

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE CLERK

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SENATE

S.B. No. 2472

Introduced by Senator EDGARDO J. ANGARA

EXPLANATORY NOTE

Concepcion Vocational School (CVS) was created under Republic Act No. 8138 with curriculum emphasis on agriculture, vocational and technical training, science and technology education. It is one of the schools developed by TESDA as a Center of Technical Excellence (CENTEX). The distinctive areas of competence of CVS are animal production with support program on farm mechanics and food processing. Workshops and laboratory equipment and tools for animal production NC II, farm mechanics, crop production, electricity, welding and pipefitting were provided through KFW loan grant to support agro-industrial technology courses on the mentioned areas.

CVS is located near the intersection of the Capas-Concepcion Road and the Magalang-Capas Highway, with a jeepney distance of about five (5) minutes to Concepcion town proper, thus the accessibility of the school is good, even for students, coming from surrounding municipalities like Capas, Bamban, Magalang, and Mabalacat. Since CVS would prioritize to achieve the local market, the market niche size can be determined by the market potential focusing the target area of Concepcion and its surroundings, which includes the municipalities of Bamban, Capas, Tarlac City, La Paz, Magalang and Mabalacat, Pampanga.

The geographic area includes a population of approximately **558,232** individuals for the target area. The market segment for post-secondary education can be described by the yearly rate of High school graduates covering **11,087 students**. Out of these graduates, students would either enroll in post-secondary programs offered by public and private schools under the supervision of CHED and TESDA or not continue their studies after graduation in high-school.

Assuming that the rate of enrollment in agriculture-related courses of 3.5% nationwide reflects the actual interest of high school graduates for training in agriculture, the market sub-segment would provide 415 graduates interested enrollees in 2010 from the target area but due to financial limitations of their families to finance educational costs to Tarlac State University or private school education in Pampanga, the hidden reserve potential can be assumed to approximately provide additional 1000 graduates for the target area.

Assuming also that 20% of the market potential may have the intellectual capacity and inclination and interest on other courses, but then financial limitation is also their

constraint, then expansion of school offerings is necessary for the more or less 2,392 students in school year 2010-2011.

With adequate government support, CVS can respond to the increasing demand for relevant and up-to-date technological and vocational training in the region. It already has a nucleus staff of highly trained and well-motivated administrative personnel and faculty. It has demonstrated its capacity to keep abreast with rapid advancements in science and technology.

For CVS to provide relevant and effective manpower skills training and development, in line with regional manpower requirements, it must be converted into a polytechnic state college.

As a state college, it shall then have the necessary resources to offer higher educational courses in agriculture, vocational, technical training, and technological science education. It shall then be in a better position to assist in manpower development for a national developmental goal.

It is therefore earnestly requested that this proposed measure be approved.


EDGARDO J. ANGARA

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 JUN 21 2013

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SENATE

S.B. No. 2472

Introduced by Senator EDGARDO J. ANGARA

AN ACT
CONVERTING THE CONCEPCION VOCATIONAL SCHOOL IN THE
MUNICIPALITY OF CONCEPCION, PROVINCE OF TARLAC, INTO A
POLYTECHNIC STATE COLLEGE TO BE KNOWN AS THE CONCEPCION
POLYTECHNIC STATE COLLEGE AND APPROPRIATING FUNDS
THEREFOR

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

1 SECTION 1. *Conversion* - The Concepcion Vocational School (CVS) in the
2 municipality of Concepcion, Province of Tarlac, is hereby converted into a polytechnic
3 state college to be known as the Concepcion Polytechnic State College, hereinafter
4 referred to as the Polytechnic State College.

5
6 SECTION. 2. *General Mandate*. - The Polytechnic State College shall primarily
7 provide advanced education, professional, technological and vocational instructions and
8 occupational training in agriculture, forestry, science, industrial technology, education,
9 information technology and other related fields on the utilization and development of
10 appropriate technologies on community-based enterprises.

11
12 It shall also undertake research and extension services, and provide progressive
13 leadership in its areas of specialization areas.

