



HOUSE OF REPRESENTATIVES

H. No. 5335

BY REPRESENTATIVES SUPLICO, VILLAR, ABAYON, LAPUS AND SALCEDA, PER
COMMITTEE REPORT NO. 1599

AN ACT ESTABLISHING THE NORTHERN ILOILO STATE UNIVERSITY IN THE PROVINCE OF ILOILO, BY INTEGRATING THE NORTHERN ILOILO POLYTECHNIC STATE COLLEGE (NIPSC) IN THE MUNICIPALITY OF ESTANCIA, THE NIPSC-BAROTAC VIEJO CAMPUS IN THE MUNICIPALITY OF BAROTAC VIEJO, THE AJUY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF AJUY, THE BATAD POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF BATAD, THE CONCEPCION POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF CONCEPCION, THE LEMERY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LEMERY AND THE VICTORINO SALCEDO POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF SARA, ALL MUNICIPALITIES LOCATED IN THE PROVINCE OF ILOILO, AND APPROPRIATING FUNDS THEREFOR

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

- 1 SECTION 1. *Establishment/Integration.* – There is hereby established a
2 state university in the Province of Iloilo to be known as the Northern Iloilo
3 State University (NISU), hereinafter referred to as the University, by

1 integrating the Northern Iloilo Polytechnic State College (NIPSC) in the
2 Municipality of Estancia, the NIPSC-Barotac Viejo Campus in the
3 Municipality of Barotac Viejo, the Ajuy Polytechnic College in the
4 Municipality of Ajuy, the Batad Polytechnic College in the Municipality of
5 Batad, the Concepcion Polytechnic College in the Municipality of Lemery and
6 the Victorino Salcedo Polytechnic College in the Municipality of Sara, all
7 municipalities located in the Province of Iloilo. The main campus shall be in
8 Estancia, Iloilo.

9 SEC. 2. *General Mandate.* – The University shall primarily provide
10 advanced instruction and professional training in fishery, agriculture, forestry,
11 science, education, commerce, engineering and other related courses. It shall
12 also undertake research and extension services, and provide progressive
13 leadership in its areas of specialization and as may be relevant to the
14 development of both marine-based industries and land-based resources of its
15 service area and the country.

16 SEC. 3. *Curricular Offerings.* – The University shall offer varied
17 courses in the disciplines and programs through occupation-oriented and
18 industry-based baccalaureate ladder type curricula and graduate programs that
19 are closely linked with the needs of industries, businesses, services and
20 professions.

21 In addition to the present curricular offerings of the integrated
22 institutions, the University shall offer undergraduate, graduate and short-term
23 courses in marine technology, marine resources and ecology management.

1 harbor/port and business management, marine technology, engineering, marine
2 transportation and economics, rural enterprises organization and community
3 development, rural-based health and education, industrial technology, food
4 processing, computer and information technology, eco-tourism, agriculture,
5 environment studies, local governance cooperatives and other related courses
6 within its areas of specialization and according to its capabilities, as the Board
7 of Regents may deem necessary to carry out its objectives, particularly to meet
8 the needs of the Province of Iloilo and Region VI.

9 The existing high schools shall be transferred to the jurisdiction and
10 supervision of the Department of Education (DepEd): *Provided*, That the high
11 schools shall be allowed to remain and operate within the campus of the
12 University until the existing students shall have completed their high school
13 education: *Provided, further*; That the University may operate a
14 reasonably-sized laboratory school, if it has a College of Education.

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

21 SEC. 5. *The Governing Board.* – The governing board of the
22 University shall be the Board of Regents, hereinafter referred to as the Board,
23 which 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 University, 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 federation of faculty associations of the
13 University, member;

14 (h) The president of the federation of supreme student councils of the
15 University, member;

16 (i) The president of the federation of alumni associations of the
17 University, member; and

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

21 The Board shall appoint the two prominent citizens from among a list
22 of at least five persons qualified in the Province of Iloilo, as recommended by
23 the search committee constituted by the University president, in consultation

1 with the chairperson of the CHED and the other members of the Board, based
2 on the normal standards and qualifications for the position.

3 The term of office of the president of the federation of faculty
4 associations, the president of the federation of supreme student councils and
5 the president of the federation of alumni associations shall be coterminous
6 with their respective terms of office, as set forth in their respective
7 constitutions and bylaws.

