

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

OFFICE OF THE SECRETARY

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SENATE

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COMMITTEE REPORT NO. 819

Submitted Jointly by the Committees on Education, Arts and Culture and on Finance on JAN 27 2010.

Re: House Bill No. 6935

Recommending its approval with amendment(s).

Sponsors: Senators Mar Roxas and Edgardo J. Angara

Mr. President:

The Committees on Education, Arts and Culture and on Finance to which was referred House Bill No. 6935, introduced by Representatives Singson, Villar, Cua (J.), and Remulla entitled:

“AN ACT

SEPARATING THE UNIVERSITY OF NORTHERN PHILIPPINES (UNP) – CANDON BRANCH (FORMERLY KNOWN CANDON COMMUNITY COLLEGE) IN THE CITY OF CANDON, FROM THE UNIVERSITY OF NORTHERN PHILIPPINES IN THE CITY OF VIGAN, BOTH LOCATED IN THE PROVINCE OF ILOCOS SUR, CONVERTING IT INTO A STATE COLLEGE TO BE KNOWN AS NORTH LUZON PHILIPPINES STATE COLLEGE AND APPROPRIATING FUNDS THEREFOR”


have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the followings amendments:


1. On Page 2, Line 13, After the words, “needs of the Province of Ilocos Sur and Region 1” insert: “PROVIDED, That no degree program shall be offered without the approval of the Commission on Higher Education before the same shall be approved by its Board.”
2. On Page 3, Line 4, insert a new line:

(g) The Regional Director of the Department of Agriculture (DA), member;
3. On Page 4, Delete Lines 12-13, and replace with:

- (c) To import duty-free economic, technical and cultural books and/or publications, upon certification by the CHED that such imported books and/or publications are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes, in accordance with the provisions of the Tariff and Customs Code of the Philippines, as amended;
4. On Page 4, Line 17, after the words, "of the donor, if any.", insert: "Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue (NIRC) of 1997, as amended: Provided, That such donations shall not be disposed of, transferred or sold;"
 5. On Page 10, Delete Lines 1-3, and replace with: "The President of the University shall be assisted by the Vice-President/s, who shall be appointed by the Board upon recommendation of the President."
 6. On Page 12, Delete Lines 13-24.
 6. On Page 13, Line 21, insert a new section:
"SECTION 22. CHED Monitoring and Evaluation. -- The Commission on Higher Education shall conduct regular monitoring and evaluation to determine continuing compliance with the requirements on university status. In the event that the Commission finds that the University does not maintain compliance thereof, it shall submit the appropriate recommendation for the revocation of the University status to the Senate Committee on Education, Arts, and Culture, and the House Committee on Higher and Technical Education.
 7. Renumber the subsequent sections accordingly.

Respectfully submitted:


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Committee on Finance
Member, Committee on Education,
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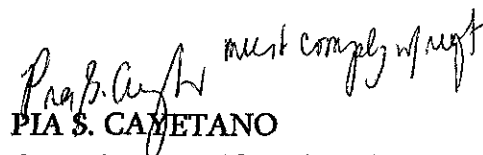
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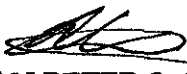
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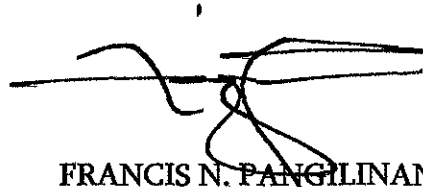
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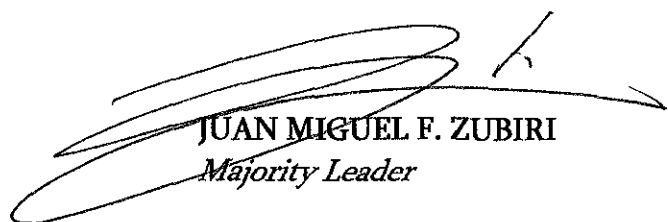

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Majority Leader


AQUILINO Q. PIMENTEL, JR.
Minority Leader

HON. JUAN PONCE ENRILE
President
Senate of the Philippines



HOUSE OF REPRESENTATIVES

H. No. 6935

BY REPRESENTATIVES SINGSON, VILLAR, CUA (J.), JAVIER AND REMULLA, PER
COMMITTEE REPORT NO. 2456

AN ACT SEPARATING THE UNIVERSITY OF NORTHERN PHILIPPINES (UNP) – CANDON BRANCH (FORMERLY CANDON COMMUNITY COLLEGE) IN THE CITY OF CANDON, FROM THE UNIVERSITY OF NORTHERN PHILIPPINES IN THE CITY OF VIGAN, BOTH LOCATED IN THE PROVINCE OF ILOCOS SUR, CONVERTING IT INTO A STATE COLLEGE TO BE KNOWN AS THE NORTH LUZON PHILIPPINES 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. *Separation/Conversion.* – The University of Northern
2 Philippines (UNP) – Candon Branch (formerly Candon Community College)
3 in the City of Candon is hereby separated from the University of Northern
4 Philippines in the City of Vigan, both located in the Province of Ilocos Sur and
5 converted into a state college to be known as the North Luzon Philippines
6 State College, hereinafter referred to as the College.

