



HOUSE OF REPRESENTATIVES

H. No. 9022

BY REPRESENTATIVES SUANSING (E.), JAVIER, ANDAYA, HOFER, YU, UNICO, SY-ALVARADO,
ALONTE, ARCILLAS, CORTES, ZAMORA (M.C.) AND NIETO, PER COMMITTEE REPORT NO. 1191

AN ACT
ESTABLISHING A POLYTECHNIC STATE COLLEGE IN THE MUNICIPALITY
OF CUYAPO, PROVINCE OF NUEVA ECIJA, TO BE KNOWN AS THE CUYAPO
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. *Establishment.***— There is hereby established a polytechnic state college
2 in the Municipality of Cuyapo, Province of Nueva Ecija, to be known as the Cuyapo
3 Polytechnic State College, and hereinafter referred to as the College
4

5 **SEC. 2. *General Mandate.*** — The College shall primarily provide advance education,
6 higher technological, professional instruction and training in the fields of agriculture, arts and
7 sciences, teacher education, commerce, business administration, engineering, social sciences,
8 and short-term technical and vocational courses that will support the development of the
9 Province of Nueva Ecija and Region III.
10

11 **SEC. 3. *Curricular Offerings.***— The College shall offer short-term technical-
12 vocational courses, undergraduate and graduate courses within its areas of competency and
13 specialization in the fields of agriculture, arts and sciences, teacher education, commerce,
14 business administration, engineering, and social sciences, and other degree courses, as the
15 Board of Trustees may deem necessary to carry out its objectives, and respond to the human
16 resource development needs of the Province of Nueva Ecija and Region III.
17

18 The existing and any other future technical-vocational courses or programs under the
19 supervision of the Technical Education and Skills Development Authority (TESDA) shall
20 remain and continue to be offered within the campus of the College.
21

22 The College may operate a reasonably-sized laboratory school if it has a College of
23 Education.
24

1 **SEC. 4. Administration.**— The College shall have the general powers of a corporation
2 set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the “Corporation Code
3 of the Philippines”. The administration of the College and the exercise of its corporate
4 powers shall be vested exclusively in the Board of Trustees and the President of the College.
5

6 **SEC. 5. The Governing Board.**— The governing board of the College shall be the
7 Board of Trustees, hereinafter referred to as the Board, which shall be chaired and co-chaired
8 by the Chairperson of the Commission on Higher Education (CHED) and the President of the
9 College, respectively, with the following as members:
10

- 11 a. Chairperson of the Committee on Education, Arts and Culture of the Senate;
- 12 b. Chairperson of the Committee on Higher and Technical Education of the House of
13 Representatives;
- 14 c. Regional Director of the National Economic and Development Authority
15 (NEDA);
- 16 d. Regional Director of the Department of Agriculture (DA);
- 17 e. Regional Director of the Department of Science and Technology (DOST);
- 18 f. Regional Director of the TESDA;
- 19 g. President of the federation of faculty associations of the College;
- 20 h. President of the federation of student councils of the College;
- 21 i. President of the federation of alumni associations of the College; and
- 22 j. Two (2) prominent citizens from the private sector who have distinguished
23 themselves in their professions or fields of specialization.
24

25 The Board shall appoint the two (2) prominent citizens from a list of at least five (5)
26 qualified persons in the Province of Nueva Ecija where the College is located, as
27 recommended by the search committee to be constituted by the College President, in
28 consultation with the CHED Chairperson and other members of the Board, based on the
29 standards and qualifications for the position set by the Board. They shall serve for a term of
30 two (2) years from the date of appointment.
31

32 Membership of the governing board of the President of the faculty associations, the
33 President of the student councils, and the President of the alumni associations shall be
34 coterminous with their terms of office as provided under their terms of office as provided
35 under their respective constitutions and bylaws.
36

37 **SEC. 6. Promulgation and Implementation of Policies.**— The Board shall promulgate
38 and implement policies in accordance with the declared State policies on education and other
39 pertinent provisions of the Constitution on education, agriculture, science and technology, as
40 well as the policies, standards and thrusts of the CHED under Republic Act No. 7722,
41 otherwise known as the “Higher Education Act of 1994”.
42

