



HOUSE OF REPRESENTATIVES

H. No. 4933

BY REPRESENTATIVES NICOLAS, VILLAR, ABAYON, ANDAYA AND LAPUS, PER
COMMITTEE REPORT NO. 1216

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 agriculture, forestry, industrial technology, industrial
8 education, engineering, arts and sciences, education and other relevant fields

1 of study. It shall also undertake research and extension services, and provide
2 progressive leadership in its areas of specialization.

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

10 Supervision of the existing high school shall remain with the
11 Department of Education during the transition period where existing students
12 shall be allowed to continue their studies within the campus until they shall
13 have graduated: *Provided*, That during the transition period, the College shall
14 set aside an area within the campus for the exclusive use of the high school:
15 *Provided, further*, That the College may operate a reasonably-sized laboratory
16 school for its College of Education.

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

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

4 (a) The chairperson of the Commission on Higher Education (CHED),
5 chairperson;

6 (b) *The president of the College, vice chairperson;*

7 (c) The chairperson of the Committee on Education, Arts and Culture
8 of the Senate, member;

9 (d) The chairperson of the Committee on Higher and Technical
10 Education of the House of Representatives, member;

11 (e) The regional director of the National Economic and Development
12 Authority (NEDA), member;

13 (f) The regional director of the Department of Science and
14 Technology (DOST), member;

15 (g) The president of the faculty association of the College, member;

16 (h) The president of the student council of the College, member;

17 (i) The president of the alumni association of the College, member;

18 and

19 (j) Two prominent citizens from the private sector who have
20 distinguished themselves in their profession or fields of specialization of the
21 College, members.

1 The Board shall appoint the two prominent citizens from among a list
2 of at least five persons qualified in the Province of Bulacan, as recommended
3 by the search committee constituted by the College president, in consultation
4 with the chairperson of the CHED and the other members of the Board, based
5 on the normal standards and qualifications for the position.

6 The term of office of the president of the faculty association, the
7 president of the student council and the president of the alumni association
8 shall be coterminous with their respective terms of office, as set forth in their
9 respective constitutions and bylaws.

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

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

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

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

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

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

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

15 Such donations shall be exempt from the donor's tax and the same shall
16 be considered as allowable deductions from the gross income in the
17 computation of the income tax of the donor, in accordance with the
18 provisions of the National Internal Revenue Code (NIRC), as amended:
19 *Provided*, That such donations shall not be disposed of, transferred or sold;

20 (e) To fix the tuition fees and other necessary school charges, such as,
21 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 such are collected.

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

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

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

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

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

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

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

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

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

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

8 (o) To establish chairs in the College and to provide fellowships for
9 qualified faculty members and scholarships to deserving students;

10 (p) To delegate any of its powers and duties provided for hereinabove
11 to the president and/or other officials of the College as it may deem
12 appropriate, so as to expedite the administration of the affairs of the College;

13 (q) To authorize an external management audit of the College, to be
14 financed by the CHED, subject to the Commission on Audit rules and
15 regulations; and to institute reforms, including academic and structural
16 changes, on the basis of the audit results and recommendations;

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

1 (s) To enter into joint ventures with business and industry for the
2 profitable development and management of the economic assets of the
3 College, the proceeds from which shall be used for the development and
4 strengthening of the College;

5 (t) To develop consortia and other economic forms of linkages with
6 local government units, institutions and agencies, both public and private,
7 local and foreign, in the furtherance of the purpose and objectives of the
8 College;

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

13 (v) To set up the adoption of modern and innovative modes of
14 transmitting knowledge such as the use of information technology, the dual
15 system, open learning or distance education and community laboratory for the
16 promotion of greater access to education and graduate studies, as the case may
17 be;

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

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

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

6 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene
7 at least once every quarter. However, the chairperson of the Board may, upon
8 three days' prior written notice, call a maximum of two special meetings
9 whenever necessary.

10 A quorum of the Board shall consist of a majority of all its members
11 holding office at the time of the meeting: *Provided*, That the chairperson of
12 the Board or the president of the College is among those present in the
13 meeting.

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

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

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

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

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

1 In case of vacancy in the office of the president by reason of death,
2 compulsory retirement, resignation, removal for cause or incapacity of the
3 president to perform the functions of his/her office, the Board shall designate
4 an officer-in-charge of the College within six months from the date of vacancy,
5 pending the appointment of a new president.

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

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

12 The salary of the president of the College shall be in accordance with
13 the Revised Compensation and Position Classification System and shall be
14 comparable to that being received by the presidents of similar educational
15 institutions.

16 The president shall be assisted by a vice president for academic affairs
17 who shall be appointed by the Board upon the recommendation of the
18 president.

19 SEC. 10. *The Administrative Council.* – There shall be an
20 administrative council consisting of the president of the College as
21 chairperson, vice presidents, deans, directors and other officials of equal rank
22 as members, whose duty is to review and recommend to the Board the

1 policies governing the administration, management and development planning
2 of the College.

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

6 The academic council shall have the power to review and recommend
7 the curricular offerings and rules of discipline of the College, subject to the
8 approval of the Board. It shall fix the requirements for the admission of
9 students, as well as for their graduation and conferment of degrees, subject to
10 review and/or approval by the Board through the president of the College. It
11 shall have the disciplinary power over students of the College and shall
12 formulate academic policies and rules and regulations on discipline, subject to
13 the approval of the Board.

14 SEC. 12. *The Secretary of the College.* – The Board shall appoint a
15 secretary who shall serve as such for both the Board and the College and shall
16 keep all records and proceedings of the Board. He/she shall serve upon each
17 member of the Board the appropriate notices of the Board's meetings.

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

20 SEC. 14. *Faculty.* – No political beliefs, gender preference, cultural or
21 community affiliation or ethnic origin, religious opinion or affiliation shall be
22 a matter of inquiry in the appointment of faculty members of the College:

1 *Provided, however,* That said appointment shall be subject to the guidelines,
2 qualifications and/or standards set by the Board: *Provided, further,* That no
3 member of the faculty shall teach for or against any particular church or
4 religious sect.

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

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

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

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

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

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

13 All parcels of land belonging to the government and occupied by the
14 Fortunato F. Halili National Agricultural School are hereby declared to be the
15 property of the College and shall be titled under the name of the
16 College: *Provided*, That should the College cease to exist or be abolished or
17 should such parcels of land aforementioned be no longer needed by the
18 College, the same shall revert to the local government unit concerned.

19 SEC. 19. *Appropriations.* – The amount necessary to carry out the
20 provisions of this Act shall be charged against the current year's
21 appropriations of the Fortunato F. Halili National Agricultural School, except
22 the sums needed to continue the operations of the existing high school.

1 Thereafter, such sums as may be necessary for the continued operation and
2 maintenance of the Fortunato F. Halili Polytechnic State College shall be
3 included in the annual General Appropriations Act.

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

8 (a) Submit a five-year development plan, including its corresponding
9 program budget to the CHED for corresponding 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 College key officials.

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

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

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

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

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

11 SEC. 26. All laws, presidential decrees, executive orders, rules and
12 regulations contrary to or inconsistent with the provisions of this Act are
13 hereby repealed or modified accordingly.

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

Approved,

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