

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3944**



Introduced by Honorable FREDERICK W. SIAO

EXPLANATORY NOTE

This bill seeks to convert the Iligan City National School of Fisheries (ICNSF) into the Iligan City Polytechnic State College (ICSPC).

Section 2, Article XIV of the 1987 Constitution provides, in part, that *"The State shall establish, maintain and support a complete, adequate, and integrated system of education relative to the needs of the people and society."*

Providing access to quality and affordable education has always been a principal objective of the government together with the aspiration of attaining its sustainable existence. Moreover, education is essential in achieving human progress and development as it affords people with the opportunities to enable them to acquire a better future. Education plays an important role in fostering peace, democracy and economic growth as well as mitigating poverty especially in the countryside.

The Iligan City National School of Fisheries (ICNSF) was formally established on May 4, 1973 by virtue of Republic Act No. 4625. In its more than forty years of existence, it has provided educational opportunities to the youth of Iligan City and its nearby provinces and municipalities, thus, preparing them for gainful employment to meet the demands of the fisheries industry in the country. Recently, the ICNSF has emerged as one of the top model schools for the Senior High School (SHS) curriculum of the "K-12 Program" of the Department of Education (DepEd).

Converting the ICNSF into a Polytechnic State College will make Iligan City home to a viable educational institution that will be vital in helping further develop and strengthen the country's fisheries' industry. Currently, the ICNSF is a public technical-vocational (Tech-Voch) school with approximately eleven hectares of land area at Purok I, Barangay Buru-un, Iligan City. It is the only public secondary school with Technical Education and Skills Development Authority (TESDA) accredited courses in Aquaculture National Certificate (NC) Level II, Fish/Food Processing NC Level II, Bread and Pastry Production NC Level II and Electrical Installation and Maintenance NC Level II.

The conversion of the ICNSF into a Polytechnic State College will widen its curriculum and address the needs of the growing student population in Iligan City and its neighboring provinces and municipalities for easier access to quality and affordable education.

In view of the foregoing, approval of this Bill is earnestly sought.



FREDERICK W. SIAO
Lone District, Iligan City

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Introduced by Honorable FREDERICK W. SIAO

AN ACT
CONVERTING THE ILIGAN CITY NATIONAL SCHOOL OF FISHERIES (ICNSF) INTO THE ILIGAN CITY POLYTECHNIC STATE COLLEGE (ICPSC) DEFINING ITS POWERS, FUNCTIONS AND DUTIES, AND APPROPRIATING FUNDS THEREFOR

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

Section 1. Conversion. – The present Iligan City National School of Fisheries (ICNSF) in Iligan City, is hereby converted into the Iligan City Polytechnic State College (ICPSC), hereinafter referred to as the Polytechnic State College.

Sec. 2. Purpose. – The Polytechnic State College shall primarily offer professional and technical instructions and trainings in both the graduate and undergraduate levels in the fields of fishery education, marine transportation, tourism, trade and the arts. It shall also offer vocational and technology courses in welding technology, vocational technology, fishery technology, hotel and restaurant services, hotel and household services, baking technology, electronic services and repair. The Polytechnic State College shall continue to offer the Junior High School and Senior High School Program under the technical-vocational curriculum of the K to 12 Program of the Department of Education.

It shall serve as the center for development of the fisheries industry and shall provide technological, professional and occupational training on the utilization and development of appropriate technologies. It shall also undertake research and extension services and provide progressive leadership in the area of fishery education.

The Polytechnic State College shall offer undergraduate, graduate and short-term technical courses within its area of specialization as the Board of Trustees may deem necessary to carry out its objectives, particularly in order to meet the needs of the city and the province.

Sec. 3. Powers of the Polytechnic State College.— The Polytechnic State College will have the structure and powers of a higher education institution, geared towards the development of technical education and skills development goals of the country, particularly in developing and strengthening the country's fisheries industry.

