



HOUSE OF REPRESENTATIVES

H. No. 5643

BY REPRESENTATIVES GARIN, VILLAR, CUA (J.), JAVIER, REMULLA, CHATTO,
PADILLA, MADRONA, NICOLAS, DEL MAR, AMATONG, AQUINO, MITRA,
DE GUZMAN, GARAY AND ANGPING, PER COMMITTEE REPORT NO. 1589

AN ACT ESTABLISHING A POLYTECHNIC STATE COLLEGE IN THE
MUNICIPALITY OF GUIMBAL, PROVINCE OF ILOILO TO BE
KNOWN AS THE GUIMBAL POLYTECHNIC STATE COLLEGE
AND APPROPRIATING FUNDS THEREFOR

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

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

4 SEC. 2. *General Mandate.* – The College shall primarily provide
5 advanced education, higher technological, professional instruction and training
6 in the fields of engineering, arts and sciences, technology, education, social
7 sciences, commerce, business administration, engineering, fishery, technical
8 courses in trade, forestry, agriculture and other short-term courses that will
9 support the development of the Province of Iloilo and Region VI. It shall also
10 undertake research and extension services, and provide progressive leadership
11 in its areas of specialization.

1 SEC. 3. *Curricular Offerings.* – The College shall offer undergraduate,
2 graduate courses in the fields of engineering, arts and sciences, technology,
3 education, social sciences, commerce, business administration, engineering,
4 fishery, technical courses in trade, forestry, agriculture and other degree
5 courses within its areas of specialization and according to its capabilities as the
6 Board of Trustees may deem necessary to carry out its objectives, particularly
7 to meet the needs of the Province of Iloilo and Region VI.

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

10 SEC. 4. *Administration.* – The College shall have the general powers of
11 a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
12 known as “The Corporation Code of the Philippines”. The administration of
13 the College and the exercise of its corporate powers shall be vested exclusively
14 in the Board of Trustees and the President of the College.

15 SEC. 5. *The Governing Board.* – The governing board of the College
16 shall be the Board of Trustees, hereinafter referred to as the Board, which shall
17 be composed of the following:

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

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

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

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

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

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

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

2 (h) The President of the student council of the College, member;

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

4 and

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

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

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

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

19 SEC. 6. *Promulgation and Implementation of Policies.* – The Board
20 shall promulgate and implement policies in accordance with the declared State
21 policies on education and other pertinent provisions of the Philippine
22 Constitution on education, agriculture, science and technology, as well as the
23 policies, standards and thrusts of the CHED under Republic Act No. 7722,
24 otherwise known as the “Higher Education Act of 1994”.

25 SEC. 7. *Powers and Duties of the Board of Trustees.* – The Board shall
26 have the following specific powers and duties, in addition to its general powers
27 of administration and the exercise of all the powers granted to the board of
28 directors of a corporation under existing laws:

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

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

11 (d) To receive in trust legacies, gifts and donations of real properties of
12 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 of
14 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:
19 *Provided*, That such donations shall not be disposed of, transferred or sold;

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

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 the
28 College.

1 Any provision of existing laws, rules and regulations to the contrary
2 notwithstanding, any income generated by the College from tuition fees and
3 other charges, as well as from the operation of auxiliary services and land
4 grants, shall be retained by the College and may be disbursed by the Board for
5 instruction, research, extension or other programs/projects of the College:
6 *Provided, That all fiduciary fees shall be disbursed for the specific purposes*
7 *for which these are collected.*

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

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

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

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

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

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

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

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

10 (m) To establish and absorb nonchartered tertiary institutions within
11 the Province of Iloilo as branches and centers in coordination with the CHED,
12 and in consultation with the Department of Budget and Management (DBM),
13 and to offer therein programs or courses, to promote and carry out equal access
14 to educational opportunities as mandated by the Constitution;

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

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

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

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

27 (r) To collaborate with other governing boards of the state colleges and
28 universities within the Province of Iloilo or Region VI, under the supervision

1 of the CHED and in consultation with the DBM, and work towards the
2 restructuring of the College to become more efficient, relevant, productive and
3 competitive;

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

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

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

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

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

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

26 (y) To extend the term of the President of the College beyond the age
27 of retirement but not beyond the age of seventy (70), whose performance has
28 been unanimously rated by the governing board as outstanding, based on the

1 guidelines, qualifications and/or standards set by the Board, after unanimous
2 recommendation by the search committee.

3 SEC. 8. *Meetings of the Board.* -- The Board shall regularly convene at
4 least once every quarter. However, the Chairperson of the Board may, upon
5 three (3) days' prior written notice, call a maximum of two (2) special
6 meetings whenever necessary.

