



HOUSE OF REPRESENTATIVES

H. No. 7121

BY REPRESENTATIVES BIRON, VILLAR, CUA (J.), JAVIER AND REMULLA, PER
COMMITTEE REPORT NO. 2585

AN ACT CONVERTING THE ILOILO STATE COLLEGE OF FISHERIES
IN THE MUNICIPALITY OF BAROTAC NUEVO INTO A STATE
UNIVERSITY TO BE KNOWN AS THE ILOILO STATE
UNIVERSITY OF FISHERIES, SCIENCE AND TECHNOLOGY
WITH CAMPUSES IN THE MUNICIPALITIES OF SAN ENRIQUE,
DINGLE AND DUMANGAS, INTEGRATING THEREWITH THE
BAROTAC NUEVO POLYTECHNIC INSTITUTE IN THE
MUNICIPALITY OF BAROTAC NUEVO, ALL MUNICIPALITIES
LOCATED IN THE PROVINCE OF ILOILO 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 Iloilo State College of Fisheries in
2 Barangay Tiwi, Municipality of Barotac Nuevo, including its campuses
3 namely: the San Enrique Polytechnic College in the Municipality of San
4 Enrique, the Dingle Agricultural and Technological College in the
5 Municipality of Dingle and the Dumangas Polytechnic College in the
6 Municipality of Dumangas, all located in the Province of Iloilo, is hereby
7 converted into a state university to be known as the Iloilo State University of

1 Fisheries, Science and Technology, hereinafter referred to as the University,
2 integrating therewith the Barotac Nuevo Polytechnic Institute in the
3 Municipality of Barotac Nuevo. The main campus of the University shall be
4 located in the Municipality of Barotac Nuevo.

5 SEC. 2. *General Mandate.* – The University shall primarily provide
6 advanced education, higher technological, professional instruction and training
7 in the arts, sciences, education, engineering, agriculture, marine transportation
8 and forestry, and other relevant fields of study. It shall also promote and
9 undertake research, extension services and production activities in support of
10 the socioeconomic development of the Province of Iloilo and provide
11 progressive leadership in its areas of specialization.

12 SEC. 3. *Curricular Offerings.* – The University shall offer
13 undergraduate and graduate studies in the fields of arts and sciences,
14 philosophy, teacher education, agriculture, marine transportation and forestry,
15 engineering and architecture, maritime education, industrial and technological
16 education, information and communications technology, hotel and restaurant
17 technology, trades, nontraditional courses and other degrees within its areas of
18 specialization and according to its capabilities, as the Board of Regents may
19 deem necessary to carry out its objectives and in order to meet the needs of the
20 Province of Iloilo and Region VI.

21 The University shall maintain and operate a reasonably-sized laboratory
22 school, under its College of Education in the main campus.

23 SEC. 4. *Administration.* – The University shall have the general
24 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,
25 otherwise known as the “Corporation Code of the Philippines”. The
26 administration of the University and the exercise of its corporate powers shall
27 be vested exclusively in the Board of Regents and the President of the
28 University.

1 **SEC. 5. *The Governing Board.*** – The governing board of the
2 University shall be the Board of Regents, hereinafter referred to as the Board,
3 which shall be composed of the following:

4 (a) The Chairperson of the Commission on Higher Education (CHED),
5 Chairperson;

6 (b) The President of the University, Vice Chairperson;

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

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

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

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

15 (g) The President of the federation of faculty associations of the
16 University, member;

17 (h) The President of the federation of student councils of the
18 University, member;

19 (i) The President of the federation of alumni associations of the
20 University, member; and

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

24 The Board shall appoint the two (2) prominent citizens from among a
25 list of at least five (5) qualified persons in the Province and City of Iloilo, as
26 recommended by the search committee constituted by the University President,
27 in consultation with the Chairperson of the CHED and the other members of

1 the Board, based on the normal standards and qualifications for the position set
2 by the Board.

3 The President of the federation of faculty associations, the President of
4 the federation of student councils and the President of the federation of alumni
5 associations shall serve in the Board only for the duration of their terms of
6 office, as set forth in their respective constitutions and bylaws.

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

9 *SEC. 6. Promulgation and Implementation of Policies.* -- The Board
10 shall promulgate and implement policies in accordance with the declared State
11 policies on education and other pertinent provisions of the Philippine
12 Constitution on education, agriculture, science and technology, as well as the
13 policies, standards and thrusts of the CHED under Republic Act No. 7722,
14 otherwise known as the "Higher Education Act of 1994".

