



## HOUSE OF REPRESENTATIVES

H. No. 5644

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BY REPRESENTATIVES NICOLAS, VILLAR, CUA (J.), JAVIER, REMULLA,  
CHATTO, PADILLA, MADRONA, DEL MAR, AMATONG, AQUINO, MITRA,  
DE GUZMAN, GARAY AND ANGPING, PER COMMITTEE REPORT NO. 1590

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AN ACT CONVERTING THE FORTUNATO F. HALILI NATIONAL  
AGRICULTURAL SCHOOL IN THE MUNICIPALITY OF SANTA  
MARIA, PROVINCE OF BULACAN INTO A STATE COLLEGE TO  
BE KNOWN AS THE FORTUNATO F. HALILI POLYTECHNIC  
STATE COLLEGE AND APPROPRIATING FUNDS THEREFOR

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

1           SECTION 1. *Conversion.* – The Fortunato F. Halili National  
2   Agricultural School in the Municipality of Santa Maria, Province of Bulacan is  
3   hereby converted into a state college to be known as the Fortunato F. Halili  
4   Polytechnic State College, hereinafter referred to as the College.

5           SEC. 2. *General Mandate.* – The College shall primarily provide  
6   advanced education, higher technological, professional instruction and training  
7   in the fields of arts and sciences, agriculture, forestry, industrial technology,  
8   industrial education, engineering, education and other relevant fields of study.  
9   It shall also undertake research and extension services, and provide progressive  
10   leadership in its areas of specialization.

1           SEC. 3. *Curricular Offerings.* – The College shall offer undergraduate  
2 and graduate studies in the fields of arts and sciences, agriculture, forestry,  
3 industrial technology, industrial education, engineering, education and other  
4 related degrees/courses within its areas of specialization and according to its  
5 capabilities as the Board of Trustees may deem necessary to carry out its  
6 objectives, particularly to meet the needs of the Province of Bulacan or Region  
7 III.

8           The existing high school shall be transferred to the jurisdiction and  
9 supervision of the Department of Education (DepEd): *Provided*, That during  
10 the transition period, the College shall set aside an area within the campus for  
11 the exclusive use of the high school: *Provided, further*, That the high school  
12 shall be allowed to remain and operate within the campus of the College until  
13 its students, who are currently enrolled, shall have completed their high school  
14 education: *Provided, furthermore*, That the College may operate a reasonably-  
15 sized laboratory school, if it has a College of Education.

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

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

24           (a) The Chairperson of the Commission on Higher Education (CHED),  
25 Chairperson;

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

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

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

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

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

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

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

9 (i) The President of the alumni association of the College, member;

10 and

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

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

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

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

25 SEC. 6. *Promulgation and Implementation of Policies.* – The Board  
26 shall promulgate and implement policies in accordance with the declared State  
27 policies on education and other pertinent provisions of the Philippine  
28 Constitution on education, agriculture, science and technology, as well as the

1 policies, standards and thrusts of the CHED under Republic Act No. 7722,  
2 otherwise known as the “Higher Education Act of 1994”.

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

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

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

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

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

21        Such donations shall be exempt from the donor’s tax and the same shall  
22 be considered as allowable deductions 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 (NIRC) of 1997, as amended: *Provided,*  
25 That such donations shall not be disposed of, transferred or sold;

26        (e) To fix the tuition fees and other necessary school charges such as,  
27 but not limited to, matriculation fees, graduation fees and laboratory fees, as

1 the Board may deem proper to impose, after due consultations with the  
2 involved sectors.

