Director of the National Economic and Development
19 Authority;

20 f) Regional Director of the Department of Science and Technology;

21 g) President of the alumni association;

22 h) President of the faculty association;

1 i) Chairperson of the supreme student council; and

2 j) Two (2) prominent citizens of the Province of Oriental Mindoro; as
3 members.

4 The two prominent citizens shall be appointed by the Board upon the
5 recommendation of the President of the College from at least five (5) nominees
6 who have distinguished themselves in their respective professions or chosen field
7 of specialization. Of the first two (2) appointed prominent citizens, the Board
8 shall designate one to serve for three (3) years and the other for six (6) years.

9 The members of the Board shall be citizens and residents of the Philippines.
10 Except for the president of the College and the president of the faculty
11 association, no person in the employ of the College or other educational
12 institutions in any capacity whatsoever shall be eligible for membership in the
13 Board.

14 The members shall serve without compensation, but they shall be
15 reimbursed for necessary expenses incurred in their attendance in meetings of the
16 Board or in connection with their official duties.

17 The Board shall hold its regular meeting every two (2) months and may hold
18 as many special meetings as may be necessary. A majority of all members holding
19 office at the time a meeting is called shall constitute a quorum. In the absence of
20 the chairperson, the president of the College shall act as presiding officer during
21 board meetings.

1 SEC. 3. *Powers of the Board.* – The Board shall exercise the following

2 powers:

3 a) Enact rules and regulations necessary to carry out the purpose and
4 functions of the College;

5 b) Receive and appropriate all sums as may be provided by law for the
6 support of the College;

7 c) Provide for the establishment of an Institute of General Education
8 Studies, a School of Agriculture and Aquatic Sciences, a School of Forestry and
9 Environmental Science, a School of Engineering and Technology, a School of
10 Education, a School of Business, a School of Veterinary Medicine, a School of
11 Food Technology and Nutrition, an Indigenous Arts and Crafts Institute, and
12 other schools and departments as the Board may deem necessary;

13 d) Confer degrees upon successful candidates for graduation from the
14 College;

15 e) Authorize the President of the College to award certificates for
16 completion of non-degree programs;

17 f) Prescribe for the governance of the College such rules and
18 regulations not contrary to law as may be necessary to carry out the purposes of
19 the College;

20 g) Receive in trust legacies, gifts, and donations for real and personal
21 property of all kinds, and administer the same for the benefit of the College or of
22 a school, institute or department thereof, or for aid to any student or students in

1 accordance with directions and instructions of the donor or, in default thereof, in
2 such manner as the Board may, in its discretion determine;

3 h) Appoint the president, vice-presidents, deans, directors, the
4 secretary of the College, the registrar, the heads of the departments, professors,
5 instructors, lecturers, and other officials and employees of the College; fix their
6 annual compensation subject to pertinent compensation laws; prescribe their
7 hours of service, duties and other conditions as it may deem proper; grant them,
8 in its discretion, leave of absence in accordance with rules that it may promulgate;
9 and, remove them for cause after proper notice and hearing pursuant to civil
10 service laws governing disciplinary action;

11 i) Approve the curricula and rules of discipline drawn up by the
12 Academic Council as hereinafter provided;

13 j) Fix and collect minimal school fees and charges, subject to the
14 limitations as provided by Republic Act No. 10931, otherwise known as the
15 “*Universal Access to Quality Tertiary Education Act*,” as the Board may deem
16 proper to impose. Such fees and charges, including government subsidies and
17 other income generated by the College, shall constitute special trust funds and
18 shall be deposited in any authorized bank, and any and all interest that shall accrue
19 therefrom shall form part of the same funds for the use of the College. Any
20 provision of existing laws to the contrary notwithstanding, incomes generated by
21 the College may, at the discretion of the Board, be disbursed for the professional
22 growth and development, health, welfare and other similar benefits of the faculty

1 members and personnel; for the acquisition, construction, maintenance, and
2 repair of urgently needed instructional and auxiliary facilities, equipment,
3 building, and other infrastructures; and for expenses necessary for the attainment
4 of its purposes under this Act.