14
15 SECTION 3. *Curricular Offerings*. - The State College shall offer undergraduate,
16 graduate and short-term technical courses within its areas of specialization and according
17 to its capabilities, as the Board of Trustees may deem necessary to carry out its objectives,
18 particularly in order to meet the needs of the district, the province and the region.

1
2 SECTION 4. *Administration.* – The Polytechnic State College shall have the
3 general powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,
4 otherwise known as the “Corporation Code of the Philippines.” The administration of the
5 Polytechnic State College and the exercise of its corporate powers shall be vested
6 exclusively in the Board of Trustees and the President of the College.
7

8 SECTION 5. *The Governing Board.* –

9 a. *Composition* - The governing body is hereby vested in the Board of Trustees
10 which shall be composed of the following:

- 11 i. The Chairperson of the Commission on Higher Education (CHED),
12 chairperson;
- 13 ii. The Director General of the Technical Education and Skills
14 Development Authority (TESDA), co-chairperson;
- 15 iii. The President of the State College, vice chairperson;
- 16 iv. The Chairperson of the Committee on Education, Arts and Culture of
17 the Senate, member;
- 18 v. The Chairperson of the Committee on Higher and Technical Education
19 of the House of Representatives, member;
- 20 vi. The Regional Director of the National Economic and Development
21 Authority (NEDA), member;
- 22 vii. The Regional Director of the Department of Science and Technology
23 (DOST), member;
- 24 viii. The President of the faculty association of the Polytechnic State
25 College, member;
- 26 ix. The President of the supreme student council or the student
27 representative elected by the student council: *Provided*, That in the
28 absence of a student council president or student representative elected
29 by the student council, the college shall schedule one (1) week for the
30 campaign and election of a student representative;
- 31 x. The President of the alumni association of the Polytechnic State
32 College; and
- 33 xi. Two (2) prominent citizens who have distinguished themselves in
34 their professions or fields of specialization chosen from among a list
35 of at least five (5) persons qualified in the district or the province, as

1 recommended by the search committee constituted by the President in
2 consultation with the chairman of the CHED based on the normal
3 standards and qualifications for the position.

4 The private sector representatives shall be appointed by the Board of
5 Trustees upon recommendation of a duly constituted search
6 committee.

- 7 b. *Term of Office* - The presidents of the faculty and alumni associations and
8 the student regent shall sit in the Board until the expiration of their term of
9 office in such capacities.

10
11 The prominent citizens shall serve for a term of two (2) years.
12 In case of vacancy in the office of the president, the officer-in-charge of the Polytechnic
13 State College designated by the Board shall serve for the unexpired term only.

14
15 The President of the Polytechnic State College, whose term may be terminated
16 according to this Act, shall be entitled to full retirement benefits under existing laws.

17
18 The Chairperson shall supervise degree programs while the Co-Chair shall
19 supervise non-degree programs. The Chairperson shall be the presiding officer of the
20 Board of Trustees. However, in the absence of the Chairperson, the Co-chairperson shall
21 serve as the presiding officer. Further, the Co-Chairperson shall provide inputs on matters
22 pertaining to technical-vocational programs. If and when the Chairperson and Co-
23 Chairperson are not available, the Vice-Chairperson shall serve as the presiding officer.

24
25 SECTION 6. *Promulgation and Implementation of Policies.* – The Board shall
26 promulgate and implement policies in accordance with the declared state policies on
27 education and other pertinent provisions of the Philippine Constitution on education,
28 agriculture, science and technology, arts, culture and sports; as well as the policies,
29 standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the
30 “Higher Education Act of 1994,” and TESDA under Republic Act No. 7796, otherwise
31 known as the TESDA Act of 1994.

