



## HOUSE OF REPRESENTATIVES

H. No. 6308

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BY REPRESENTATIVES DAZA, VILLAR, CUA (J.), JAVIER, REMULLA, CHATTO,  
PADILLA, MADRONA, NICOLAS, DEL MAR, AMATONG, AQUINO,  
MITRA, DE GUZMAN, GARAY AND ANGPING, PER COMMITTEE REPORT  
No. 1994

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AN ACT CONVERTING THE SAN ISIDRO AGRO-INDUSTRIAL  
SCHOOL IN THE MUNICIPALITY OF SAN ISIDRO, PROVINCE  
OF NORTHERN SAMAR INTO A STATE COLLEGE TO BE  
KNOWN AS THE SAN ISIDRO 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. *Conversion.* – The San Isidro Agro-Industrial School in the  
2           Municipality of San Isidro, Province of Northern Samar is hereby converted  
3           into a state college to be known as the San Isidro Polytechnic State College,  
4           hereinafter referred to as the College.

5           SEC. 2. *General Mandate.* – The College shall primarily provide  
6           advanced education, higher technological, professional instruction and training  
7           in the fields of economics, agriculture, fishery, trade, home industry,  
8           engineering, arts and sciences, education, forest research and conversion,  
9           management, finance, accounting, business and public administration,

1 information technology and other relevant fields of study. It shall also  
2 undertake research and extension services, and provide progressive leadership  
3 in its areas of specialization.

4 SEC. 3. *Curricular Offerings.* – The College shall offer undergraduate  
5 and graduate studies in the fields of economics, agriculture, fishery, trade,  
6 home industry, engineering, arts and sciences, education, forest research and  
7 conversion, management, finance, accounting, business and public  
8 administration, information technology and other degrees/courses within its  
9 areas of specialization and according to its capabilities as the Board of  
10 Trustees may deem necessary to carry out its objectives, particularly to meet  
11 the needs of the Province of Northern Samar and Region VIII.

12 The existing high school shall be transferred to the jurisdiction and  
13 supervision of the Department of Education (DepEd). *Provided,* That the high  
14 school shall be allowed to remain and operate within the campus of the  
15 College until its students, who are currently enrolled, shall have completed  
16 their high school education: *Provided, further,* That the College may operate a  
17 reasonably-sized laboratory school, if it has a College of Education.

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

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

26 (a) The Chairperson of the Commission on Higher Education (CHED),  
27 Chairperson;

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

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

3 (d) *The Chairperson of the Committee on Higher and Technical*  
4 *Education of the House of Representatives, member;*

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

7 (f) The Regional Director of the Department of Agriculture (DA),  
8 member;

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

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

11 (i) The President of the alumni association of the College, member;  
12 and

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

16 The Board shall appoint the two (2) prominent citizens from among a  
17 list of at least five (5) qualified persons in the Province of Northern Samar, as  
18 recommended by the search committee constituted by the College President, in  
19 consultation with the Chairperson of the CHED and the other members of the  
20 Board, based on the normal standards and qualifications for the position.

21 The term of office of the President of the faculty association, the  
22 President of the student council and the President of the alumni association  
23 shall be coterminous with their respective terms of office, as set forth in their  
24 respective constitutions and bylaws.

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

27 **SEC. 6. *Promulgation and Implementation of Policies.*** – The Board  
28 shall promulgate and implement policies in accordance with the declared State

1 policies on education and other pertinent provisions of the Philippine  
2 Constitution on education, agriculture, science and technology, as well as the  
3 policies, standards and thrusts of the CHED under Republic Act No. 7722,  
4 otherwise known as the “Higher Education Act of 1994”.

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

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

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

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

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

23 Such donations shall be exempt from the donor’s tax and the same shall  
24 be considered as allowable deductions from the gross income in the  
25 computation of the income tax of the donor, in accordance with the provisions  
26 of the National Internal Revenue Code (NIRC) of 1997, as amended:  
27 *Provided, That such donations shall not be disposed of, transferred or sold;*

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

5           Such fees and charges, including government subsidies and other  
6 income generated by the College, shall constitute special trust funds and shall  
7 be deposited in any authorized government depository bank, and all interests  
8 that shall accrue therefrom shall form part of the same funds for the use of the  
9 College.

10           Any provision of existing laws, rules and regulations to the contrary  
11 notwithstanding, any income generated by the College from tuition fees and  
12 other charges, as well as from the operation of auxiliary services and land  
13 grants, shall be retained by the College and may be disbursed by the Board for  
14 instruction, research, extension or other programs/projects of the College;  
15 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes  
16 for which these are collected.

