



HOUSE OF REPRESENTATIVES

H. No. 4909

BY REPRESENTATIVES VILLAFUERTE, VILLAR, ABAYON, ANDAYA, LAPUS AND
TEVES, PER COMMITTEE REPORT NO. 1199

AN ACT SEPARATING THE CAMARINES SUR POLYTECHNIC COLLEGE – NAGA CITY CAMPUS (FORMERLY BICOL COLLEGE OF ARTS AND TRADES {BCAT}) IN THE CITY OF NAGA, PROVINCE OF CAMARINES SUR FROM THE CAMARINES SUR POLYTECHNIC COLLEGE IN NABUA, CAMARINES SUR, CONVERTING IT INTO A STATE COLLEGE TO BE KNOWN AS THE BICOL STATE COLLEGE OF APPLIED SCIENCES AND TECHNOLOGY (BISCAST) AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Separation/Conversion.* – The Camarines Sur Polytechnic
2 College – Naga City Campus (formerly Bicol College of Arts and Trades
3 {BCAT}) in the City of Naga, Province of Camarines Sur is hereby separated
4 from the Camarines Sur Polytechnic College in Nabua, Camarines Sur, and
5 converted into a state college to be known as the Bicol State College of
6 Applied Sciences and Technology (BISCAST), hereinafter referred to as the
7 College.

1 SEC. 2. *General Mandate.* – The College shall primarily provide
2 advanced education, higher technological, professional and vocational
3 instruction and training in the sciences, arts, education, entrepreneurship,
4 engineering and related courses. It shall also undertake research and extension
5 services, and provide progressive leadership in its areas of specialization.

6 SEC. 3. *Curricular Offerings.* – The College shall offer undergraduate
7 and graduate studies in the fields of industrial technology, arts and sciences,
8 architecture, nontraditional courses, and other degree/courses within its areas
9 of specialization and according to its capabilities as the Board of Trustees may
10 deem necessary to carry out its objectives, particularly to meet the needs of the
11 Province of Camarines Sur and the Bicol Region.

12 The existing high school shall be transferred to the jurisdiction and
13 supervision of the Department of Education: *Provided*, That the high school
14 shall be allowed to remain and operate within the campus of the College until
15 the existing students shall have completed their high school education:
16 *Provided, further*, That the College may operate a reasonably-sized laboratory
17 school, if it has a College of Education: *Provided, furthermore*, That the
18 existing graduate school will become an integral part of the Teacher Education
19 Department.

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

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

- 1 (a) The chairperson of the Commission on Higher Education (CHED);
2 *chairperson*;
- 3 (b) The president of the College, vice chairperson;
- 4 (c) The chairperson of the Committee on Education, Arts and Culture
5 of the Senate, member;
- 6 (d) The chairperson of the Committee on Higher and Technical
7 Education of the House of Representatives, member;
- 8 (e) The regional director of the National Economic and Development
9 Authority (NEDA), member;
- 10 (f) The regional director of the Department of Science and
11 Technology (DOST), member;
- 12 (g) The president of the faculty association of the College, member;
- 13 (h) The president of the student council of the College, member;
- 14 (i) The president of the alumni association of the College, member;
- 15 and
- 16 (j) Two prominent citizens from the private sector who have
17 distinguished themselves in their profession or fields of specialization of the
18 College, members.

19 The Board shall appoint the two prominent citizens from among a list
20 of at least five persons qualified in the Province of Camarines Sur, as
21 recommended by the search committee constituted by the College president, in
22 consultation with the chairperson of the CHED, based on the normal standards
23 and qualifications for the position.

24 The term of office of the president of the faculty association, the
25 president of the student council and the president of the alumni association
26 shall be contemporaneous with their respective terms of office.

27 The two prominent citizens shall serve for a term of two years from the
28 date of appointment.

1 SEC. 6. *Promulgation and Implementation of Policies* – The Board
2 shall promulgate and implement policies in accordance with the declared State
3 policies on education and other pertinent provisions of the Philippine
4 Constitution on education, agriculture, science and technology, as well as the
5 policies, standards and thrusts of the CHED under Republic Act No. 7722,
6 otherwise known as the “Higher Education Act of 1994”.