5 k) Provide fellowships for qualified faculty members and scholarships,
6 grants-in-aid and part-time job opportunities to deserving students, especially the
7 underprivileged;

8 l) Develop consortia and other forms of linkages with local
9 government units, institutions and agencies, both public and private, local and
10 foreign, in furtherance of the purposes and objectives of the College;

11 m) Develop academic arrangements for institutional capability building
12 with appropriate institutions and agencies, public and private, local and foreign,
13 and to appoint experts as consultants, part-time or visiting or exchange professors,
14 scholars or researchers;

15 n) Set up the adoption of modern and innovative modes of transmitting
16 knowledge such as the use of information technology, the dual learning system,
17 open learning or distance education, and community laboratory for the promotion
18 of greater access to higher education and graduate studies;

19 o) Establish policy guidelines and procedures for participative
20 decision-making and transparency within the College;

1 p) Privatize, where most advantageous to the College, the management
2 of nonacademic services such as health, food, building, grounds or property
3 maintenance and such other similar activities;

4 q) Extend the term of the president of the College beyond the age of
5 retirement, but not beyond the age of seventy (70), whose performance has been
6 unanimously rated by the Board as outstanding, based on the guidelines,
7 qualifications or standards set by the Board, after a unanimous recommendation
8 by the search committee;

9 r) Establish chairs in the schools mentioned in paragraph (b) of this
10 Section and to sustain their endowment, as well as to provide for other faculty
11 awards as the programs of action may make necessary; and

12 s) Establish branches or extensions within the Province of Oriental
13 Mindoro where no existing educational institutions offering similar programs or
14 courses.

15 SEC. 4. ***President.*** – The administration of the College shall be vested in
16 the president, who shall be appointed by the Board for a term of six (6) years.
17 The president of the College may be reappointed for another term.

18 The salary of the president shall be fixed by the Board, subject to pertinent
19 compensation laws, and shall be comparable to that being received by the
20 presidents of similar educational institutions.

1 In addition to those specifically provided for in this Act, the other powers
2 and duties of the president shall be those usually pertaining to the office of the
3 president of a state college or university.

4 In case of permanent vacancy in the office of the president by reason of
5 death, resignation, removal for cause or incapacity to perform the functions and
6 duties of the office, the vice president for academic affairs shall act as president
7 of the College until a new president shall have been appointed and qualified.

8 The president of the College shall be assisted by two (2) vice presidents; one
9 vice president for academic affairs and one vice president for planning and
10 finance, who shall be appointed by the Board upon the recommendation of the
11 president of the College.

12 SEC. 5. *Faculty; Appointment of Deans.* – The body of professors and
13 instructors of each school shall constitute its faculty and as head of each faculty,
14 there shall be a dean to be appointed by the Board upon the recommendation of
15 the president of the College.

16 In the appointment of professors or instructors, no religious opinion or
17 affiliation shall be made as a matter of inquiry or examination. No faculty
18 member or employee in the College shall inculcate sectarian tenets or attempt,
19 either directly or indirectly, under penalty of dismissal by the Board, to influence
20 students and employees for or against any particular church or religious sect.

21 SEC. 6. *Secretary.* – There shall be a secretary of the College to be
22 appointed by the Board upon the recommendation of the president of the College.

1 The secretary shall also serve as the secretary of the Board. It shall be the duty
2 of the secretary to keep the records of the College and the Board and shall be
3 compensated according to pertinent compensation laws.