32
33 SECTION 7. *Powers and Duties of the Governing Board.* – The governing board
34 shall have the following specific powers and duties in addition to its general powers of
35 administration and the exercise of all the powers granted to the board of directors of a

1 corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the
2 Corporation Code of the Philippines:

3
4 (a) To promulgate rules and regulations necessary to carry out the purposes
5 and functions of the Polytechnic State College;

6
7 (b) To receive and appropriate all sums as may be provided for the support
8 of the State College the manner it may determine, in its discretion, to carry out the
9 purposes and functions of the Polytechnic State College;

10
11 (c) To import duty-free economic, technical and cultural books and/or
12 publications, upon certification by the CHED that such imported books and/or
13 publications are for economic, technical, vocational, scientific, philosophical,
14 historical or cultural purposes, in accordance with the provisions of the Tariff and
15 Customs Code, as amended:

16
17 (d) To receive in trust legacies, gifts and donations of real and personal
18 properties of all kinds, to administer and dispose the same when necessary for the
19 benefit of the Polytechnic State College, subject to limitations, directions and
20 instructions of the donor, if any.

21
22 Such donations shall be exempt from all taxes and shall be considered as
23 allowable deductions from the gross income in the computation of the income tax
24 of the donor, in accordance with the provisions of the National Internal Revenue
25 Code (NIRC) of 1997, as amended: Provided, That such donations shall not be
26 disposed of, transferred or sold;

27
28 (e) To fix the tuition fees and other necessary school charges, such as but
29 not limited to, matriculation fees, graduation fees and laboratory fees, as their
30 respective boards may deem proper to impose after due consultations with the
31 involved sectors.

32
33 Such fees and charges, including government subsidies and other income
34 generated by the Polytechnic State College, shall constitute special trust funds and
35 shall be deposited in any authorized government depository bank, and all interests

1 that shall accrue there from shall form part of the same fund for the use of the
2 Polytechnic State College.

3
4 Any provision of existing laws, rules and regulations to the contrary
5 notwithstanding, any income generated by the Polytechnic State College from
6 tuition fees and other charges, as well as from the operation of auxiliary services
7 and land grants, shall be retained by the Polytechnic State College and may be
8 disbursed by the Board of Trustees for instruction, research, extension or other
9 programs/projects of the Polytechnic State College: *Provided*, That all fiduciary
10 fees shall be disbursed for the specific purposes for which they are collected.

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

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

20
21 (g) To authorize the construction or repair of its buildings, machineries,
22 equipment and other facilities and the purchase and acquisition of real and personal
23 properties, including necessary supplies, materials and equipment. Purchases and
24 other transactions entered into by the Polytechnic State College through the Board
25 of Regents shall be exempt from all taxes and duties;

26
27 (h) To appoint, upon the recommendation of the president of the
28 Polytechnic State College, vice presidents, deans, directors, heads of departments,
29 faculty members and other' officials and employees of the Polytechnic State
30 College;

31
32 (i) To fix and adjust salaries of faculty members and administrative officials
33 and employees subject to the provisions of the Revised Compensation and Position
34 Classification System and other pertinent budget and compensation laws governing
35 hours of service, and such other duties and conditions as it may deem proper; to

1 grant them, at its discretion, leaves of absence under such regulations as it may
2 promulgate, any provisions of existing law to the contrary notwithstanding; and to
3 remove them for cause in accordance with the requirements of due process of law;
4

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

8 (k) To set policies on admission and graduation of students;
9

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

16 (m) To develop training arrangements for institutional capability-building
17 with appropriate institutions and agencies, public and private, local and foreign;
18

19 (n) To establish research and extension centers of the Polytechnic State
20 College where such will promote the development of the latter;
21

22 (o) To establish professorial chairs in the Polytechnic State College and to
23 provide local and international fellowships for qualified faculty members provided
24 they have at least three (3) years of service to the Polytechnic and scholarships to
25 deserving students;
26

27 (p) To delegate any of its powers and duties provided for hereinabove to the
28 President and/or other officials of the Polytechnic State College as it may deem
29 appropriate, so as to expedite the administration of the affairs of the Polytechnic
30 State College;
31

32 (q) To authorize an external management audit of the institution, to be
33 financed by the CHED and TESDA and to institute reforms, including academic
34 and structural changes, on the basis of the audit results and recommendations;

1
2 (r) To collaborate with other governing boards of state colleges and
3 universities within the region, under the supervision of the CHED and in
4 consultation with the Department of Budget and Management (DBM), the
5 restructuring of said Polytechnic State College to become more efficient, relevant,
6 productive and competitive;

