

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3929**



Introduced by: **REPRESENTATIVE CELSO L. LOBREGAT**

**AN ACT CONVERTING THE ZAMBOANGA CITY STATE
POLYTECHNIC COLLEGE INTO A STATE UNIVERSITY TO BE
KNOWN AS ZAMBOANGA PENINSULA POLYTECHNIC STATE
UNIVERSITY AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Zamboanga City State Polytechnic College is a seasoned higher education institution catering technology education and the oldest in Region IX, Zamboanga Peninsula. It was established in 1905 until it attained its present status as state college. It is likewise the only higher education institution in the City of Zamboanga and the entire Zamboanga Peninsula Region, which focuses its programs on technology, and technology related education. While there are other higher education institutions in the region, they have totally different programs in terms of field of specializations such as comprehensive higher education programs involving medical and allied fields, liberal arts education, natural and social sciences, economics and business and other programs, which focused on fisheries and agriculture.

The Zamboanga City State Polytechnic College as a university having its humble beginning as a former trade school fits most its mandate to implement programs in industry technology. The role of technology programs with the advent of ASEAN Harmonization 2015 is very important and will be very much felt starting the year 2015. Hence, higher technology education programs with emphasis on technological research innovations, technology inventions and discovery of cutting-edge knowledge must be given preferential attention at this point in time. It is where the Zamboanga City State Polytechnic College as a university shall have its program focused.

The curriculum of the proposed University is also unique and totally different from other higher education institutions not only in Zamboanga City and Region IX but also in the entire Mindanao in

terms of implementation. The curriculum of the university is designed to cater a target clientele in lowest socio-economic level of society through the implementation of the fully ladderized curriculum programs. Ladderized in a sense that in each year level there is a determined exit point where a student is awarded a Certificate of Proficiency or a Diploma commensurate to a particular job description requirements needed in industry. The awarding of a Proficiency Certificate or Diploma gives student a qualification indicating his level of skills for a particular job to give him an opportunity to engage in gainful work and when ready at any given semester can return to the university to continue the next year level until a student graduates from a particular degree. In this way, the university program resolves the problem on job-qualification mismatch and supports the realization of the Philippine Qualification Framework (PQF) designed to attained global competitiveness of Philippine education.

The conversion of the Zamboanga City State Polytechnic College to a University is the response of Zamboanga City as a center of education, trade and industry in Zamboanga Peninsula and the entirety of Southern Philippines to the ever-growing demand for quality technology education and strong technological researches. In the labor force sector, the aim of the university is to provide quality industry professionals, responsible labor force complementary to the exploration and utilization of natural and other resources in Zamboanga Peninsula Region as well as production of globally competitive labor force, technologist and scientist ready to compete in the ASEAN and world labor market.

Zamboanga City State Polytechnic College if converted into a university status is assured of achievement towards the zenith of its vision for globally competitive and progressive technology programs, which it has been catering for the last one hundred and ten years. By this, the new University could provide more opportunities for the people of the region to avail higher technology education needed now and much more in the future. Finally, in this modern age and in ASEAN in particular, national economy cannot grow without a strong technology foundation, which the proposed Zamboanga Peninsula Polytechnic State University is envisioned and committed to fulfill.

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


CELSO L. LOBREGAT
Representative
Zamboanga City, 1st District

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

SECTION 1. Conversion.-The Zamboanga City State Polytechnic College in the city of Zamboanga is hereby converted into a State University to be known as Zamboanga Peninsula Polytechnic State University, hereinafter referred to as the University.

SECTION 2. Purpose of the University.- The University shall be an institution of higher learning which leads in dynamic, unique and distinct academic standards in technology education, advancement of innovations and discoveries through science and technology researches, instructions, advance graduate and professional education and training and other related undertakings supportive to technology and higher than minimum standards set by the Commission on Higher Education.

SECTION 3. General Mandate.- The University shall have the mandate to conduct technology researches for commercialization purposes, linkages with industries and manufacturers, and shall have the sole authority to determine the details of program success in terms of its collaboration and partnership with other agencies and industries domestic or foreign.