7 SEC. 2. *General Mandate.* – The College shall primarily provide
8 advanced education, higher technological, professional instruction and training
9 in the arts, sciences, education, entrepreneurship, engineering, agriculture,

1 medicine, nursing, law, architecture, business administration, hotel and
2 restaurant management, tourism, information technology and other relevant
3 fields of study. It shall also promote and undertake research and extension
4 services in support of the socioeconomic development of Ilocos Sur, and
5 provide progressive leadership in its areas of specialization.

6 SEC. 3. *Curricular Offerings.* -- The College shall offer undergraduate
7 and graduate studies in the fields of arts, sciences, education, entrepreneurship,
8 engineering, agriculture, medicine, nursing, law, architecture, business
9 administration, hotel and restaurant management, tourism, information
10 technology and other degrees within its areas of specialization and according
11 to its capabilities, as the Board of Trustees may deem necessary to carry out its
12 objectives and in order to meet the needs of the Province of Ilocos Sur and
13 Region I.

14 SEC. 4. *Administration.* -- The College shall have the general powers
15 of a corporation set forth in Batas Pambansa Big. 68, as amended, otherwise
16 known as the "Corporation Code of the Philippines". The administration of the
17 College and the exercise of its corporate powers shall be vested exclusively in
18 the Board of Trustees and the President of the College.

19 SEC. 5. *The Governing Board.* -- The governing board of the College
20 shall be the Board of Trustees, hereinafter referred to as the Board, which shall
21 be composed of the following:

22 (a) The Chairperson of the Commission on Higher Education (CHED),
23 Chairperson;

24 (b) The President of the College, Vice Chairperson;

25 (c) The Chairperson of the Committee on Education, Arts and Culture
26 of the Senate, member;

27 (d) The Chairperson of the Committee on Higher and Technical
28 Education of the House of Representatives, member;

1 (e) The Regional Director of the National Economic and Development
2 Authority (NEDA), member;

3 (f) The Regional Director of the Department of Science and
4 Technology (DOST), member;

5 (g) The President of the faculty association of the College, member;

6 (h) The President of the student council of the College, member;

7 (i) The President of the alumni association of the College, member;

8 and

9 (j) Two (2) prominent citizens from the private sector who have
10 distinguished themselves in their profession or fields of specialization,
11 members.

12 The Board shall appoint the two (2) prominent citizens from among a
13 list of at least five (5) qualified persons in the Province of Ilocos Sur, as
14 recommended by the search committee constituted by the College President, in
15 consultation with the Chairperson of the CHED and the other members of the
16 Board, based on the normal standards and qualifications for the position set by
17 the Board.

18 The President of the faculty association, the President of the student
19 council and the President of the alumni association shall serve in the Board
20 only for the duration of their terms of office, as set forth in their respective
21 constitutions and bylaws.

22 The two (2) prominent citizens shall serve for a term of two (2) years
23 from the date of appointment.

24 SEC. 6. *Promulgation and Implementation of Policies.* – The Board
25 shall promulgate and implement policies in accordance with the declared State
26 policies on education and other pertinent provisions of the Philippine
27 Constitution on education, agriculture, science and technology, as well as the

1 policies, standards and thrusts of the CHED under Republic Act No. 7722,
2 otherwise known as the "Higher Education Act of 1994".

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

7 (a) To promulgate rules and regulations not contrary to law as may be
8 necessary to carry out the purposes and functions of the College;

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

12 (c) To import economic, technical and cultural books and/or
13 publications;

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

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 College, shall constitute special trust funds and shall
24 be deposited in any authorized government depository bank, and all interests
25 that shall accrue therefrom shall form part of the same funds for the use of the
26 College.

27 Any provision of existing laws, rules and regulations to the contrary
28 notwithstanding, any income generated by the College from tuition fees and

1 other charges, as well as from the operation of auxiliary services and land
2 grants, shall be retained by the College, and may be disbursed by the Board for
3 instruction, research, extension or other programs/projects of the College;
4 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes
5 for which these are collected.

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

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

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

16 (h) To appoint, upon recommendation of the President of the College,
17 Vice Presidents, deans, directors, heads of departments, faculty members and
18 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 Compensation
21 and Position Classification System as modified by Joint Resolution No. 4 dated
22 June 17, 2009 and other pertinent budget and compensation laws governing
23 hours of service and such other duties and conditions as it may deem proper; to
24 grant them, at its discretion, leaves of absence under such regulations as it may
25 promulgate, any provision of existing law to the contrary notwithstanding; and
26 to remove them for cause in accordance with the requirements of due process
27 of law;