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

11 In the absence of the Chairperson of the CHED, a Commissioner of the
12 CHED, duly designated by him/her, shall represent him/her in the meeting with
13 all the rights and responsibilities of a regular member: *Provided, however,*
14 That during this meeting, the President of the College as Vice Chairperson
15 shall be the Presiding Officer: *Provided, further,* That this *proviso*
16 notwithstanding, the Chairperson of the CHED is hereby authorized to
17 designate a CHED Commissioner as the regular Chair of the Board, in which
18 case said CHED Commissioner shall act as the Presiding Officer.

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

23 The members of the Board shall not receive any salary but shall be
24 entitled to reimbursements for actual and necessary expenses incurred, either in
25 their attendance to meetings of the Board or in connection with other official
26 business authorized by resolution of the Board, subject to existing laws and
27 regulations.

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

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

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

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

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

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

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

1 The President shall be assisted by a Vice President for Academic
2 Affairs who shall be appointed by the Board upon the recommendation of the
3 President.

4 SEC. 10. *The Administrative Council.* – There shall be an
5 Administrative Council consisting of the President of the College as
6 Chairperson, Vice President/s, deans, directors and other officials of equal rank
7 as members, whose duty is to review and recommend to the Board the policies
8 governing the administration, management and development planning of the
9 College.

10 SEC. 11. *The Academic Council.* – There shall be an Academic Council
11 to be composed of the President of the College, who shall act as Chairperson,
12 and all academic staff with the rank of at least an assistant professor, as
13 members.

14 The Academic Council shall have the power to review and recommend
15 the curricular offerings and rules of discipline of the College, subject to the
16 approval of the Board. It shall fix the requirements for the admission of
17 students, as well as for their graduation and conferment of degrees, subject to
18 review and/or approval by the Board through the President of the College. It
19 shall have the disciplinary power over students of the College and shall
20 formulate academic policies and rules and regulations on discipline, subject to
21 the approval of the Board.

22 SEC. 12. *The Secretary of the College.* – The Board shall appoint a
23 secretary, who shall serve as such for both the Board and the College and shall
24 keep all records and proceedings of the Board. He/She shall serve upon each
25 member of the Board the appropriate notice of the Board meetings.

26 SEC. 13. *The Treasurer of the College.* – The Treasurer of the
27 Philippines shall be the *ex officio* treasurer of the College.

1 SEC. 14. *The Faculty.* – No political beliefs, gender preference,
2 cultural or community affiliation or ethnic origin, and religious opinion or
3 affiliation shall be a matter of inquiry in the appointment of faculty members of
4 the College: *Provided, however,* That said appointment shall be subject to the
5 guidelines, qualifications and/or standards set by the Board: *Provided, further,*
6 That no member of the faculty shall teach for or against any particular church
7 or religious sect.

8 SEC. 15. *Scholarship Program/Admission.* – The College shall provide
9 a scholarship program and other affirmative action programs to assist poor but
10 deserving students who qualify for admission to the College.

11 No student shall be denied admission to the College by reason of sex,
12 religion, cultural or community affiliation or ethnic origin.

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

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

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

1 SEC. 18. *Campus Site/Assets.* – The College shall have an area of not
2 less than five (5) hectares, at least three (3) hectares of which are contiguous to
3 the main campus, for its exclusive use as campus site for its academic and
4 instructional programs, research and development activities and experimental
5 and laboratory facilities.

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

13 SEC. 19. *Appropriations.* – The amount necessary to carry out the
14 provisions of this Act shall be included in the General Appropriations Act of
15 the year following its enactment into law and thereafter.

16 SEC. 20. *Development Plan, Management Audit, Organizational/
17 Administrative/Academic Structure.* – Within the period of one hundred twenty
18 (120) days after the approval of this Act, the College shall accomplish the
19 following:

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

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

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

27 SEC. 21. *Filing of Report.* – On or before the fifteenth (15th) day of the
28 second (2nd) month after the opening of the regular classes each year, the

1 Board shall file with the Office of the President of the Philippines, through the
2 Chairperson of the CHED, and with both Houses of Congress a detailed report
3 on the progress, conditions and needs of the College.

4 SEC. 22. *Suppletory Application.* – The provisions of Republic Act
5 No. 8292, otherwise known as the “Higher Education Modernization Act of
6 1997”, shall be an integral part of this Act and shall serve as part of the
7 Governing Charter of the College.

8 SEC. 23. *Parity Clause.* – All other powers, functions and privileges,
9 responsibilities and limitations to state colleges and/or their officials under
10 existing laws shall be deemed granted to or imposed upon the College and/or
11 its officials, whenever appropriate.

12 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
13 coordination with the CHED, shall formulate the guidelines to fully implement
14 the provisions of this Act.

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

18 SEC. 26. *Repealing Clause.* – All laws, presidential decrees, executive
19 orders, rules and regulations contrary to or inconsistent with the provisions of
20 this Act are hereby repealed or modified accordingly.

21 SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after
22 its publication in two (2) newspapers of general circulation.

Approved,