

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **3737**

EXPLANATORY NOTE

Article XIV, Sections 1 and 2 provide,

"Section 1. The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.

Section 2. The State shall:
Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society;"

This shows the importance of education and the big role that educational institutions, particularly higher education institutions, play. And one of the factors in having a quality higher education institution is having quality leadership.

Philippine higher education is mandated to contribute to building a quality nation capable of transcending the social, political, economic, cultural and ethical issues that constrain the country's human development, productivity and global competitiveness¹.

There is an urgent need to institutionalize and strengthen Philippine Higher Education System by investing on the recruitment and selection of competent leadership in state-run higher education institutions, continuous professional development, and career management of these institutions' executive personnel, especially in preparation for the unique demands of leading State Universities and Colleges (SUC).

The establishment of a merit-based career system specifically designed for the public higher education sector shall bring about greater institutional accountability, train key competencies, strengthen public management, enhance academic leadership, provide capability development, promote career progress from recruitment and selection up to retirement, and contribute to compliance with global standards and international best practices. This will enable our public HEIs to be at par with other countries which saw fit to establish such career system and to better equip them in the era of internationalization of higher education.

In view of the foregoing, immediate passage of this measure is earnestly requested.


RUFUS B. RODRIGUEZ

¹ CHED Memorandum Order No. 46, s. 2016

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **3737**

EXPLANATORY NOTE

AN ACT
ESTABLISHING THE PHILIPPINE HIGHER EDUCATION CAREER SYSTEM AND FOR
OTHER PURPOSES

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

SECTION 1. Short Title – This Act shall be known as the “Philippine Higher Education Career System or the Phil-HECS Act”.

SEC. 2. Declaration of Policy – The State shall protect, foster and promote the right of all citizens to affordable quality education at all levels and shall take appropriate steps to ensure that education shall be accessible to all. The State further recognizes the role of education in securing the future of the youth and in the development of our nation. Article XIV, Section 2 (1) of the 1987 Philippine Constitution provides that the State shall establish, maintain and support a complete, adequate, and integrated system of education relevant to the needs of the people and society. Therefore, pursuant to the foregoing, there is an urgent need to establish a coherent, merit-based career system for executives in state universities and colleges, designed to provide a continuing pool of highly qualified, well-selected, and development-oriented career administrators, which subsequently allows for the institutionalized and transparent implementation of the processes for selection and appointment of the leadership in state universities and colleges (SUCs). Through this system, the State ensures the efficiency, responsiveness and effectiveness of the institutional governance of SUCs, thus strengthening and ensuring the global competitiveness of Philippine higher education.

SEC. 3. Definition of Terms – The terms used in this Act are defined as follows:

- (a) **Higher Education Career System** refers to the system that shall facilitate the transparent recruitment, selection, appointment, further professional advancement, and career management of both potential and incumbent SUC leaders;
- (b) **Higher Education Career Officer (HECO)** refers to any individual, whether active or retired, who has at any point been conferred eligibility for appointment to the position of SUC president by qualifying them through the Professional Advanced Program (PAP) and assessment conducted by Phil-HECS;
- (c) **Roster of Eligible Executives** refers to the officially validated pool of qualified HECOs from which potential SUC presidents shall be selected for appointment as instituted and maintained by the PhilHECs Governing Board;

- (d) **Recruitment and selection** refers to the element of the career system wherein applications for entry into Phil-HECS Executive Development Program (EDP) are screened and accepted;
- (e) **Professional Advancement Program (PAP)** refers to the element of the career system which enhances and updates the competencies of eligible candidates in accordance with international best practices;
- (f) **Career management** refers to the element of the career system which provides career tracking and performance assessment and management for HECOs;
- (g) **Governing Board (GB)** refers to the body that shall be convened for the purpose of governance program and policy direction of Phil-HECS, and conferring eligibility to those who qualified and met the prescribed requirements and standards;
- (h) **International Points of Reference (IPRs)** refers to individuals representing certain relevant sectors and institutions chosen by the GB to advise on international higher education traditions and best practices;
- (i) **Secretariat** refers to the body of technical, administrative, and other support staff that shall implement the directives of the GB;
- (j) **Technical Working Group** refers to the transitional body created by the Commission on Higher Education (CHED) to plan and operationalize Phil-HECS prior to the convening and operation of the Governing Board, and this shall cease to exist after the assumption to duty of the latter;
- (k) **Top SUC Management Executives**– refers to the positions of Vice Presidents, Chancellors, Vice Chancellors, Deans and Campus Directors
- (l) **Reputable HEI** refers to any local higher education institution (HEI) which has been recognized by the CHED as meeting the standards of either vertical (universities, professional institutes, and liberal arts colleges) and horizontal typologies (autonomous or deregulated), or those acknowledged by CHED as belonging to accredited or recognized 1000 overseas HEIs.

SEC. 4. Philippine Higher Education Career System (Phil-HECS) – The Philippine Higher Education Career System is hereby established as a coherent and merit-based system which shall promote and facilitate the recruitment, selection, professional advancement, and career management of qualified individuals for deployment to Philippine SUCs.

SEC. 5. Purpose – Phil-HECS shall increase the efficiency, effectiveness, and external students of the institutional governance of SUCs, by strengthening the competencies of SUC executives and managers, and promoting individual accountability, in order to contribute to improving the quality of Philippine higher education. Specifically, the Phil-HECS shall endeavor:

1. To facilitate the recruitment, selection, professional advancement, and career management of the best leaders and senior academic staff in public higher education;
2. To establish and maintain a Roster of Eligible Executives from which appointments to the positions of SUC presidents will be drawn through the implementation of an eligibility process, and the provision of professional advancement program; and
3. To introduce transformational leadership that steers Philippine State Universities and Colleges towards recognition by the various local and international quality assurance institutions.