43 **SEC. 7. Powers and Duties of the Board of Trustees.**— In addition to its general
44 powers of administration and the powers granted to the board of directors of a corporation
45 under existing laws, the Board shall have the following specific powers and duties:
46

- 47 a. Promulgate and implement policies in accordance with the declared State
48 policies and the provisions of the Constitution on education, agriculture, science and
49 technology, as well as the policies, standards and thrusts of the CHED under RA No. 7722,
50 otherwise known as the “Higher Education Act of 1994”;

1
2 b. Approve the curricula, instructional programs, and rules of discipline drawn
3 by the Administrative and the Academic Councils herein provided;
4

5 c. Appoint, upon the recommendation of the President of the College, the vice
6 presidents, deans, directors, heads of the campuses, faculty members, and other officials and
7 employees of the College;
8

9 d. Fix and adjust the salaries of faculty members and administrative officials and
10 employees, subject to the provisions of the Revised Compensation and Position Classification
11 System and other pertinent budget and compensation laws, including those governing hours
12 of service and such other duties and conditions as it may deem proper; grant them, at its
13 discretion, leaves of absence under such regulations as it may promulgate, any provision of
14 existing law to the contrary notwithstanding; and remove them for cause in accordance with
15 the requirements of due process of law;
16

17 e. Fix the tuition fees and other necessary school charges, such as matriculation
18 fees, graduation fees, and laboratory fees, as the Board may deem proper to impose, after due
19 consultation with the concerned sectors. The fees and charges, including government
20 subsidies and other income generated by the College, shall constitute its special trust funds,
21 and shall be deposited in any authorized government depository bank: *Provided*, That all
22 interests that shall accrue therefrom shall form part of the same funds for the use of the
23 College;
24

25 Any provision of existing laws, rules or regulations to the contrary notwithstanding,
26 any income generated by the College from tuition fees and other charges, as well as from the
27 operation of auxiliary services and land grants, shall be retained by the College, and may be
28 disbursed by the Board for instruction, research, extension services or other programs and
29 projects of the College: *Provided*, That all fiduciary fees shall be disbursed for the specific
30 purposes for which these are collected: *Provided*, however, That if, for reasons beyond its
31 control, the College shall not be able to pursue any project for which the funds have been
32 appropriated and allocated under its approved program of expenditures, the Board may
33 authorize the use of the funds for any reasonable purpose which, in its discretion, may be
34 necessary and urgent for the attainment of the objectives and goals of the College;
35

36 f. Adopt and implement a socialized scheme of tuition and other school fees for
37 greater access of poor but deserving students in accordance with RA No. 10931 or "Universal
38 Access to Quality Tertiary Education Act";
39

40 g. Establish professorial chairs in the College and provide fellowships for
41 qualified faculty members, and scholarships to deserving students;
42

43 h. Receive and appropriate all sums as may be provided for the support of the
44 College in the manner it may determine, in its discretion, in order to carry out the purposes
45 and functions of the College;
46

47 i. Set the policies on admission and graduation of students; ✓
48

49 j. Award honorary degrees upon persons in recognition of their outstanding
50 contribution in the fields of education, public service, arts, science and technology,

1 agriculture or any field of specialization within the academic competence of the College, and
2 authorize the awarding of certificates of completion of nondegree and nontraditional courses;

3
4 k. Establish research and extension centers to promote the development of the
5 College;

6
7 l. Develop academic arrangements for institutional capability building with
8 appropriate institutions and agencies, whether public, private, local or foreign institutions and
9 appoint experts/specialists as consultants, part-time/visiting/exchange professors, scholars or
10 researchers, as the case may be;

11
12 m. Adopt modern and innovative modes of transmitting knowledge for the
13 promotion of greater access to education such as the use of information technology, dual
14 training system, open distance learning, and community laboratory;

15
16 n. Collaborate with the governing boards of state universities and colleges
17 (SUCs) within the Province of Nueva Ecija and Region III, under the supervision of the
18 CHED and in consultation with the Department of Budget and Management (DBM), in
19 restructuring the College to make it more efficient, relevant, productive and competitive;

20
21 o. Absorb non-chartered tertiary institutions within the Province of Nueva Ecija
22 and Region III, as branches and extension/external centers, in coordination with the CHED
23 and in consultation with the DBM, and offer therein programs or courses to promote and
24 carry out equal access to educational opportunities, as mandated by the Constitution;