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

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

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

20 (a) To promulgate rules and regulations as may be necessary to carry
21 out the purposes and functions of the University;

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

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

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

13 Such donations shall be exempt from the donor's tax and the same shall
14 be considered as allowable deductions from the gross income in the
15 computation of the income tax of the donor, in accordance with the provisions
16 of the National Internal Revenue Code (NIRC) of 1997, as amended:
17 *Provided*, That such donations shall not be disposed of, transferred or sold;

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

22 Such fees and charges, including government subsidies and other
23 income generated by the University, shall constitute special trust funds and

1 shall be deposited in any authorized government depository bank, and all
2 interests that shall accrue therefrom shall form part of the same funds for the
3 use of the University.

4 Any provision of existing laws, rules and regulations to the contrary
5 notwithstanding, any income generated by the University from tuition fees and
6 other charges, as well as from the operation of auxiliary services and land
7 grants, shall be retained by the University, and may be disbursed by the Board
8 for instruction, research, extension or other programs/projects of the
9 University: *Provided*, That all fiduciary fees shall be disbursed for the
10 specific purposes for which they are collected.

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

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

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

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

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 their
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 University; 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 Iloilo as branches and centers in coordination with the CHED and
22 in consultation with the Department of Budget and Management (DBM), and

1 to offer therein programs or courses to promote and carry out equal access to
2 educational opportunities as mandated by the Constitution;

3 (n) To establish research and extension centers of the University where
4 such will promote the development of the latter;

5 (o) To establish professorial chairs in the University and to provide
6 fellowships for qualified faculty members and scholarships to deserving
7 students;

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

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

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

21 (s) To enter into joint ventures with business and industry for the
22 profitable development and management of the economic assets of the

1 University, the proceeds from which shall be used for the development and
2 strengthening of the University;

3 (t) To develop consortia and other economic forms of linkages with
4 local government units (LGUs), institutions and agencies, both public and
5 private, local and foreign, in the furtherance of the purposes and objectives of
6 the University;

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

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

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

17 (x) To privatize, where most advantageous to the University,
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 University beyond the
21 age of retirement, but not beyond the age of seventy (70), whose performance
22 has been unanimously rated by the governing board as outstanding based on

1 the guidelines, qualifications and/or standards set by the Board, after
2 unanimous recommendation by the search committee.

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

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

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

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

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

6 SEC. 9. *The University President.* – The University shall be headed by
7 a president who shall render full-time service. He/she shall be appointed by
8 the Board, subject to the guidelines, qualifications and/or standards set by the
9 Board, upon the recommendation of a duly constituted search committee.
10 He/she shall have a term of four years and shall be eligible for reappointment
11 for another term: *Provided*, That in order to effect a smooth transition to a
12 state university, the incumbent president of the NIPSC, if qualified, shall serve
13 as the first president of the University.

14 Within six months before the expiration of the term of office of the
15 incumbent president of the NISU, the Board shall constitute the Search
16 Committee for the Presidency (SCP).

17 In case of vacancy in the office of the president by reason of death,
18 compulsory retirement, resignation, removal for cause or incapacity of the
19 president to perform the functions of his/her office, the Board shall designate
20 an officer-in-charge of the University within six months from the date of
21 vacancy, pending the appointment of a new president.

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

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

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

12 The president of the University shall be assisted by a vice president for
13 academic affairs, a vice president for administration, a vice president for
14 research and development, and a vice president for finance and extension
15 services. They shall be appointed by the Board upon recommendation of the
16 president, after due consultation with all sectors of the University, and shall
17 serve for a term of three years.

18 SEC. 10. *Heads of University Campuses.* – Campus directors shall
19 head the University campuses and they shall render full-time service. They
20 shall be appointed by the Board upon the recommendation of the search
21 committee and the University president, subject to the guidelines,
22 qualifications and/or standards set by the Board: *Provided,* That the
23 incumbent college administrators of the institutions integrated under this Act

1 shall continue to serve as campus directors of their respective campuses, but
2 shall be coterminous with their respective retirements.

3 SEC. 11. *The Administrative Council.* -- There shall be an
4 administrative council consisting of the president of the University as
5 chairperson, vice presidents, deans, directors and other officials of equal rank
6 as members, whose duty is to review and recommend to the Board the policies
7 governing the administration, management and development planning of the
8 University.

9 SEC. 12. *The Academic Council.* -- There shall be an academic council
10 with the president of the University as chairperson and all members of the
11 academic staff with the rank of at least an assistant professor as members.

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

20 SEC. 13. *The Secretary of the University.* -- The Board shall appoint a
21 secretary who shall serve as such for both the Board and the University and
22 shall keep all records and proceedings of the Board. He/she shall serve upon
23 each member of the Board the appropriate notice of the Board's meetings.

