



HOUSE OF REPRESENTATIVES

H. No. 4911

BY REPRESENTATIVES ANDAYA, VILLAR, ABAYON, LAPUS AND TEVES, PER
COMMITTEE REPORT NO. 1201

AN ACT SEPARATING THE CAMARINES SUR STATE AGRICULTURAL COLLEGE (CSSAC)-SIPOCOT CAMPUS (FORMERLY BICOL INSTITUTE OF SCIENCE AND TECHNOLOGY {BIST}) IN THE MUNICIPALITY OF SIPOCOT, PROVINCE OF CAMARINES SUR FROM THE CAMARINES SUR STATE AGRICULTURAL COLLEGE IN PILI, CAMARINES SUR, CONVERTING IT INTO A STATE COLLEGE TO BE KNOWN AS THE BICOL STATE POLYTECHNIC COLLEGE 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 State
2 Agricultural College (CSSAC)-Sipocot Campus (Formerly Bicol Institute of
3 Science and Technology {BIST}) in the Municipality of Sipocot, Province of
4 Camarines Sur is hereby separated from the Camarines Sur State Agricultural
5 College in Pili, Camarines Sur and converted into a state college to be known
6 as the Bicol State Polytechnic College, hereinafter referred to as the College.
7 The main campus of the College shall be in Sipocot, Camarines Sur.

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

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

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.

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

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

26 (a) The chairperson of the Commission on Higher Education (CHED),
27 chairperson;

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

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

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

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

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

9 (g) The president of the federation of faculty associations of the
10 College, member;

11 (h) The president of the federation of student councils of the College,
12 member;

13 (i) The president of the federation of alumni associations of the
14 College, member; and

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

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

23 The term of office of the president of the federation of faculty
24 associations, the president of the federation of student councils and the
25 president of the federation of alumni associations shall be coterminous with
26 their respective terms of office, as set forth in their respective constitutions and
27 bylaws.

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

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

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

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

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

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

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

27 Such donations shall be exempt from the donor’s tax and the same shall
28 be considered as allowable deductions from the gross income in the

1 computation of the income tax of the donor, in accordance with the provisions
2 of the National Internal Revenue Code (NIRC), as amended: *Provided, That*
3 such donations shall not be disposed of, transferred or sold;

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

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

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

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

25 (f) To adopt and implement a socialized scheme of tuition and school
26 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
17 provided;

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

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

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

1 (n) To establish research and extension centers of the College where
2 *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 hereinabove
6 *to the president and/or other officials of the College as it may deem*
7 *appropriate, so as to expedite the administration of the affairs of the College;*

8 (q) To authorize an external management audit of the College, to be
9 *financed by the CHED, and to institute reforms, including academic and*
10 *structural changes, on the basis of the audit results and recommendations;*

11 (r) To collaborate with other governing boards of the state colleges
12 *and universities within the Province of Camarines Sur or Region V, under the*
13 *supervision of the CHED and in consultation with the DBM, and work*
14 *towards the restructuring of the College to become more efficient, relevant,*
15 *productive and competitive;*

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

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

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

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

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

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

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

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

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

24 In the absence of the chairperson of the CHED, a commissioner of the
25 CHED, duly designated by him/her, shall represent him/her in the meeting
26 with all the rights and responsibilities of a regular member: *Provided,*
27 *however,* That during this meeting, the president of the College as vice
28 chairperson shall be the presiding officer: *Provided, further,* That this proviso

1 notwithstanding, the chairperson of the CHED is hereby authorized to
2 designate a CHED commissioner as the regular chair of the Board, in which
3 case said CHED commissioner shall act as the presiding officer.

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

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

13 *SEC. 9. The College President.* – The College shall be headed by a
14 president, who shall render full time service. He/she shall be appointed by the
15 Board, subject to the guidelines, qualifications and/or standards set by the
16 Board, upon recommendation of a duly constituted search committee. He/she
17 shall have a term of four years and shall be eligible for reappointment for
18 another term: *Provided*, That in order to effect a smooth transition to a state
19 college, the incumbent Vocational School Superintendent II of the CSSAC-
20 Sipocot Campus (formerly BIST), if qualified, shall serve as the first president
21 of the College.

22 Within six months before the expiration of the term of office of the
23 incumbent president of the Bicol State Polytechnic College, the Board shall
24 constitute the Search Committee for the Presidency (SCP).

25 In case of vacancy in the office of the president by reason of death,
26 compulsory retirement, resignation, removal for cause or incapacity of the
27 president to perform the functions of his/her office, the Board shall designate

1 an officer-in-charge of the College within six months from date of vacancy,
2 pending the appointment of a new president.

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

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

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

13 The president shall be assisted by a vice president for Academic Affairs
14 who shall be appointed by the Board, upon the recommendation of the
15 president.

16 SEC. 10. *The Administrative Council.* – There shall be an
17 Administrative Council consisting of the president of the College as
18 chairperson, vice presidents, deans, directors and other officials of equal rank
19 as members, whose duty is to review and recommend to the Board the policies
20 governing the administration, management and development planning of the
21 College.

22 Sec. 11. *The Academic Council.* – There shall be an Academic
23 Council with the president of the College as chairperson and all members of
24 the academic staff, with the rank of not lower than assistant professor, as
25 members.

26 The Academic Council shall have the power to review and recommend
27 the curricular offerings and rules of discipline of the College, subject to the
28 approval of the Board. It shall fix the requirements for the admission of

1 students, as well as for their graduation and conferment of degrees, subject to
2 review and/or approval by the Board of Trustees through the president of the
3 College. It shall have the disciplinary power over students of the College and
4 shall formulate academic policies and rules and regulations on discipline,
5 subject to the approval of the Board.

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

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

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

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

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

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

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

11 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
12 personal, personnel and records of the CSSAC-Sipocot Campus (formerly
13 BIST), as well as liabilities or obligations, are hereby transferred to the
14 College. The positions, rights and security of tenure of faculty members and
15 personnel therein employed under existing laws prior to the conversion into a
16 College shall be respected.

17 All parcels of land belonging to the government and occupied by the
18 CSSAC-Sipocot Campus (formerly BIST) are hereby declared to be property
19 of the Bicol State Polytechnic College and shall be titled under that name:
20 *Provided,* That should the College cease to exist or be abolished or should
21 such parcels of land aforementioned be no longer needed by the College, the
22 same shall revert to the local government unit concerned.

23 SEC. 19. *Appropriations.* – The amount necessary to carry out the
24 initial implementation of this Act shall be charged against the current year's
25 appropriations of the CSSAC-Sipocot Campus (formerly BIST), except the
26 sums needed to continue the operations of the existing high school/s.
27 Thereafter, such sums as may be necessary for the continued operation and

1 maintenance of the Bicol State Polytechnic College shall be included in the
2 annual General Appropriations Act.

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

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

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

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

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

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

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

25 SEC. 24. *Implementing Rules and Regulations.* – The Board of
26 Trustees, in coordination with the CHED, shall formulate the guidelines to
27 fully implement the provisions of this Act.

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

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

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

Approved,

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