25
26 p. Authorize an external management audit of the College, to be financed by the
27 CHED, subject to the rules and regulations of the Commission on Audit (COA), and institute
28 reforms, including academic and structural changes, on the basis of the audit results and
29 recommendations;

30
31 q. Develop consortia and other economic forms of linkages with local
32 government units (LGUs), public, private, local and foreign institutions and agencies, in the
33 furtherance of the purposes and objectives of the College;

34
35 r. Import economic, technical and cultural books and publications;

36
37 s. Enter into joint ventures with business and industry for the profitable
38 development and management of the economic assets of the College, the proceeds from
39 which shall be used for the development and strengthening of the College;

40
41 t. Receive, in trust, legacies, gifts and donations of real and personal properties
42 of all kinds and to administer and dispose of the same, when necessary, for the benefit of the
43 College, and subject to the limitations, directions and instructions of the donor, if any;

44
45 u. Extend the term of the President of the College beyond the age of retirement,
46 but not beyond the age of seventy (70), based on the guidelines, qualifications and standards
47 set by the Board: *Provided*, That the President's performance has been rated by the Board as
48 outstanding and unanimous recommendation has been decided by the search committee;

49

1 v. Delegate any of its powers and duties provided to the President and other
2 officials of the College, as it may deem appropriate, so as to expedite the administration of
3 the affairs of the College;

4
5 w. Establish policy guidelines and procedures for participative decision-making
6 and transparency within the College;

7
8 x. Authorize the construction or repair of its buildings, machinery, equipment
9 and other facilities, and the purchase and acquisition of real property, including the necessary
10 supplies, materials and equipment;

11
12 y. Where most advantageous to the College, privatize the management of
13 nonacademic services such as health, food, building or grounds or property maintenance, and
14 such other similar activities; and

15
16 z. Promulgate rules and regulations, as may be necessary, to carry out the
17 purposes and functions of the College.

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

22
23 A quorum of the Board shall consist of a majority of all its members holding office at
24 the time of the meeting: *Provided, however,* that the Chairperson of the Board or the
25 President of the College must be present in the meeting.

26
27 In the absence of the CHED Chairperson, a Commissioner of the CHED duly
28 designated by the CHED Chairperson as representative in the meeting, shall have all the
29 rights and responsibilities of a regular member: *Provided,* That during the meeting, the
30 President of the College, as Vice - Chairperson, shall be the Presiding Officer: *Provided,*
31 *further,* That this *provision* notwithstanding, the Chairperson of the CHED is hereby
32 authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in
33 which case said CHED Commissioner shall act as the Presiding Officer.

34
35 In case the Chairpersons of the House and Senate Committees on Education shall not
36 be able to attend the Board meeting, they may designate their respective representatives to
37 attend the meeting, who shall have the same rights and responsibilities as a regular members
38 of the Board.

39
40 The members of the Board shall not receive any salary, but shall be entitled to
41 reimbursements for actual and necessary expenses incurred in attending to the meetings of
42 the Board or in connection with other official business authorized by resolutions of the
43 Board, subject to existing laws and regulations.

44
45 **SEC. 9. The College President.**— The College shall be headed by a President, who
46 shall render full-time service and shall be appointed by the Board, subject to the guidelines,
47 qualifications and standards set by the Board, upon the recommendation of a duly constituted
48 search committee.

1 The Board shall designate an Officer-in-Charge (OIC) of the College in case of
2 vacancy in the Office of the President by reason of death, compulsory retirement, resignation,
3 removal for cause, or incapacity of the President to perform the functions of the office,
4 pending the appointment of a new President: *Provided*, That the OIC shall serve only during
5 the unexpired portion of the term.
6

7 The powers and duties of the President of the College, in addition to those specifically
8 provided in this Act, shall be those usually pertaining to the Office of the President of similar
9 Colleges, and those delegated by the Board.
10

11 The salary of the President of the College shall be in accordance with the Revised
12 Compensation and Position Classification System as modified by Joint Resolution No. 4
13 dated June 17, 2009 and other pertinent budget and compensation laws, and shall be
14 comparable to that being received by the Presidents of similar educational institutions.
15

16 The President of the College shall be assisted by a Vice President for Academic
17 Affairs and a Vice President for Administration, who shall be appointed by the Board upon
18 recommendation of the President.
19