The Polytechnic State College shall have the general powers of a corporation set forth in Batas Pambansa Big. 68, as amended, otherwise known as the *Corporation Code of the Philippines*." The administration of the Polytechnic State College and the exercise of its corporate powers shall be vested exclusively in its Board of Trustees.

Sec. 4. The Governing Board; Manner of Appointment.—

a) *Composition* —The governing body of the Polytechnic State College shall be the Board of Trustees, hereinafter referred to as the Board, composed of the following:

- 1) Chairperson of the Commission on Higher Education (CHED), Chairperson;
- 2) President of the Polytechnic State College, Vice-Chairperson;
- 3) Regional Director of the National Economic and Development Authority (NEDA) or a duly authorized representative, member;
- 4) Regional Director of the Department of Science and Technology (DOST) or a duly authorized representative, member;

- 5) President of the faculty association of the Polytechnic State College, member;
- 6) President of the student council of the Polytechnic State College, member;
- 7) President of the alumni association of the Polytechnic State College, member;
- 8) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization chosen from among a list of at least five (5) qualified persons in Iligan City, as recommended by the search committee constituted by the President of the Polytechnic State College in consultation with the Chairperson of the CHED based on the normal standards and qualifications for the position. The two (2) private sector representatives shall be appointed by the Board upon recommendation of the duly constituted search committee. The City Government of Iligan shall be represented in the search committee.

b) *Term of Office* – The president of the faculty and alumni associations and the student trustees shall sit in the Board until the expiration of their term of office in such capacities. The prominent citizens shall serve for a term of two (2) years from the date of appointment.

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

- a) To promulgate rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the Polytechnic State College;
- b) To receive and appropriate all sums as may be provided for the support of the Polytechnic State College in the manner it may determine, in its discretion, to carry out the purposes and functions of the Polytechnic State College;

c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds, to administer and dispose of the same when necessary for the benefit of the Polytechnic State College, subject to limitations, directions and instructions of the donor, if any. Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code (NIRC), as amended. *Provided*, that such donations shall not be disposed of, transferred or sold;

d) To fix tuition fees and other necessary school fees and charges including matriculation fees, graduation fees and laboratory fees as the Board may deem proper to impose after due consultations with the involved sectors.

Such fees and charges, including government subsidies and other incomes generated by the Polytechnic State College, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same fund for the use of the Polytechnic State College.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the Polytechnic State College from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the Polytechnic State College, and may be disbursed by the Board for instruction, research, extension, or other programs and projects of the Polytechnic State College. *Provided*, that all fiduciary fees shall be disbursed for the specific purposes for which they are collected.

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

e) To adopt and implement a socialized scheme of tuition and school fees for greater access by poor but deserving students;

f) To authorize the construction or repair of the buildings, equipment and other facilities, and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the Polytechnic State College through the Board shall be exempted from all taxes and duties;

g) To appoint, upon the recommendation of the President of the Polytechnic State College, vice presidents, deans, directors, heads of departments, faculty members and other officials and employees;

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

i) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;

j) To set policies on admission, graduation and certification of students;

k) To award honorary degrees upon persons in recognition of outstanding contribution in the field of education, public service, arts, science and technology or in any field of specialization within the academic competence of the Polytechnic State College and to authorize the award of certificates of completion of non-degree and non-traditional courses;

l) To absorb non-chartered tertiary institutions within the province of Lanao del Norte in coordination with the CHED and in consultation with the Department of Budget and Management, and to offer therein needed programs or courses, to promote and carry out equal access to educational opportunities mandated by the Constitution;

m) To establish research and extension centers of the Polytechnic State College where such will promote the development of the latter;

n) To establish chairs in the Polytechnic State College and to provide fellowships for qualified faculty members and scholarship grants to deserving students;

o) To delegate any of its powers and duties provided for hereinabove to the President or other officials of the Polytechnic State College as it may deem appropriate so as to expedite the administration of the affairs of the Polytechnic State College;

p) To authorize an external management audit of the institution, to be financed by the CHED and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