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

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

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

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

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

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

28 (i) To fix and adjust salaries of faculty members and administrative

1 officials and employees, subject to the provisions of the Revised Compensation  
2 and Position Classification System and other pertinent budget and  
3 compensation laws governing hours of service, and such other duties and  
4 conditions as it may deem proper; to grant them, at its discretion, leaves of  
5 absence under such regulations as it may promulgate, any provision of existing  
6 law to the contrary notwithstanding; and to remove them for cause in  
7 accordance with the requirements of due process of law;

8 (j) To approve the curricula, instructional programs and rules of  
9 discipline drawn by the Administrative and Academic Councils herein  
10 provided;

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

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

17 (m) To establish and absorb nonchartered tertiary institutions within  
18 the Province of Bulacan as branches and centers in coordination with the  
19 CHED, and in consultation with the Department of Budget and Management  
20 (DBM), and to offer therein programs or courses, to promote and carry out  
21 equal access to educational opportunities as mandated by the Constitution;

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

24 (o) To establish professorial chairs in the College and to provide  
25 fellowships for qualified faculty members and scholarships to deserving  
26 students;

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

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

8           (r) To collaborate with other governing boards of the state colleges and  
9 universities within the Province of Bulacan or Region III, under the  
10 supervision of the CHED and in consultation with the DBM, and work towards  
11 the restructuring of the College to become more efficient, relevant, productive  
12 ) and competitive;

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

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

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

25           (v) To set up the adoption of modern and innovative modes of  
26 transmitting knowledge such as the use of information technology, the dual  
27 learning system, open learning or distance education and community

1 laboratory for the promotion of greater access to education and graduate  
2 studies, as the case may be;

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

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

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

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

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

21 In the absence of the Chairperson of the CHED, a Commissioner of the  
22 CHED, duly designated by him/her, shall represent him/her in the meeting with  
23 all the rights and responsibilities of a regular member: *Provided, however,*  
24 That during this meeting, the President of the College as Vice Chairperson  
25 shall be the Presiding Officer: *Provided, further,* That this proviso  
26 notwithstanding, the Chairperson of the CHED is hereby authorized to  
27 designate a CHED Commissioner as the regular Chair of the Board of



1 Trustees, in which case said CHED Commissioner shall act as the Presiding  
2 Officer.

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

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

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

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

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

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

4           The powers and duties of the President of the College, in addition to  
5 those specifically provided in this Act, shall be those usually pertaining to the  
6 Office of the President of similar colleges, and those delegated by the Board.

7           The salary of the President of the College shall be in accordance with  
8 the Revised Compensation and Position Classification System and shall be  
9 comparable to that being received by the Presidents of similar educational  
10 institutions.

11          The President shall be assisted by a Vice President for Academic  
12 Affairs who shall be appointed by the Board upon the recommendation of the  
13 President.

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

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

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

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

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

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

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

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

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

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

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

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

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

9 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and  
10 personal, personnel and records of the Fortunato F. Halili National  
11 Agricultural School, as well as liabilities or obligations, are hereby transferred  
12 to the College: *Provided, however,* That the positions, rights and security of  
13 tenure of faculty members and personnel therein employed under existing laws  
14 prior to the conversion into a College shall be respected: *Provided, further,*  
15 That teaching personnel who do not possess appropriate academic credentials  
16 for college faculty shall remain in the high school and that the desire of non-  
17 teaching personnel who opt to remain in the high school shall be respected.

18 All parcels of land belonging to the government and occupied by the  
19 Fortunato F. Halili National Agricultural School are hereby declared to be  
20 property of the College and shall be titled under the name of the College:  
21 *Provided,* That should the College cease to exist or be abolished, or should  
22 such parcels of land aforementioned be no longer needed by the College, the  
23 same shall revert to the LGU concerned.

24 SEC. 19. *Appropriations.* – The amount necessary to carry out the  
25 provisions of this Act shall be charged against the current year's appropriations  
26 of the Fortunato F. Halili National Agricultural School, except the sums  
27 needed to continue the operations of the existing high school. Thereafter, such  
28 sums as may be necessary for the continued operation and maintenance of the

1 Fortunato F. Halili Polytechnic State College shall be included in the annual  
2 General Appropriations Act.

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

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

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

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

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

19 SEC. 22. *Suppletory Application.* – The provisions of Republic Act  
20 No. 8292, otherwise known as the “Higher Education Modernization Act of  
21 1997”, shall be an integral part of this Act and shall serve as part of the  
22 Governing Charter of the College.

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

1           SEC. 24. *Implementing Rules and Regulations.* – The Board, in  
2 coordination with the CHED, shall formulate the guidelines to fully implement  
3 the provisions of this Act.

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

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

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

Approved,

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