15 *SEC. 7. Powers and Duties of the Board of Regents.* -- The Board
16 shall have the following specific powers and duties, in addition to its general
17 powers of administration and the exercise of all the powers granted to the
18 board of directors of a corporation under existing laws:

19 (a) To promulgate rules and regulations not contrary to law as may be
20 necessary to carry out the purposes and functions of the University;

21 (b) To receive and appropriate all sums as may be provided for the
22 support of the University in the manner it may determine in its discretion, in
23 order to carry out the purposes and functions of the University;

24 (c) To import economic, technical and cultural books and/or
25 publications;

26 (d) To receive in trust legacies, gifts and donations of real and personal
27 properties of all kinds and to administer and dispose of the same when

1 necessary for the benefit of the University, and subject to the limitations,
2 directions and instructions of the donor, if any;

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

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

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

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

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

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

4 (h) To appoint upon recommendation of the President of the
5 University, Vice Presidents, deans, directors, heads of campuses/departments,
6 faculty members, and other officials and employees of the University;

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

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

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

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

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

1 (n) To establish research and extension centers of the University where
2 such will promote the development of the latter;

3 (o) To establish professorial chairs in the University and to provide
4 fellowships for qualified faculty members and scholarships to deserving
5 students;

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

10 (q) To authorize an external management audit of the University,
11 subject to the rules and regulations of the Commission on Audit (COA); and to
12 institute reforms, including academic and structural changes, on the basis of the
13 audit results and recommendations;

14 (r) To collaborate with other governing boards of the state colleges and
15 universities within the Province of Iloilo or Region VI, under the supervision
16 of the CHED and in consultation with the DBM, and work towards the
17 restructuring of the University to become more efficient, relevant, productive
18 and competitive;

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

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

27 (u) To develop academic arrangements for institutional capability
28 building with appropriate institutions and agencies, public and private, local

1 and foreign, and to appoint experts/specialists as consultants, part-time or
2 visiting or exchange professors, scholars or researchers, as the case may be;

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

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

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

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

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

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

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

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

5 In case the Chairpersons of the Congressional Committees on Education
6 shall not be able to attend the Board meeting, they may duly designate their
7 respective representatives to attend the said meeting, who shall have the same
8 rights and responsibilities as a regular member 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, either in
11 their attendance to meetings of the Board or in connection with other official
12 business authorized by resolution of the Board, subject to existing laws and
13 regulations.

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

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

26 In case of vacancy in the Office of the President by reason of death,
27 compulsory retirement, resignation, removal for cause or incapacity of the
28 President to perform the functions of his/her office, the Board shall designate

1 an Officer-in-Charge of the University within six (6) months from date of
2 vacancy, pending the appointment of a new President.

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

6 The powers and duties of the President of the University, in addition to
7 those specifically provided in this Act, shall be those usually pertaining to the
8 Office of the President of similar universities, and those delegated by the
9 Board.

10 The salary of the President of the University shall be in accordance with
11 the Revised Compensation and Position Classification System as modified by
12 Joint Resolution No. 4 dated June 17, 2009, and shall be comparable to that
13 being received by the Presidents of similar educational institutions.

14 The President of the University shall be assisted by a Vice President for
15 Academic Affairs and a Vice President for Administration, who shall be
16 appointed by the Board upon recommendation of the President.

17 *SEC. 10. Heads of University Campuses.* – Campus Directors shall
18 head the University campuses and they shall render full-time service. They
19 shall be appointed by the Board upon recommendation of the search committee
20 and the President of the University, subject to the guidelines, qualifications
21 and/or standards set by the Board: *Provided*, That the incumbent college
22 administrators of the extension campuses shall serve as Campus Directors of
23 their respective campuses.

24 *SEC. 11. The Administrative Council.* – There shall be an
25 Administrative Council consisting of the President of the University as
26 Chairperson, Vice Presidents, deans, directors and other officials of equal rank
27 as members, whose duty is to review and recommend to the Board the policies

1 governing the administration, management and development planning of the
2 University.

3 SEC. 12. *The Academic Council.* – There shall be an Academic
4 Council to be composed of the President of the University, who shall act as
5 Chairperson, and all academic staff with the rank of at least an assistant
6 professor, as members.

7 The Academic Council shall have the power to review and recommend
8 the curricular offerings and rules of discipline of the University, subject to the
9 approval of the Board. It shall fix the requirements for the admission of
10 students, as well as for their graduation and conferment of degrees, subject to
11 review and/or approval by the Board through the President of the University.
12 It shall have the disciplinary power over students of the University and shall
13 formulate academic policies and rules and regulations on discipline, subject to
14 the approval of the Board.

15 SEC. 13. *The Secretary of the University.* – The Board shall appoint a
16 secretary, who shall serve as such for both the Board and the University and
17 shall keep all records and proceedings of the Board. He/She shall serve upon
18 each member of the Board the appropriate notice of the Board meetings.

19 SEC. 14. *The Treasurer of the University.* – The Treasurer of the
20 Philippines shall be the *ex officio* treasurer of the University.