20 **SEC. 10. *The Administrative Council.***— There shall be an Administrative Council
21 consisting of the President of the College as Chairperson, vice presidents, deans, directors
22 and other officials of equal rank, as members, whose duty is to review and recommend to the
23 Board the policies governing the administration, management, and development plan of the
24 College.
25

26 **SEC. 11. *The Academic Council.***— There shall be an Academic Council to be
27 composed of the President of the College, who shall act as Chairperson, and all the academic
28 staff with the rank of at least an assistant professor, as members.
29

30 The Academic Council shall have the power to review and recommend the curricular
31 offerings and rules of discipline of the College, subject to the approval of the Board. It shall
32 fix the requirements for the admission of students, as well as for their graduation and the
33 conferment of degrees, subject to review and approval by the Board through the President of
34 the College. It shall have the disciplinary power over students of the College and shall
35 formulate academic policies and rules and regulations on discipline, subject to the approval of
36 the Board.
37

38 **SEC. 12. *The Secretary of the College.***— The Board shall appoint a Secretary who
39 shall serve as such for both the Board and the College, and shall keep all records and
40 proceedings of the Board in addition to other duties and responsibilities. The Secretary shall
41 serve upon each member of the Board the appropriate notice of Board meetings.
42

43 **SEC. 13. *The Treasurer of the College.***— The Treasurer of the Philippines shall be
44 the *ex officio* treasurer of the College.
45

46 **SEC. 14. *The Faculty.***— No political belief, gender preference, cultural or community
47 affiliation or ethnic origin, nor religious opinion or affiliation shall be a matter of inquiry in
48 the appointment of faculty members of the College: *Provided, however*, That said
49 appointment shall be subject to the guidelines, qualifications and standards set by the Board:

1 *Provided, further,* that no member of the faculty shall teach for or against any particular
2 church or religious sect.

3
4 **SEC. 15. *Academic Freedom and Institutional Autonomy.***— The College shall enjoy
5 academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article
6 XIV of the Constitution.

7
8 **SEC. 16. *Scholarship Programs/Admission.***— The College shall provide a
9 scholarship programs and other affirmative action programs to assist poor but deserving
10 students who qualify for admission to the College. No student shall be denied admission to
11 the College by reason of sex, religion, cultural or community affiliation or ethnic origin.

12
13 **SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and Detail***
14 ***of Personnel.***— The heads of the bureaus and offices of the national government are hereby
15 authorized to loan or transfer, upon the request of the President of the College, such
16 apparatus, equipment or supplies as may be needed by the College, and detail employees for
17 duty therein when, in the judgment of the head of bureau or office, such apparatus,
18 equipment, supplies or services of such employees can be spared without serious detriment to
19 public service. The employees so detailed shall perform such duties as required of them by
20 the President of the College and the time so employed shall be counted as part of their regular
21 service.

22
23 **SEC. 18. *Assets, Liabilities and Personnel.***— All parcels of land belonging to the
24 government occupied by the Cuyapo Polytechnic State College are hereby declared to be
25 property of the College and shall be titled under that name: *Provided,* That should the College
26 cease to exist or be abolished, or should such aforementioned parcels of land be no longer
27 needed by the College, the same shall revert to the national government or to the concerned
28 LGU.

29 **SEC. 19. *Tax Exemption.***— The importation of economic technical and cultural
30 books or publications, which are for economic, technical, vocational, scientific,
31 philosophical, historical or cultural purposes made by the College upon certification by the
32 CHED shall be exempt from customs duties in accordance with the provisions of RA No.
33 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”.

34
35 All grants, bequests, endowments, donations and contributions made to the College to
36 be used actually, directly, and exclusively by it, shall be exempt from donor’s tax and the
37 same shall be allowed as allowable deductions from the gross income of the donor for
38 purposes of computing the taxable income of the donor in accordance with the provisions of
39 the National Internal Revenue Code of 1997, as amended.