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

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

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

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

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

12 (j) To approve the curricula, instructional programs and rules of  
13 discipline drawn by the Administrative and Academic Councils herein  
14 provided;

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

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

21 (m) To establish and absorb nonchartered tertiary institutions within  
22 the Province of Northern Samar as branches and centers in coordination with  
23 the CHED, and in consultation with the Department of Budget and  
24 Management (DBM), and to offer therein programs or courses to promote and  
25 carry out equal access to educational opportunities as mandated by the  
26 Constitution;

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

1           (o) To establish professorial chairs in the College and to provide  
2 fellowships for qualified faculty members and scholarships to deserving  
3 students;

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

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

11           (r) To collaborate with other governing boards of the state colleges  
12 and universities within the Province of Northern Samar or Region VIII, under  
13 the supervision of the CHED and in consultation with the DBM, and work  
14 towards the restructuring of the College to become more efficient, relevant,  
15 productive and competitive;

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

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

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

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

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

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

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

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

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

24 In the absence of the Chairperson of the CHED, a Commissioner of the  
25 CHED, duly designated by him/her, shall represent him/her in the meeting with  
26 all the rights and responsibilities of a regular member: *Provided, however,*  
27 That during this meeting, the President of the College as Vice Chairperson  
28 shall be the Presiding Officer: *Provided, further,* That this *proviso*



1 notwithstanding, the Chairperson of the CHED is hereby authorized to  
2 designate a CHED Commissioner as the regular Chair of the Board, in which  
3 case said CHED Commissioner shall act as the Presiding Officer.

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

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

13 SEC. 9. *The College President.* – The College shall be headed by a  
14 President who shall render full-time service. He/She shall be appointed by the  
15 Board, subject to the guidelines, qualifications and/or standards set by the  
16 Board, upon recommendation of a duly constituted search committee. He/She  
17 shall have a term of four (4) years and shall be eligible for reappointment for  
18 another term: *Provided*, That in order to effect a smooth transition to a state  
19 college, the incumbent head of the San Isidro Agro-Industrial School, if  
20 qualified, shall serve as the first President of the College.

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

24 In case of vacancy in the Office of the President by reason of death,  
25 compulsory retirement, resignation, removal for cause or incapacity of the  
26 President to perform the functions of his/her office, the Board shall designate  
27 an Officer-in-Charge of the College within six (6) months from the date of  
28 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  
12 Affairs who shall be appointed by the Board upon the recommendation of the  
13 President.

14           SEC. 10. *The Administrative Council.* – There shall be an  
15 Administrative Council consisting of the President of the College as  
16 Chairperson, Vice Presidents, deans, directors and other officials of equal rank  
17 as members, whose duty is to review and recommend to the Board the policies  
18 governing the administration, management and development planning of the  
19 College.

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

24           The Academic Council shall have the power to review and recommend  
25 the curricular offerings and rules of discipline of the College, subject to the  
26 approval of the Board. It shall fix the requirements for the admission of  
27 students, as well as for their graduation and conferment of degrees, subject to  
28 review and/or approval by the Board through the President of the College. It

1 shall have the disciplinary power over students of the College and shall  
2 formulate academic policies and rules and regulations on discipline, subject to  
3 the approval of the Board.

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

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

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

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

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

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

26 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/  
27 Supplies and Detail of Personnel.* – The heads of the bureaus and offices of  
28 the national government are hereby authorized to loan or transfer, upon the

1 request of the President of the College, such apparatus, equipment or supplies  
2 as may be needed by the College, and to detail employees for duty therein  
3 when, in the judgment of the head of bureau or office, such apparatus,  
4 equipment, supplies or services of such employees can be spared without  
5 serious detriment to the public service.

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

9 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and  
10 personal, personnel and records of the San Isidro Agro-Industrial School, as  
11 well as liabilities or obligations, are hereby transferred to the College.  
12 The positions, rights and security of tenure of faculty members and personnel  
13 therein employed under existing laws prior to the conversion into a College  
14 shall be respected.

15 All parcels of land belonging to the government and occupied by the  
16 San Isidro Agro-Industrial School are hereby declared to be property of the  
17 College, and shall be titled under that name: *Provided*, That should the  
18 College cease to exist or be abolished, or should such parcels of land  
19 aforementioned be no longer needed by the College, the same shall revert to  
20 the LGUs concerned.

21 SEC. 19. *Appropriations.* – The amount necessary to carry out the  
22 provisions of this Act shall be charged against the current year's  
23 appropriations of the San Isidro Agro-Industrial School, except the sums  
24 needed to continue the operations of the existing high school. Thereafter, such  
25 sums as may be necessary for the continued operation and maintenance of the  
26 San Isidro Polytechnic State College shall be included in the annual General  
27 Appropriations Act.

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

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

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

9           (c) Accordingly set up its organizational, administrative as well as  
10 academic structure, including the appointment of the key officials of the  
11 College.

12           SEC. 21. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of the  
13 second (2<sup>nd</sup>) month after the opening of the regular classes each year, the  
14 Board shall file with the Office of the President of the Philippines, through the  
15 Chairperson of the CHED and with both Houses of Congress, a detailed report  
16 on the progress, conditions and needs of the College.

17           SEC. 22. *Suppletory Application.* – The provisions of Republic Act  
18 No. 8292, otherwise known as the “Higher Education Modernization Act of  
19 1997”, shall be an integral part of this Act and shall serve as part of the  
20 Governing Charter of the College.

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

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

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

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

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

Approved,

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