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

11 (a) To promulgate rules and regulations as may be necessary to carry
12 out the purposes and functions of the College;

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

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

21 (d) To receive in trust legacies, gifts and donations of real and personal
22 properties of all kinds and to administer and dispose of the same when
23 necessary for the benefit of the College, and subject to the limitations,
24 directions and instructions of the donor, if any.

25 Such donations shall be exempt from the donor’s tax and the same shall
26 be considered as allowable deductions from the gross income in the
27 computation of the income tax of the donor, in accordance with the provisions

1 of the National Internal Revenue Code (NIRC), as amended: *Provided*, That
2 such donations shall not be disposed of, transferred or sold;

3 (e) To fix the tuition fees and other necessary school charges, such as,
4 but not limited to, matriculation fees, graduation fees and laboratory fees, as
5 the Board may deem proper to impose, after due consultations with the
6 involved sectors.

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

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

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

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

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

1 (h) To appoint upon recommendation of the president of the College,
2 vice presidents, deans, directors, heads of campuses, faculty members and
3 other officials and employees of the College;

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

12 (j) To approve the curricula, instructional programs and rules of
13 discipline drawn by the administrative and academic councils herein provided;

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

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

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

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

27 (o) To establish chairs in the College and to provide fellowships for
28 qualified faculty members and scholarships to deserving 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 Commission on Audit rules and regulations;
6 and to institute reforms, including academic and structural changes, on the
7 basis of the audit results and recommendations;

8 (r) To collaborate with other governing boards of the state colleges
9 and universities within the Province of Camarines Sur or the Bicol Region,
10 under the supervision of the CHED and in consultation with the DBM, and
11 work towards the restructuring of the College to become more efficient,
12 relevant, productive 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
15 College, the proceeds of which shall be used for the development and
16 strengthening of the College;

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

21 (u) To develop academic arrangements for institution-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 system, open learning or distance education and community laboratory for the
28 promotion of greater access to education;

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

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

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

11 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at
12 least once every quarter. However, the chairperson of the Board may, upon
13 three days' prior written notice, call a special meeting whenever necessary.

14 A quorum of the Board shall consist of majority of all its members
15 holding office at the time of the meeting: *Provided, however,* That the
16 chairperson of the Board or the president of the College is among those
17 present in the meeting.

18 In the absence of the chairperson of the CHED, a commissioner of the
19 CHED, duly designated by him/her, shall represent him/her in the meeting
20 with all the rights and responsibilities of a regular member: *Provided,*
21 *however,* That during this meeting, the president of the College as vice
22 chairperson shall be the presiding officer: *Provided, further,* That this *proviso*
23 notwithstanding, the chairperson of the CHED is hereby authorized to
24 designate a CHED commissioner as the regular chair of the Board, in which
25 case said CHED commissioner shall act as the presiding officer.

26 In the absence of the chairpersons of the Congressional Committees on
27 Education, they may designate their respective representatives who shall

1 attend the said meetings with all the rights and responsibilities of a regular
2 member.

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

8 *SEC. 9. The College President.* – The College shall be headed by a
9 president, who shall render full time service. He/she shall be appointed by the
10 Board, upon recommendation of a duly constituted search committee. He/She
11 shall have a term of four years and shall be eligible for reappointment for
12 another term.

13 Within six months before the expiration of the term of the incumbent
14 president of the Bicol State College of Applied Sciences and Technology, the
15 Board shall constitute the Search Committee for the Presidency (SCP).

16 In case of vacancy in the office of the president by reason of death,
17 compulsory retirement, resignation, removal for cause or incapacity of the
18 president to perform the functions of his/her office, the Board shall have the
19 authority to designate an officer-in-charge of the College pending the
20 appointment of a new president.

21 In case of vacancy in the office of the president as mentioned in the
22 immediately preceding paragraph, his/her successor or the officer-in-charge
23 shall hold office for the unexpired term only.

24 The powers and duties of the president of the College, in addition to
25 those specifically provided in this Act, shall be those usually pertaining to the
26 office of the president of similar colleges, and those delegated by the Board.

27 The salary of the president of the College shall be in accordance with
28 the Revised Compensation and Position Classification System and shall be

1 comparable to that being received by the presidents of similar educational
2 institutions.