4 SEC. 7. ***Academic Council.*** – There shall be an academic council consisting
5 of the president of the College and all the members of the faculty holding the rank
6 of professor, associate professor, and assistant professor. The academic council
7 alone shall have the power to prescribe the curriculum and rules of discipline,
8 subject to the approval of the Board. It shall also fix the requirements for
9 admission as well as graduation. The academic council has the authority to
10 recommend the conferment of titles to deserving individuals. Through the
11 president of the College or its duly authorized committee, the academic council
12 shall have disciplinary power over the students of the College within the limits
13 prescribed by the rules of discipline approved by the Board.

14 SEC. 8. ***Academic Freedom and Institutional Autonomy.*** – The College
15 shall enjoy academic freedom and institutional autonomy, pursuant to paragraph
16 2, Section 5 of Article XIV of the Philippine Constitution.

17 SEC. 9. ***Admission.*** – The College shall provide scholarships and other
18 assistance programs to assist poor but deserving students who qualify for
19 admission to the College.

20 No student shall be denied admission in the College by reason of sex, ethnic
21 consideration, religious belief, or political affiliation.

1 SEC. 10. ***Campus Site.*** – The College shall have an area of not less than
2 five (5) hectares for its exclusive use as a campus site for its academic and
3 instructional programs, research and development activities, and experimental
4 and laboratory facilities.

5 The Board shall forthwith recommend a suitable site in the Municipality of
6 Pinamalayan, Province of Oriental Mindoro for this purpose. The Office of the
7 President of the Philippines shall effect the immediate acquisition of the area by
8 way of proclamation or by instituting expropriation proceedings, if necessary.

9 SEC. 11. ***Development Plan.*** – Within six (6) months following its creation,
10 the Board shall complete a seven-year development plan for the College which
11 shall serve as the basis for its policy decisions.

12 SEC. 12. ***Tax Exemption on Incorporation and Donations.*** – The
13 importation of economic, technical and cultural books or publications, which are
14 for economic, technical, vocational, scientific, philosophical, historical or
15 cultural purposes made by the College upon certification by the Commission on
16 Higher Education, shall be exempt from customs duties in accordance with the
17 provisions of the Tariff and Customs Code of the Philippines, as amended.

18 All donations in any form to the College shall be exempt from the donor's
19 tax and the same shall be considered as an allowable deduction from the gross
20 income in the computation of the income tax of the donor, in accordance with the
21 provisions of the National Internal Revenue Code of 1997, as amended.

1 SEC. 13. ***Filing of Report.*** – On or before the fifteenth day of the second
2 month after the opening of the regular classes each year, the Board shall file with
3 the Office of the President of the Philippines, through the Chairperson of the
4 Commission on Higher Education, and with both Houses of Congress a detailed
5 report on the progress, conditions, and needs of the College.

6 SEC. 14. ***Appropriations.*** – The amount necessary for the effective
7 implementation of this Act shall be charged to the current year's appropriations
8 of the Commission on Higher Education. Thereafter, such sum as may be
9 necessary for the continued implementation of this Act shall be included in the
10 annual General Appropriations Act.

11 SEC. 15. ***Parity Clause.*** – All other powers, functions and privileges,
12 responsibilities, and limitations under existing laws shall be deemed granted to or
13 imposed upon the College and its officials, whenever appropriate.

14 SEC. 16. ***Implementing Rules and Regulations.*** – Within sixty (60) days
15 from the effectivity of this Act, the Board shall, in consultation with the
16 Commission on Higher Education, issue the necessary rules and regulations for
17 the effective implementation of this Act.

18 SEC. 17. ***Separability Clause.*** – If any part or provision of this Act is
19 declared invalid or unconstitutional, the remaining parts or any provisions not
20 affected shall remain in full force and effect.

1 SEC. 18. ***Repealing Clause.*** – All laws, presidential decrees, executive
2 orders, and their implementing rules and regulations inconsistent with the
3 provisions of this Act are hereby repealed, amended, or modified accordingly.

4 SEC. 19. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
5 publication in the *Official Gazette* or in a newspaper of general circulation.

6 Approved,