SECTION 4. Academic Freedom and Institutional Autonomy.- The University shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the Philippines.

SECTION 5. Curricular Offerings.- The University shall offer advanced and graduate studies, undergraduate and diploma programs and short term technical programs within the purview of its area of specializations as its Board of Regents may deem necessary to carry out its objectives in order to meet the needs of its service area and demands for global competitiveness.

SECTION 6. Heritage/ Centennial Institution.- The University shall be considered as a heritage of the City of Zamboanga which therefore shall retain its independent status, remain a separate entity and preserve its identity in view of its being as a centennial institution and an asset significant to the history of Zamboanga City and the whole Zamboanga Peninsula Region.

SECTION 7. Administration.- The University shall have the general powers of a corporation set forth in the Corporation Code. The administration of the College and the exercise of its corporate powers shall be vested in the Board of Trustees.

SECTION 8. The Governing Board.- The governing body of the State University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

- a) The Chairperson of the Commission on Higher Education (CHED), Chairperson;
- b) The president of the University, Vice Chairperson;
- c) The Chairperson of the Committee on Education, Arts and Culture of the Senate, Member;
- d) The Chairperson of the Committee on Higher and Technical Education of the House of Representatives, Member;
- e) The regional director of the National Economic and Development Authority (NEDA), Member;
- f) The regional director of the Department of Science and Technology (DOST), Member;
- g) The president of the federation of faculty associations of the University, Member;
- h) The president of the federation of student councils of the University, Member;
- i) The president of the federation of alumni associations of the University, Member; and
- j) Two (2) prominent citizen who have distinguished themselves in their professions or fields of specializations of the University, chosen from among a list of at least five (5) qualified persons in the City of Zamboanga or the Zamboanga Peninsula Region; as recommended by the search committee constituted by the College President, in consultation with the chairman of the

CHED, based on the normal standards and qualifications of the position, members.

The term of office of the president of the federation of faculty associations, the president of the federation of student councils and the president of the federation of alumni associations shall be coterminous with their respective terms of office, as set forth in their respective constitutions and bylaws.

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

SECTION 9. Power and Duties of the Board of Regents.- The Board shall have the following specific powers and duties in addition to its general powers granted to the Board of Directors of a corporation under existing laws:

- a. The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Constitution on education, science and technology, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";
- b. To enact rules and regulations not contrary to law as may be necessary to carry out the purpose and functions of the University;
- c. To receive and appropriate all sums as may be provided, for the support of the University in the manner it may determine, in its direction, to carry out the powers and functions of the University;
- d. To import economic, technical and cultural books and/or publications;
- e. To receive in trust, legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University, and subject to the limitations, directions and instructions of the donor, if any. Such donations shall be exempted 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, as amended. Provided that such donation shall not be disposed, transferred or sold;
- f. To fix the tuition fees and other necessary school charges, such as but not limited to, matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose, after due consultation with the involved sectors;

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

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

If for reason beyond its control, the University shall not be able to pursue any project for which the 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 University;

- g. To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- h. To authorize the construction or repair of its buildings, machinery, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies and materials and equipment. Purchases and other transactions entered into by the University through the Board of Regents shall be exempted from all taxes and duties;
- i. To appoint, upon recommendation of the president of the University, vice presidents, deans, directors, heads of departments and faculty members and other officials and employees of the University;
- j. To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing laws to contrary notwithstanding; and to remove them for a cause in accordance with the requirements of due process of law;
- k. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- l. To set policies on admission and graduation of students;