3 The president shall be assisted by a vice president for academic affairs,
4 who shall be appointed by the Board upon recommendation of the president.

5 SEC. 10. *The Administrative Council.* – There shall be an
6 administrative council consisting of the president of the College as
7 chairperson, vice presidents, deans, directors and other officials of equal rank
8 as members, whose duty is to review and recommend to the Board the policies
9 governing the administration, management and development planning of the
10 College.

11 SEC. 11. *The Academic Council.* – There shall be an academic council
12 with the president of the College as chairperson and all members of the
13 academic staff with the rank of not lower than assistant professor as members.

14 The academic council shall have the power to review and recommend
15 the curricular offerings and rules of discipline of the College, subject to the
16 approval of the Board. It shall fix the requirements for the admission of
17 students, as well as for their graduation and conferment of degrees, subject to
18 review and/or approval by the Board through the president of the College. It
19 shall have the disciplinary power over students of the College and shall
20 formulate academic policies and rules and regulations on discipline, subject to
21 the approval of the Board.

22 SEC. 12. *The Secretary of the College.* – The Board shall appoint a
23 secretary, who shall serve as such for both the Board and the College and shall
24 keep all records and proceedings of the Board. He/she shall serve upon each
25 member of the Board the appropriate notice of the Board's meetings.

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

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

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

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

13 SEC. 16. *Academic Freedom and Institutional Autonomy.* – The
14 College shall enjoy academic freedom and institutional autonomy, pursuant to
15 Paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
16 the Philippines.

17 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
18 *and Detail of Personnel.* – The heads of the bureaus and offices of the national
19 government are hereby authorized to loan or transfer, upon the request of the
20 president of the College, such apparatus, equipment or supplies as may be
21 needed by the College, and to detail employees for duty therein when, in the
22 judgment of the head of bureau or office, such apparatus, equipment, supplies
23 or services of such employees can be spared without serious detriment to the
24 public service.

25 The employees so detailed shall perform such duties as required of
26 them by the president of the College, and the time so employed shall be
27 counted as part of their regular services.

1 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
2 personal, personnel and records of the Camarines Sur Polytechnic College –
3 Naga City Campus (formerly BCAT), as well as liabilities or obligations, are
4 hereby transferred to the College. The positions, rights and security of tenure
5 of faculty members and personnel therein employed under existing laws prior
6 to the conversion into a college shall be respected.

7 Specific parcels of land belonging to the Provincial Government of
8 Camarines Sur and occupied by the Camarines Sur Polytechnic College –
9 Naga City Campus (formerly BCAT), are hereby declared to be property of
10 the BISCASST, and shall be titled under that name: *Provided, further,* That
11 should the College cease to exist or be abolished or should such parcels of
12 land aforementioned be no longer needed by the College, the same shall revert
13 to the Provincial Government of Camarines Sur.

14 SEC. 19. *Appropriations.* – The amount necessary to carry out the
15 provisions of this Act shall be charged against the current year's
16 appropriations of the Camarines Sur Polytechnic College – Naga City Campus
17 (formerly BCAT), except the sums needed to continue the operations of the
18 existing high school. Thereafter, such sums as may be necessary for the
19 continued operation and maintenance of the BISCASST shall be included in the
20 annual General Appropriations Act.

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

25 (a) Submit a five-year development plan, including its corresponding
26 program budget to the CHED, for corresponding recommendation to the
27 DBM;

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

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

3 SEC. 21. *Filing of Report.* – On or before the fifteenth (15th) day of the
4 second month after the opening of the regular classes each year, the Board
5 shall file with the Office of the President of the Philippines through the
6 chairperson of the CHED, and with both Houses of Congress a detailed report
7 on the progress, conditions and needs of the College.

8 SEC. 22. *Suppletory Application.* – The provisions of Republic Act
9 No. 8292, otherwise known as the “Higher Education Modernization Act of
10 1997”, shall be an integral part of this Act and shall serve as part of the
11 governing charter of the College.

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

16 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
17 consultation with the CHED, shall formulate the guidelines to fully implement
18 the provisions of this Act.

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

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

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

Approved,