7
8 (s) To enter into joint ventures with business and industry for the profitable
9 development and management of the economic assets of the Polytechnic State
10 College or institution, the proceeds from which to be used for the development and
11 strengthening of the Polytechnic State College;

12
13 (t) To develop consortia and other forms of linkages with local government
14 units, institutions and agencies, both public and private, local and foreign, in
15 furtherance of the purposes and objectives of the Polytechnic State College;

16
17 (u) To develop academic arrangements for institution capability building
18 with appropriate institutions and agencies, public or private, local or foreign, and to
19 appoint experts/specialists as consultants, part time or visiting or exchange
20 professors, scholars, or researchers, as the case may be;

21
22 (v) To set up the adoption of modern and innovative modes of transmitting
23 knowledge such as the use of information technology, the dual training system
24 approach, open learning, community laboratory, etc., for the promotion of greater
25 access to higher professional and technical vocational education;

26
27 (w) To establish policy guidelines and procedures for participative decision-
28 making and transparency within the Polytechnic State College;

29
30 (x) To privatize, where most advantageous to the Polytechnic State College,
31 management of nonacademic services such as health, food, building or grounds or
32 property maintenance and similar such other activities; and

33
34 (y) To extend the term of the President of the Polytechnic State College
35 beyond the age of retirement but not later than the age of seventy (70), whose

1 performance has been unanimously rated by the governing board as outstanding
2 and upon unanimous recommendation by the search committee.

3
4 SECTION 8. *Meetings of the Board.* – The Board shall regularly convene at least
5 once every quarter. However, the Chairperson of the Board may, upon five (5) days' prior
6 written notice, call a special meeting whenever necessary.

7
8 A quorum of the Board shall consist of majority of all members holding office at
9 the time of the meeting: *Provided,* That either the Chairperson, the Co-Chairperson or the
10 Vice Chairperson is among those present in the meeting.

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

16
17 SECTION 9. *The Polytechnic State College President* – The Polytechnic State
18 College shall be headed by a President, who shall render full time service. He shall be
19 appointed by the Board, subject to the guidelines, qualifications and/or standards set by the
20 Board, upon recommendation of a duly constituted search committee. He/she shall have a
21 term of four (4) years and shall be eligible for reappointment for another term: *Provided,*
22 That in order to effect a smooth transition to a Polytechnic State College, the incumbent
23 vocational school administrator of the Concepcion Vocational School, if qualified, shall
24 serve as the first president of the Concepcion Polytechnic State College.

25
26 The President shall be assisted initially by a vice president for academic affairs and
27 a vice president for administrative affairs who shall be appointed by the Board upon the
28 recommendation of the president, without prejudice to the appointment of more than two
29 (2) vice presidents when so warranted.

30
31 In case of vacancy by reason of death, resignation, removal for cause or incapacity
32 of the President to perform the functions of his office, the Board shall have the authority to
33 designate an officer-in-charge pending the appointment of a new president.

1
2 In case of vacancy in the office of the president as mentioned in the immediately
3 preceding paragraph, his successor shall hold office for the unexpired term.
4

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

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

13 SECTION 10. *Administrative Council.* – There shall be an administrative council
14 consisting of the President of the Polytechnic State College as chairperson, the vice
15 president(s), deans, directors and other officials of equal rank as members, and whose duty
16 is to review and recommend to the Board policies governing the administration,
17 management and development planning of the State College for appropriate action.
18

19 SECTION 11. *Academic Council.* – There shall be an academic council with the
20 President of the Polytechnic State College as chairperson and all members of the
21 instructional staff with the rank of not lower than assistant professor as members.
22

23 The academic council shall have the power to review and recommend the curricular
24 offerings and rules of discipline of the of the Polytechnic State College subject to
25 appropriate action of the Board. It shall fix the requirements of the admission of students
26 as well as for graduation and the conferment of degrees subject to review and/or approval
27 by the Board through the President of the Polytechnic State College.
28

29 SECTION 12. *The Secretary of the State College.* – The Board shall appoint a
30 Secretary who shall serve as such for both the Board and the Polytechnic State College and
31 shall keep all records and proceedings of the Board. He/she shall communicate to each
32 member of the Board notice of meetings.
33

34 SECTION 13. *The Treasurer of the Philippines.* – The Treasurer of the Philippines
35 shall be the ex officio treasurer of the Polytechnic State College.