SEC. 6. Scope – Phil-HECS shall be focused on executive positions in SUCs. Entry into the system shall be open to all qualified applicants as maybe determined by the Governing Board, regardless of whether they come from the public or private sector, provided they meet the qualification standards set by the Governing Board. All incumbent SUC presidents on the date of this Order shall also be considered included in the system by way of the Presidential Leadership Program.

SEC. 7. Elements of Phil-HECS - Phil-HECS shall have three main functional elements that allow the system to meet its objectives:

1. Recruitment and selection, which sources talent into Phil-HECS and accepts and screens applications for entry into the system;
2. Professional advancement, which enhances and updates the competencies of high-level SUC officials and senior academic staff, including both eligibility candidates and incumbent SUC presidents;
3. Career management, which tracks individual performance and identifies placement opportunities for individuals included in the system.

SEC. 8. Eligibility – Through the Phil-HECS, candidates shall be granted the eligibility to qualify for the position SUC president the manner and requirements of which shall be fixed by the GB. This eligibility shall be conferred with the title of Higher Education Career Officer (HECO) and shall mean permanent inclusion to the Roster of Eligible Executives.

SEC. 9. Creation of a Governing Board – To carry out the purposes of this Act, the Phil-HECS Governing Board (Phil-HECS GB) is hereby created, hereinafter referred to as the Board.

A. Composition. The permanent Phil-HECS GB shall be composed of the following:

1. The chairperson of the CHED, as ex-officio chair of the board;
2. A Commissioner of the Civil Service Commission (CSC), as ex-officio member;
3. A designated representative from the Department of Budget and Management (DBM) with the rank of Undersecretary, as ex-officio member;
4. A designated representative from the National Economic and Development Authority (NEDA) with the rank of Undersecretary, as ex-officio member;
5. An incumbent SUC president nominated by the CHED chairperson;
6. An incumbent president from a private higher education institution nominated by the CHED chairperson; and
7. A senior representative from a leading business enterprise with recognized advocacy for executive development.

B. Powers, duties, and functions. The Board shall have the following powers, duties, and functions:

1. To provide policy and program direction on matters pertaining to the implementation of Phil- HECS, in particular:
 - a. The qualifications standards, recruitment and selection of candidates for the PAP;
 - b. The content, methodology, and approaches of instruction and assessment applied in PAP;
 - c. The conferment of the title of HECO, which grants eligibility for appointment to the position of SUC president and such other rights and privileges appertaining thereto;
 - d. The career management of individuals who are entered into the Roster of Eligible Executives;

2. To promote efficiency, transparency, meritocracy, and accountability throughout the entire process;
3. To address any appeals regarding the Phil-HECS eligibility process;
4. To designate International Points of Reference to advise the Board on international higher education traditions and best practices;
5. To appoint technical consultants and other external resource individuals, selected from eminent academics, administrators, and researchers, to advise the Board on matters related to academic policies, both local and international, and on the monitoring and evaluation of all programs implemented;
6. To evaluate the financial status and viability of Phil-HECS;
7. To mobilize resources from both local and international sources accordingly;
8. To select and designate the appropriate venues for the activities of Phil-HECS, including PAP, that are most conducive to the pursuit of its diverse objectives;
9. To exercise all other powers incidental, necessary, and appropriate for the fulfillment of the purposes of this Act.

SEC. 10. Creation of a Phil-HECS Secretariat – A Secretariat is hereby created to be headed by an Executive Director to support the Board in carrying out its functions. The Board shall provide for the institutional setup, qualifications and compensation and certain incentives of employees composing the Secretariat in accordance with existing Civil Service and Career Executive Service rules and regulations and consistent with the provision of the Salary Standardization Law for government personnel, and determine the size and composition of the Secretariat.

A. Composition. The Secretariat, as appointed by the GB, shall be composed of:

- a. An Executive Director, which shall have the rank of an Assistant Secretary;
- b. A Deputy Director for Management Services;
- c. A Deputy Director for Professional Development; and
- d. Technical, administrative, and support staff.

The two Deputy Directors shall alternately serve as Secretary to the Phil-HECS GB.

B. Functions. The Secretariat shall perform all the functions necessary for the fulfillment of the system's goals, including but not limited to conceptualizing, planning, implementing, monitoring, and evaluating the activities of the different elements of the system.

SEC. 11. Funding – The initial operations of Phil-HECS shall be initially funded from the Higher Education Development Fund (HEDF) amounting to one hundred million pesos (PhP 100,000,000.00). Thereafter, the operation of Phil-HECS and the GB shall be included in the General Appropriations Act (GAA).

SEC. 12. Implementing Rules and Regulations – Within thirty (30) days from the effectivity of this Act, the Board shall constitute a working group, in consultation with relevant stakeholders in Tertiary Education to promulgate the Implementing Rules and Regulations necessary for the proper implementation of this Act within sixty (60) days from the constitution of the Board.

SEC. 13. Separability Clause – If, for any reason, any provision of this Act is declared unconstitutional or invalid, parts or provisions of this Act which are not affected shall continue to be in full force and effect.

SEC. 14. Repealing Clause – All laws, executive orders, presidential decrees, Implementing Rules and Regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 15. Effectivity Clause - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.