- m. To award honorary degrees upon persons in recognition of outstanding contribution in the field of education, science and technology or any field of specialization within the academic competence of the University and to authorize the award of certificate of completion of non-degree and non-traditional course;
- n. To establish, within the City of Zamboanga, branches, centers, stations, etc., in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses, to promote and carry out equal access to educational opportunities mandated by the Constitution;
- o. To establish, within the City of Zamboanga, research and extension centers of the University wherein such will promote the development of the latter;
- p. To establish units in the University to provide fellowship for qualified faculty members and scholarships to deserving students;
- q. To delegate any of its powers and duties provided for herein above to the president and/ other officials of the University as it may deem appropriate, so as to expedite the administration of the affairs of the University;
- r. 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 audit results and recommendations;
- s. To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the University, the proceeds from which shall be used for the development and strengthening of the same;
- t. To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purpose and objectives of the University;
- u. To develop academic arrangements for institutional capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts/ specialists as consultants, part-time or visiting or exchange professors, scholars, researchers, as the case may be;
- v. 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, etc., for the promotion of greater access to higher education;

- w. To establish policy guidelines and procedures for participative decision-making and transparency within the University;
- x. To privatize, where most advantageous to the University, management and non-academic services such as health, food, building, grounds or property maintenance and similar other activities; and
- y. To extend the term of the president of the University beyond the age of retirement but not exceeding the age of seventy (70) years old, whose performance has been unanimously rated as outstanding and upon unanimous recommendation by the search committee for the president of the University.

SECTION 10. Meetings of the Board.- The Board of Regents shall regularly convene once every three (3) months. Whenever necessary, the Chairperson of the Board may call, upon three (3) days' prior written notice, a maximum of two (2) special meetings within the same period.

A quorum of the Board of Regents shall consist of majority of all its members holding office at the time of meeting. Provided, however, that the Chairperson of the CHED, who is chairman of the Board or the President of the University, is among those present in the meeting.

In the absence of the chairperson of the CHED, a commissioner of the CHED, duly designated by him, shall represent him in the meeting with all rights and responsibilities of a regular member. Provided further, that the preceding proviso notwithstanding, the chairperson of the CHED is hereby authorized to designate a CHED commissioner, as the regular chair of the Board, in which case said commissioner shall act as the presiding officer.

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

SECTION 11. The University President.- The University shall be headed by the President who shall render full-time service. The Board upon recommendation of duly constituted search committee shall appoint the President. He shall hold office for a term of four (4) years, extendible only for another four (4) years.

In case of vacancy in the office of the President by reason of death, compulsory retirement, resignation, removal for cause or incapacity of the President to perform the functions of his office, the Board shall have the authority to designate an Officer-In-Charge of the University pending the appointment of a new President.

In case of vacancy in the office of the President, his successor shall hold office for the unexpired term. Provided, that such unexpired term is more than two (2) years, then such shall be considered as one full term for the successor.

The powers and duties of the President of the University, in addition to those specifically provided in this Act shall be those usually pertaining to the office of the president of similar universities, and those delegated by the Board.

The salary of the President of the State University shall be in accordance with the Revised Compensation and Position Classification System and shall be comparable to that being received by the presidents of similar educational institutions of like standing.

SECTION 12. The Secretary of the University.- The Board shall appoint a secretary who shall serve as such in both the Board and the University and shall keep all records and proceedings of the Board. He shall communicate to each members of the Board notice of meetings.

SECTION 13. The Treasurer of the University.- The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.

SECTION 14. The Administrative Council.- There shall be an administrative council consisting of the president of the University as chairman, the vice president(s), deans, directors, and other officials of equal rank whose duty is to implement the policies governing the administration, management and development of the University, as approved by the Board.

SECTION 15. The Academic Council.- There shall be an academic council with the President of the University as the chairman and all the members of the instructional staff with the rank not lower than assistant professor, as members. The academic council shall have the power to prescribe curricular offerings, subject to the approval of the Board. It shall fix the requirements for admission to the University, as well as for graduation and the conferring of degrees, subject to review and/or approval by the Board through the President of the University. It shall have disciplinary power over the students and, shall formulate academic policies, rules and regulations on discipline. The Board shall approve such policies, rules and regulations.

SECTION 16. The Faculty.- No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University. Provided, however, that no member of the faculty shall teach for or against any particular church or religious sect.

SECTION 17. Scholarship Program/Admission.- The University shall provide a scholarship program and other affirmative action programs to assist poor but deserving students to qualify for admission to the University. No student shall be denied admission to

the University by the reason of sex, religion, cultural or community affiliation or ethnic origin.