21 SEC. 15. *The Faculty.* – No political beliefs, gender preference,
22 cultural or community affiliation or ethnic origin, and religious opinion or
23 affiliation shall be a matter of inquiry in the appointment of faculty members
24 of the University: *Provided*, That said appointment shall be subject to the
25 guidelines, qualifications and/or standards set by the Board: *Provided, further*,
26 That no member of the faculty shall teach for or against any particular church
27 or religious sect.

1 SEC. 16. *Scholarship Program/Admission.* – The University shall
2 provide a scholarship program and other affirmative action programs to assist
3 poor but deserving students who qualify for admission to the University.

4 No student shall be denied admission to the University by reason of
5 gender, religion, cultural or community affiliation or ethnic origin.

6 SEC. 17. *Academic Freedom and Institutional Autonomy.* – The
7 University shall enjoy academic freedom and institutional autonomy, pursuant
8 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
9 the Philippines.

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

18 The employees so detailed shall perform such duties as required of them
19 by the President of the University, and the time so employed shall be counted
20 as part of their regular services.

21 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and
22 personal, personnel and records of the Iloilo State College of Fisheries,
23 including the San Enrique Polytechnic College in the Municipality of San
24 Enrique, the Dingle Agricultural and Technological College in the
25 Municipality of Dingle, the Dumangas Polytechnic College in the Municipality
26 of Dumangas and the Barotac Nuevo Polytechnic Institute in the Municipality
27 of Barotac Nuevo, as well as liabilities or obligations, are hereby transferred to
28 the University. The positions, rights and security of tenure of faculty members

1 and personnel therein employed under existing laws prior to the conversion
2 into a University shall be respected.

3 All parcels of land belonging to the government and occupied by the
4 Iloilo State College of Fisheries, including the San Enrique Polytechnic
5 College in the Municipality of San Enrique, the Dingle Agricultural and
6 Technological College in the Municipality of Dingle, the Dumangas
7 Polytechnic College in the Municipality of Dumangas and the Barotac Nuevo
8 Polytechnic Institute in the Municipality of Barotac Nuevo, are hereby
9 declared to be property of the University, and shall be titled under that name:
10 *Provided*, That should the University cease to exist or be abolished or should
11 such parcels of land aforementioned be no longer needed by the University,
12 the same shall revert to the LGUs concerned.

13 SEC. 20. *Tax Exemption on Importation and Donations.* – The
14 importation of economic, technical and cultural books and/or publications,
15 which are for economic, technical, vocational, scientific, philosophical,
16 historical or cultural purposes made by the Iloilo State University of Fisheries,
17 Science and Technology upon certification by the CHED shall be exempt from
18 customs duties in accordance with the provisions of the Tariff and Customs
19 Code of the Philippines, as amended.

20 All donations in any form to the Iloilo State University of Fisheries,
21 Science and Technology shall be exempt from the donor's tax and the same
22 shall be considered as allowable deduction from the gross income in the
23 computation of the income tax of the donor, in accordance with the provisions
24 of the National Internal Revenue Code of 1997, as amended.

25 SEC. 21. *Appropriations.* – The amount necessary to carry out the
26 provisions of this Act shall be charged against the current year's appropriations
27 of the Iloilo State College of Fisheries, the San Enrique Polytechnic College,
28 the Dingle Agricultural and Technological College, the Dumangas Polytechnic

1 College and the Barotac Nuevo Polytechnic Institute, except the sums needed
2 to continue the operations of the existing high school. Thereafter, such sums
3 as may be necessary for the continued operation and maintenance of the Iloilo
4 State University of Fisheries, Science and Technology shall be included in the
5 annual General Appropriations Act.

6 SEC. 22. *Development Plan, Management Audit, Organizational/
7 Administrative/Academic Structure.* – Within the period of one hundred
8 twenty (120) days after the approval of this Act, the University shall
9 accomplish the following:

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

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

14 (c) Accordingly set up its organizational, administrative, as well as
15 academic structure, including the appointment of the key officials of the
16 University.

17 SEC. 23. *Filing of Report.* – On or before the fifteenth (15th) day of
18 the second (2nd) month after the opening of the regular classes each year, the
19 Board shall file with the Office of the President of the Philippines through the
20 Chairperson of the CHED, and with both Houses of Congress a detailed report
21 on the progress, conditions and needs of the University.

22 SEC. 24. *Suppletory Application.* – The provisions of Republic Act
23 No. 8292, otherwise known as the “Higher Education Modernization Act of
24 1997”, shall be an integral part of this Act and shall serve as part of the
25 Governing Charter of the University.

26 SEC. 25. *Parity Clause.* – All other powers, functions and privileges,
27 responsibilities and limitations to state universities and/or their officials under

1 existing laws shall be deemed granted to or imposed upon the University
2 and/or its officials whenever appropriate.

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

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

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

12 SEC. 29. *Effectivity.* – This Act shall take effect fifteen (15) days after
13 its publication in two (2) newspapers of general circulation.

Approved,

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