



HOUSE OF REPRESENTATIVES

H. No. 4941

BY REPRESENTATIVES ABAYON, VILLAR, ANDAYA AND LAPUS, PER
COMMITTEE REPORT NO 1220

AN ACT CONVERTING THE SAN ISIDRO AGRO-INDUSTRIAL
SCHOOL IN THE MUNICIPALITY OF SAN ISIDRO, PROVINCE
OF NORTHERN SAMAR INTO A STATE COLLEGE TO BE
KNOWN AS THE SAN ISIDRO 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 San Isidro Agro-Industrial School
2 in the Municipality of San Isidro, Province of Northern Samar is hereby
3 converted into a state college to be known as the San Isidro Polytechnic
4 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
7 training in the fields of economics, agriculture, fishery, trade, home
8 industry, engineering (civil, mechanical, electrical, chemical, computer,

1 electronics and communications), education, forest research and
2 conversion, management, finance, accounting and business administration,
3 public administration, information technology and other relevant fields of
4 study. It shall also undertake research and extension services, and provide
5 progressive leadership in its areas of specialization.

6 SEC. 3. *Curricular Offerings.* – The College shall offer
7 undergraduate and graduate studies in the fields of economics, agriculture,
8 fishery, trade, home industry, engineering (civil, mechanical, electrical,
9 chemical, computer, electronics and communications), education, forest
10 research and conversion, management, finance, accounting and business
11 administration, public administration, information technology and other
12 related degrees/courses within its areas of specialization and according to
13 its capabilities as the Board of Trustees may deem necessary to carry out its
14 objectives, particularly to meet the needs of the Province of Northern
15 Samar and Region VIII.

16 The existing high school shall be transferred to the jurisdiction and
17 supervision of the Department of Education: *Provided*, That the high
18 school shall be allowed to remain and operate within the campus of the
19 College until the existing students shall have completed their high school
20 education: *Provided, further*, That the College may operate a reasonably-
21 sized laboratory school, if it has a College of Education.

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

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

10 (a) The chairperson of the Commission on Higher Education
11 (CHED), chairperson;

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

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

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

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

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

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

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

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

5 and

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

9 The Board shall appoint the two prominent citizens from among a
10 list of at least five persons qualified in the Province of Northern Samar, as
11 recommended by the search committee constituted by the College
12 president, in consultation with the chairperson of the CHED and other
13 members of the Board, based on the normal standards and qualifications for
14 the position.

15 The term of office of the president of the faculty association, the
16 president of the student council and the president of the alumni association
17 shall be coterminous with their respective terms of office, as set forth in
18 their respective constitutions and bylaws.

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

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

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

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

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

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

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

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

14 Such fees and charges, including government subsidies and other
15 income generated by the College, shall constitute special trust funds and
16 shall be deposited in any authorized government depository bank, and all
17 interests that shall accrue therefrom shall form part of the same funds for
18 the use of the College.

19 Any provision of existing laws, rules and regulations to the contrary
20 notwithstanding, any income generated by the College from tuition fees and
21 other charges, as well as from the operation of auxiliary services and land

1 grants, shall be retained by the College and may be disbursed by the Board
2 for instruction, research, extension or other programs/projects of the
3 College: *Provided*, That all fiduciary fees shall be disbursed for the specific
4 purposes for which such are collected.

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

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

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

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

19 (i) To fix and adjust salaries of faculty members and administrative
20 officials and employees, subject to the provisions of the Revised
21 Compensation and Position Classification System and other pertinent

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

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

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

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

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

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

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

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

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

13 (r) To collaborate with other governing boards of the state colleges
14 and universities within the Province of Northern Samar or Region VIII,
15 under the supervision of the CHED and in consultation with the DBM, and
16 work towards the restructuring of the College to become more efficient,
17 relevant, productive and competitive;

18 (s) To enter into joint ventures with business and industry for the
19 profitable development and management of the economic assets of the
20 College, the proceeds from which shall be used for the development and
21 strengthening of the College;

1 (t) To develop consortia and other economic forms of linkages
2 with local government units, institutions and agencies, both public and
3 private, local and foreign, in the furtherance of the purpose and objectives
4 of the College;

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

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

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

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

20 (y) To extend the term of the president of the College beyond the
21 age of retirement, but not beyond the age of seventy (70), whose

1 performance has been unanimously rated by the governing board as
2 outstanding based on the guidelines, qualifications and/or standards set by
3 the Board, after unanimous recommendation by the search committee.

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

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

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

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

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

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

1 Within six months before the expiration of the term of office of the
2 incumbent president of the San Isidro Polytechnic State College, the Board
3 shall constitute the Search Committee for the Presidency (SCP).

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

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

12 The powers and duties of the president of the College, in addition to
13 those specifically provided in this Act, shall be ~~those~~ usually pertaining to
14 the office of the president of similar colleges, and those delegated by the
15 Board.

16 The salary of the president of the College shall be in accordance
17 with the Revised Compensation and Position Classification System and
18 shall be comparable to that being received by the presidents of similar
19 educational institutions.

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

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

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

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

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

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

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

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

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

20 SEC. 16. *Academic Freedom and Institutional Autonomy.* – The
21 College shall enjoy academic freedom and institutional autonomy, pursuant

1 to Paragraph 2, Section 5 of Article XIV of the Constitution of the
2 Republic of the Philippines.

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

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

14 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
15 personal, personnel and records of the San Isidro Agro-Industrial School,
16 as well as liabilities or obligations, are hereby transferred to the College.
17 The positions, rights and security of tenure of faculty members and
18 personnel therein employed under existing laws prior to the conversion into
19 a college shall be respected.

20 All parcels of land belonging to the government and occupied by the
21 San Isidro Agro-Industrial School are hereby declared to be property of the

1 San Isidro Polytechnic State College and shall be titled under that name:
2 *Provided*, That should the College cease to exist or be abolished or should
3 such parcels of land aforementioned be no longer needed by the College,
4 the same shall revert to the local government unit concerned.

5 SEC. 19. *Appropriations.* – The amount necessary to carry out the
6 provisions of this Act shall be charged against the current year’s
7 appropriations of the San Isidro Agro-Industrial School, except the sums
8 needed to continue the operations of the existing high school. Thereafter,
9 such sums as may be necessary for the continued operation and
10 maintenance of the San Isidro Polytechnic State College shall be included
11 in the annual General Appropriations Act.

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

16 (a) Submit a five-year development plan, including its
17 corresponding program budget to the CHED for corresponding
18 recommendation to the DBM;

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

20 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
4 the second month after the opening of the regular classes each year, the
5 Board shall file with the Office of the President of the Philippines through
6 the chairperson of the CHED, and with both Houses of Congress a detailed
7 report 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
13 privileges, responsibilities and limitations to state colleges and/or their
14 officials under existing laws shall be deemed granted to or imposed upon
15 the College and/or its officials whenever appropriate.

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

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

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

Approved,

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