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

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

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

15
16 SECTION 16. *Academic Freedom and Institutional Autonomy*. - The Polytechnic
17 State College shall enjoy academic freedom and Institutional Autonomy, pursuant to
18 paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the
19 Philippines.

20
21 SECTION 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and*
22 *Detail of Personnel*. - The heads of bureaus and offices of the national government are
23 hereby authorized to loan or transfer, upon request of the President of the Polytechnic State
24 College, such apparatus, equipment or supplies as may be needed by the Polytechnic State
25 College, and to detail employees for duty therein when, in the judgment of the bureau or
26 office, such apparatus, equipment, supplies or services of such employees can be spared
27 without serious detriment to the public service. Employees so detailed shall perform such
28 duties as required of them by the President of the State College and the time so employed
29 shall be counted as part of their regular service.

30
31 SECTION 18. *Assets, Liabilities and Personnel*. - All assets, fixed and movable,
32 records and personnel of the Concepcion Vocational School, as well as liabilities or
33 obligations, are hereby transferred to the Concepcion Polytechnic State College: *Provided*,
34 *however*, That the positions, rights and security of tenure of personnel therein employed
35 under existing laws prior to conversion by the College are not impaired: *Provided, further*,

1 That the incumbents of the positions shall remain in the same status until otherwise
2 provided for by the Board.

3
4 All parcels of land belonging to the government, authorized for use/ occupied by
5 the Concepcion Vocational School are hereby transferred and declared to be the property
6 of the Concepcion Polytechnic State College: *Provided, finally*, That should the College
7 cease to exist or be abolished or should such parcels of land aforementioned be no longer
8 needed by the College, the same shall revert to the Municipality of Concepcion.

9
10 SECTION 19. *Appropriations.* - The amount necessary to carry out the provisions
11 of this Act shall be charged against the current years appropriations of the Concepcion
12 Vocational School. Thereafter, such sums as may be necessary for the continued operation
13 and maintenance of the Concepcion Polytechnic State College shall be included in the
14 annual General Appropriations Act.

15
16 SECTION 20. *Development Plan, Management Audit/ Organizational/*
17 *Administrative / Academic Structure.* Within the period of one hundred twenty (120) days
18 after the approval of this Act, the State College shall accomplish the following:

19
20 (a) Submit a five (5)-year development plan, including its corresponding
21 program budget, to the CHED and TESDA for appropriate recommendation to the
22 DBM;

23
24 (b) Undergo a management audit in cooperation with CHED and TESDA;

25
26 (c) Accordingly set up its organizational, administrative as well as academic
27 structure, including the appointment/designation of Polytechnic State College key
28 officials; and

29
30 (d) Set in motion the establishment of higher and advanced programs on
31 technological education.

32
33 SECTION 21. *Filing of Report.* - On or before the fifteenth day of the second
34 month after the opening of the regular classes each year, the Board shall file with the
35 Office of the President of the Philippines through the chairperson of CHED, and with both

1 Houses of Congress a detailed report on the progress, conditions and needs of the
2 Polytechnic State College.

3

4 SECTION 22. *Inclusion Clause.* - The provisions of Republic Act No. 8292,
5 otherwise known as the "Higher Education Modernization Act of 1997," shall form as an
6 integral part of this Act and together shall serve as the governing charter of the Polytechnic
7 State College.

8

9 SECTION 23. *Parity Clause.* - All other powers, functions and privileges,
10 responsibilities and limitations to state college and/or its officials under existing laws shall
11 be deemed granted to or imposed upon the State College and/or its officials whenever
12 appropriate.

13

14 SECTION 24. *Implementing Rules and Regulations.* - The Board, in consultation
15 with the CHED and TESDA, shall formulate the guidelines to fully implement the
16 provisions of this Act.

17

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

21

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

25

26 SECTION 27. *Effectivity.* - This Act shall take effect upon its approval.

27

28 *Approved,*