q) To collaborate with CHED, TESDA and other governing boards of state universities and colleges within the region, under the supervision of the CHED and in consultation with the Department of Budget and Management, in the restructuring of the Polytechnic State College to become more efficient, relevant, productive and competitive in producing professionals, technologists and technicians;

r) To enter into joint ventures with business and industry for the profitable development and management of the assets of the Polytechnic State College, the proceeds of which will be used for the development and strengthening of the Polytechnic State College;

s) To develop partnerships and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the Polytechnic State College;

t) To develop academic arrangements for institutional capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts or specialists as consultants, or visiting or exchange professors, scholars, researchers, as the case may be;

u) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual system, open learning, community laboratory, and competency-based training for the promotion of greater access to higher education, professional and technological education and skills development;

v) To establish policy guidelines and procedures for participative decision-making and transparency within the Polytechnic State College;

w) To privatize, where most advantageous to the Polytechnic State College, management and non-academic services such as health, food, building or grounds or property maintenance and similar such other activities; and

x) To extend beyond the age of retirement but not later than the age of seventy (70) the term of the President of the Polytechnic State College whose performance has been unanimously rated as outstanding and upon unanimous recommendation by the Search Committee for the President of the Polytechnic State College.

SEC. 6. *Promulgation and Implementation of Policies.*—

The Board shall promulgate and implement policies in accordance with the declared state policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports; as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722 and also in accordance with the policies, standards and programs of the Technical Education and Skills Development Authority (TESDA), the designated government authority in technical education and skills development.

SEC.7. Board Meetings; Quorum. – The Board shall regularly convene at least once every quarter. The Chairperson of the Board of Trustees may call a special meeting whenever necessary. *Provided*, that members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall constitute a quorum for board meetings. *Provided*, that the Chairperson of the CHED who is the Chairperson of the Board or the President of the Polytechnic State College is among those present in the meeting. In the absence of the Chairperson of the CHED, a duly designated Commissioner of the CHED, shall represent the Chairperson of the CHED in the meeting with all the rights and responsibilities of a regular member. *Provided*, however, that in the said meeting, the President of the Polytechnic State College as vice chairperson shall be the presiding officer. *Provided*, further, that this proviso notwithstanding, the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the regular Chairperson to the Board of the Polytechnic State College, in which case said CHED Commissioner shall act as the presiding officer. The members shall serve without compensation, but they shall be reimbursed for necessary expenses incurred in their attendance of meetings of the Board or in connection with their official business authorized by resolution of the Board, subject to existing laws and regulations.

SEC.8. Administration. – The administration of the Polytechnic State College shall be vested in a President who shall render full-time service. The President shall be appointed by the Board upon the recommendation of a duly constituted search committee. The President shall have a term of four (4) years and shall be eligible for reappointment for another term. In order to effect a smooth transition to a Polytechnic State College, the current head of the ICNSF shall become the first President of the Polytechnic State College.

The President shall be assisted by a vice president for academic affairs who shall be appointed by the Board upon the recommendation of the President of the Polytechnic State College without prejudice to the appointment of more than one (1) vice president when so warranted.

Within six (6) months before the expiration of the term of the incumbent President, the Board shall create a search committee for the presidency.

In case of vacancy by reason of death, compulsory retirement, resignation, removal for cause or incapacity of the President to perform the functions of the office, the Board shall have the authority to designate an officer-in-charge of the Polytechnic State College within six (6) months from the date of vacancy, pending the appointment of a new President.

In case of vacancy in the office of the president as mentioned in the immediately preceding paragraph, the successor shall hold office only for the unexpired portion of the term.

The powers and duties of the President of the Polytechnic State College in addition to those specifically provided in this Act shall be those usually pertaining to the office of the president of other educational institutions.

The salary of the President of the University shall be in accordance with the Revised Compensation and Position Classification System, as modified by Joint Resolution No. 4 dated June 17, 2009 and other pertinent budget and compensation laws, and shall be comparable to that being received by the presidents of similar educational institutions.