40
41 **SEC. 20. *Compliance with CHED Requirements.*** - The provisions of this Act
42 notwithstanding, the establishment of the institution into a state college shall become
43 effective only upon the determination and declaration by the CHED based on the
44 recommendation of a panel of experts it shall constitute for the purpose, that the institution
45 has complied with the requirements for a college status based on CHED Memorandum Order
46 No. 46, series of 2012 (Policy-Standard to Enhance Quality Assurance in Philippine Higher
47 Education Through an Outcomes-Based and Typology-Based Quality Assurance): *Provided,*
48 That the panel may issue such recommendation when the institution has substantially
49 complied with the requirements for the grant of status as a state college.

1
2 The following operational requirements for a state college, as established by the
3 CHED, shall be complied with. As such, the college shall:

- 4
5 a. Possess full-time permanent faculty members must possess relevant degrees as
6 required by the CHED and shall experience in the subject areas they handle;
- 7 b. Offer a comprehensive range of degree programs characterized by a core
8 curriculum that holistically develops thinking, problem solving, decision-making,
9 communication, technical, and social skills in line with the mission of the
10 College;
- 11 c. Conduct viable research program in specific disciplinal and multidisciplinary
12 areas of study, produce new knowledge, as evidenced by refereed publications,
13 citations, inventions, and patents, among others;
- 14 d. Possess learning resources and support structures that are appropriate for
15 developing knowledge and skills in the specific natural science, social science,
16 humanities, and professional disciplines offered by the College, including
17 laboratories, books and journals, etc.;
- 18 e. Have linkages with the community that would ensure the development of
19 relevant academic and extension programs as well as the application of their
20 learning outcomes; and
- 21 f. Conduct outreach programs involving students in social-development oriented
22 experiences that allow them to contextualize their knowledge within actual social
23 and human experiences.

24 The CHED, through its regional office, shall regularly provide technical assistance to
25 the institution and monitor compliance with the requirements of the Commission.

26 The institution shall retain its status prior to the effectivity of this Act until it is able to
27 comply with the requirements provided herein.

28 **SEC. 21. *Development Plan, Management Audit/Organizational/***
29 ***Administrative/Academic Structure.***— Within a period of one hundred twenty (120) days
30 after the approval of this Act, the College shall accomplish the following:

- 31
32 a. Submit a five (5)-year development plan, including its program budget to the
33 CHED, for corresponding recommendation to the DBM;
- 34
35 b. Set up its organizational, administrative, as well as academic structure, including
36 the appointment of key officials of the College;
- 37
38 c. Set in motion the establishment of at least four (4) separate degree-granting units,
39 one of which is in the arts and sciences, and another unit for nondegree technical-
40 vocational education and training; and
- 41
42 d. Undergo a management audit in cooperation with the CHED
- 43
44

1 **SEC. 22. *Filing of Report.***— On or before the fifteenth (15th) day of the second month
2 after the opening of the regular classes each year, the Board shall file with the Office of the
3 President of the Philippines, through the Chairperson of the CHED, and with both Houses of
4 Congress, a detailed report on the progress, condition and needs of the College.
5

6 **SEC. 23. *Suppletory Application.***— The provisions of RA No. 8292, otherwise
7 known as the “Higher Education Modernization Act of 1997”, shall form as an integral part
8 of this Act and shall serve as part of the governing charter of the College.
9

10 **SEC. 24. *Appropriations.***— The amount necessary to carry out the provisions of this
11 Act shall be included in the annual General Appropriations Act.
12

13 **SEC. 25. *Parity Clause.***— All other powers, functions and privileges, responsibilities
14 and limitations under existing laws shall be deemed granted to or imposed upon the College
15 and officials, whenever appropriate.
16

17 **SEC. 26. *Implementing Rules and Regulations.***— Within sixty (60) days after the
18 effectivity of this Act, the Board shall, in consultation with the CHED, shall formulate the
19 guidelines to fully implement the provisions of this Act
20

21 **SEC. 27. *Separability Clause.***— If, for any reason, any part or provision of this Act is
22 declared invalid or unconstitutional, the remaining parts or provisions not affected shall
23 remain in full force and effect.
24

25 **SEC. 28. *Repealing Clause.***— All laws, presidential decrees, executive orders, and
26 rules and regulations contrary to or inconsistent with the provisions of this Act are hereby
27 repealed or modified accordingly.
28

29 **SEC. 29. *Effectivity.***— This Act shall take effect fifteen (15) days after its publication
30 in the *Official Gazette* or in a newspaper of general circulation.
31

32 Approved,
33
34