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

SECTION 19. Assets, Liabilities and Personnel.- All assets, fixed and movable including those formerly used by other agencies constructed in its campus, personnel and records of Zamboanga City State Polytechnic College, as well as liabilities or obligations, are hereby transmitted to the ownership of the University. Provided, however, that the positions, rights and security of tenure of personnel therein employed under existing laws prior to its conversion into a University are not impaired. Provided, further, that the incumbents of the positions shall remain under the same status until otherwise provided by the Board. All parcels of land belonging to the government, occupied by the Zamboanga City State Polytechnic College, are hereby declared to be the property of the University and shall be titled under its name. Provided furthermore, that should the University cease to exist or be abolished or such parcels of land aforementioned are no longer needed by the University, the same shall revert to the City of Zamboanga.

SECTION 20. Promotion System.- The University may create its own independent and distinct promotion system appropriate to the uniqueness and qualifications of the members of its faculty in accordance with the policies and standards set by the government.

SECTION 21. Ad Valorem Tax.- Ad valorem tax of 0.5% on all imported technical equipment, tools, and machineries shall be charged through appropriate government agencies to support technology research programs and other projects of the University and such is claimed by the University through appropriate government guidelines and processes.

SECTION 22. Tax Exemption on Importation and Donations.- The importation of economic, technical and cultural books or publications, which is for economic, technical, vocational, scientific, philosophical, historical or cultural purposes made by the University, upon certification by the CHED, shall be exempt from customs duties in

accordance with the provisions of the Tariff and Customs Code of the Philippine, as amended.

Donations in any form to the University shall be exempt from the donor's tax and the same shall be considered as allowable deduction 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 of 1997, as amended.

SECTION 23. Appropriations.- The Board of Regents of the State University shall immediately prepare its programs to operationalize the Zamboanga Peninsula Polytechnic State University, the initial funding of which shall be taken from the current year's appropriations of the Zamboanga City State Polytechnic College. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Zamboanga Peninsula Polytechnic State University shall be included in the annual General Appropriations Act.

SECTION 24. Development Plan, Management Audit, Organizational/Administrative/Academic Structure.- Within a reasonable period after the approval of this Act, the University shall accomplish the following:

1. Submit five (5) year development plan, including its corresponding program budget, to the CHED, for appropriate recommendation to the Department of Budget and Management (DBM);
2. Undergo management audit in cooperation with the CHED;
3. Accordingly set up its organizational, administrative, as well as academic structure, including the appointment/ designation of University key officials; and
4. Set in motion the establishment of appropriate degree granting units and offices found to be necessary in the management system of the University;
5. Comply the standards and quality set by CHED for a state university in terms of typology and other requirements of law as may be enacted;

SECTION 24. Filing of Report.- On or before the fifteenth (15th) day of the second (2nd) month after the opening of the regular classes each year, the Board shall file with both Houses of Congress a detailed report on the progress, condition and needs of the University

SECTION 25. State Tertiary and Technical-Vocational Schools.- The University shall absorb all state tertiary schools and technical-vocational schools where it has its external programs and become its external campuses as of the approval of this Act.

SECTION 26. University's First President.- The incumbent President of the Zamboanga City State Polytechnic College shall automatically become the first President of the University upon approval of this Act.

SECTION 27. Suppletory Application.- The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997" shall form as an integral part of this Act and together shall serve as the governing charter of the University.

SECTION 28. Parity Clause.- All other powers, functions and privileges, responsibilities and limitations to state universities and/ or their officials under existing laws shall be deemed granted to or imposed upon the University and/or its officials whenever appropriate.

SECTION 29. Implementing Rules and Regulations.- The Board, in consultation with the CHED, shall formulate the guidelines to fully implement the provisions of this Act.

SECTION 30. Separability Clause.- If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SECTION 31. Repealing Clause.- All laws, presidential decrees, executive orders, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 32. Effectivity.- This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

APPROVED,