SEC. 9. Secretary. – The Board shall appoint a Secretary, who shall serve as such for both the Polytechnic State College and the Board, and shall keep all records of the Board.

SEC. 10. Treasurer. – The Treasurer of the Philippines shall be the *ex-officio* Treasurer of the Polytechnic State College.

SEC. 11. *Administrative Council.*— There shall be an administrative council consisting of the President of the Polytechnic State College as Chairperson, vice-presidents, deans, directors and other officials of equal rank as members whose duty is to review and recommend to the Board, policies governing the administration, management and development planning of the institution.

SEC. 12. *Academic Council.*— There shall be an academic council consisting of the President of the Polytechnic State College as Chairperson, vice-presidents and all members of the instructional staff with the rank not lower than assistant professor, as members. The academic council shall have the power to review and recommend the curricular offerings and rules of discipline of the Polytechnic State College, for the approval of the Board. It shall fix the requirements for admission to the Polytechnic State College, as well as for graduation and the conferring of certificates and diplomas, subject to review and approval by the Board through the President of the Polytechnic State College.

SEC. 13. *Academic Freedom.*— Pursuant to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the Philippines, all institutions of higher learning, public or private, shall enjoy academic freedom and institutional autonomy.

SEC. 14. *Admission and Scholarships.*— No student shall be denied admission to the Polytechnic State College by reason of gender, nationality, religion, cultural or community affiliation or ethnic origin, or political affiliation.

The Polytechnic State College shall provide a scholarship program and other subsidies to assist poor but deserving students who qualify for admission to the Polytechnic State College.

SEC. 15. Faculty. – No religious opinion or affiliation, political beliefs, gender, preference, cultural or community affiliation or ethnic origin, shall be a matter of inquiry in the appointment of faculty members of the Polytechnic State College: *Provided, however,* that no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 16. Development Plan; Management Audit; Organizational, Administrative and Academic Structure. - Within the period of one hundred twenty (120) days after the approval of this Act, the Polytechnic State College shall accomplish the following;

- a) Submit a five (5) year development plan, including program budgets to CHED and TESDA, for corresponding recommendation to the Department of Budget and Management;
- b) Undergo a management audit in cooperation with CHED and TESDA; and
- c) Set up its organizational, administrative as well as academic structure, including the appointment of key Polytechnic State College officials.

SEC. 17. Transfer of Assets.- All assets, real and personal, personnel and records of the ICNSF based in the City of Iligan, as well as liabilities or obligations, are hereby transferred to the Polytechnic State College. The position, rights and security of tenure of personnel therein employed under existing laws shall be respected.

All parcels of land belonging to the government and occupied by the ICNSF are hereby declared to be the property of the Polytechnic State College and shall be titled under that name.

SEC. 18. *Loan of Equipment.*- The heads of bureaus and offices of the national government are hereby authorized to loan or transfer upon request of the President of the Polytechnic State College such apparatus, equipment or supplies as may be needed by the Polytechnic State College, and to detail employees for duty therein when, in the judgment of the head of bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. Employees detailed shall perform such duties as required of them by the President of the Polytechnic State College and the time so employed shall be counted as part of their regular services.

SEC. 19. *Auditing.*- All accounts and expenses of the Polytechnic State College shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 20. *Filing of Report.* - Not later than the fifteenth day of the second month after the opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines, through the CHED and TESDA, and to both Houses of Congress, a detailed report on the progress, conditions and needs of the Polytechnic State College.

SEC. 21. *Appropriations.* - The amount necessary for the implementation of this Act shall be charged against the current appropriations of the ICNSF. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Polytechnic State College shall be included in the annual General Appropriations Act.

SEC. 22. *Repealing Clause.* - All laws, presidential decrees, executive orders, memoranda, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 23. *Separability Clause.* – If any part or provision of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 24. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,