1 SEC. 14. *The Treasurer of the University.* – The Treasurer of the
2 Philippines shall be the *ex officio* treasurer of the University.

3 SEC. 15. *Faculty.* – No political beliefs, gender preference, cultural or
4 community affiliation or ethnic origin and religious opinion or affiliation shall
5 be a matter of inquiry in the appointment of faculty members of the
6 University: *Provided,* That said appointment shall be subject to the
7 guidelines, qualifications and/or standards set by the Board: *Provided,*
8 *further,* That no member of the faculty shall teach for or against any particular
9 church or religious sect.

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

13 No student shall be denied admission to the University by reason of sex,
14 religion, cultural or community affiliation or ethnic origin.

15 SEC. 17. *Academic Freedom and Institutional Autonomy.* – The
16 University shall enjoy academic freedom and institutional autonomy, pursuant
17 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
18 the Philippines.

19 SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
20 *and Detail of Personnel.* – The heads of the bureaus and offices of the national
21 government are hereby authorized to loan or transfer, upon the request of the
22 president of the University, such apparatus, equipment or supplies as may be
23 needed by the University, and to detail employees for duty therein when, in the

1 judgment of the head of the bureau or office, such apparatus, equipment,
2 supplies or services of such employees can be spared without serious
3 detriment to public service. The employees so detailed shall perform such
4 duties as required of them by the President of the University, and the time so
5 employed shall be counted as part of their regular services.

6 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and
7 personal, personnel and records of the NIPSC, the NIPSC-Barotac Viejo
8 Campus, the Ajuy Polytechnic College, the Batad Polytechnic College, the
9 Concepcion Polytechnic College and the Victorino Salcedo Polytechnic
10 College, as well as liabilities or obligations, are hereby transferred to the
11 University: *Provided, however,* That the positions, rights and security of
12 tenure of faculty members and personnel therein employed under existing laws
13 prior to the conversion into a University shall be respected.

14 All parcels of land belonging to the government occupied by the NIPSC
15 and its duly integrated campuses are hereby declared to be property of the
16 University, and shall be titled under that name: *Provided,* That should the
17 University cease to exist or be abolished or should such parcels of land
18 aforementioned be no longer needed by the University, the same shall revert to
19 the LGU/s concerned.

20 SEC. 20. *Appropriations.* – The amount necessary for the initial
21 implementation of this Act shall be charged against the current year's
22 appropriations of the Northern Iloilo Polytechnic State College, the Ajuy
23 Polytechnic College, the Batad Polytechnic College, the Concepcion

1 Polytechnic College, the Lemery Polytechnic College and the Victorino
2 Salcedo Polytechnic College, except the sums needed to continue the
3 operations of the existing high schools. Thereafter, such sums as may be
4 necessary for the continued operation and maintenance of the Northern Iloilo
5 State University shall be included in the annual General Appropriations Act.

6 SEC. 21. *Development Plan, Management Audit, Organizational/
7 Administrative/Academic Structure.* – Within the period of one hundred
8 twenty (120) days after the approval of this Act, the University shall
9 accomplish the following:

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

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

14 (c) Accordingly set up its organizational, administrative, as well as
15 academic structure, including the appointment of the University key officials.

16 SEC. 22. *Filing of Report.* – On or before the fifteenth (15th) day of the
17 second month after the opening of the regular classes each year, the Board
18 shall file with the Office of the President of the Philippines through the
19 chairperson of the CHED, and with both Houses of Congress, a detailed report
20 on the progress, conditions and needs of the University.

21 SEC. 23. *Supplementary Application.* – The provisions of Republic Act
22 No. 8292, otherwise known as the “Higher Education Modernization Act of

1 1997", shall be an integral part of this Act and shall serve as part of the
2 governing charter of the University.

3 SEC. 24. *Parity Clause.* – All other powers, functions and privileges,
4 responsibilities and limitations to state universities and/or their officials under
5 existing laws shall be deemed granted to or imposed upon the University
6 and/or its officials whenever appropriate.

7 SEC. 25. *Implementing Rules and Regulations.* – The Board, in
8 consultation with the CHED, shall formulate the guidelines to fully implement
9 the provisions of this Act.

10 SEC. 26. *Separability Clause.* – If, for any reason, any part or
11 provision of this Act is declared invalid or unconstitutional, the remaining
12 parts or provisions not affected thereby shall remain in full force and effect.

13 SEC. 27. *Repealing Clause.* – All laws, presidential decrees, executive
14 orders, rules and regulations contrary to or inconsistent with the provisions of
15 this Act are hereby repealed or modified accordingly.

16 SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after
17 its publication in two newspapers of general circulation.

Approved,