- 1 (j) To approve the curricula, instructional programs and rules of
2 discipline drawn by the Administrative and the Academic Councils herein
3 provided;
- 4 (k) To set policies on admission and graduation of students;
- 5 (l) To award honorary degrees upon persons in recognition of their
6 outstanding contribution in the fields of education, public service, arts, science
7 and technology, or in any field of specialization within the academic
8 competence of the College; and to authorize the awarding of certificates of
9 completion of nondegree and nontraditional courses;
- 10 (m) To establish and absorb nonchartered tertiary institutions within the
11 Province of Ilocos Sur as branches and centers in coordination with the CHED,
12 and in consultation with the Department of Budget and Management (DBM),
13 and to offer therein programs or courses, to promote and carry out equal access
14 to educational opportunities as mandated by the Constitution;
- 15 (n) To establish research and extension centers of the College where
16 such will promote the development of the latter;
- 17 (o) To establish professorial chairs in the College and to provide
18 fellowships for qualified faculty members and scholarships to deserving
19 students;
- 20 (p) To delegate any of its powers and duties provided for hereinabove
21 to the President and/or other officials of the College as it may deem
22 appropriate, so as to expedite the administration of the affairs of the College;
- 23 (q) To authorize an external management audit of the College, subject
24 to the rules and regulations of the Commission on Audit (COA); and to
25 institute reforms, including academic and structural changes, on the basis of the
26 audit results and recommendations;
- 27 (r) To collaborate with other governing boards of the state colleges and
28 universities within the Province of Ilocos Sur or Region I, under the

1 supervision of the CHED and in consultation with the DBM, and work
2 towards the restructuring of the College to become more efficient, relevant,
3 productive and competitive;

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

8 (t) To develop consortia and other economic forms of linkages with
9 local government units (LGUs), institutions and agencies, both public and
10 private, local and foreign, in the furtherance of the purposes and objectives of
11 the College;

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

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

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

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

25 (y) To extend the term of the President of the College beyond the age
26 of retirement but not beyond the age of seventy (70), whose performance has
27 been unanimously rated by the Board as outstanding, based on the guidelines,

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

3 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene
4 at least once every quarter. However, the Chairperson of the Board may, upon
5 three (3) days' prior written notice, call a maximum of two (2) special
6 meetings whenever necessary.

7 A quorum of the Board shall consist of 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 College 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 with
13 all the rights and responsibilities of a regular member: *Provided, however,*
14 That during this meeting, the President of the College as Vice Chairperson
15 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.

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

1 SEC. 9. *The College President.* – The College shall be headed by a
2 President, who shall render full-time service. He/She shall be appointed by the
3 Board, subject to the guidelines, qualifications and/or standards set by the
4 Board, upon recommendation of a duly constituted search committee. He/She
5 shall have a term of four (4) years and shall be eligible for reappointment for
6 another term: *Provided,* That in order to effect a smooth transition to a state
7 college, the CHED shall appoint an Officer-in-Charge of the College, pending
8 the appointment of the first President of the College.

9 Within six (6) months before the expiration of the term of office of the
10 incumbent President of the College, the Board shall constitute the Search
11 Committee for the Presidency (SCP).

12 In case of vacancy in the Office of the President by reason of death,
13 compulsory retirement, resignation, removal for cause or incapacity of the
14 President to perform the functions of his/her office, the Board shall designate
15 an Officer-in-Charge of the College within six (6) months from the date of
16 vacancy, pending the appointment of a new President.

17 In case of vacancy in the Office of the President as mentioned in the
18 *immediately preceding paragraph, his/her successor or the Officer-in-Charge*
19 shall serve only the unexpired portion of the term.

20 The powers and duties of the President of the College, in addition to
21 those specifically provided in this Act, shall be those usually pertaining to the
22 office of the President of similar colleges and universities, and those delegated
23 by the Board.

24 The salary of the President of the College shall be in accordance with
25 the Revised Compensation and Position Classification System as modified by
26 Joint Resolution No. 4 dated June 17, 2009 and shall be comparable to that
27 being received by the Presidents of similar educational institutions.

1 The President of the College shall be assisted by a Vice President for
2 Administrative Affairs, who shall be appointed by the Board upon
3 recommendation of 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, campus administrator and other
7 officials of equal rank as members, whose duty is to review and recommend to
8 the Board the policies governing the administration, management and
9 development planning of the College.

10 SEC. 11. *The Academic Council.* – There shall be an Academic
11 Council to be composed of the President of the College, who shall act as
12 Chairperson, and all academic staff with the rank of at least an assistant
13 professor, as members.

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

22 SEC. 12. *The Secretary of the College.* -- The Board shall appoint a
23 secretary, who shall serve as such for both the Board and the College and shall
24 keep all records and proceedings of the Board. He/She shall serve upon each
25 member of the Board the appropriate notice of the Board meetings.

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

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

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

11 No student shall be denied admission to the College by reason of
12 gender, religion, cultural or community affiliation or ethnic origin.

13 SEC. 16. *Academic Freedom and Institutional Autonomy.* -- The
14 College shall enjoy academic freedom and institutional autonomy, pursuant to
15 paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
16 the Philippines.

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

25 The employees so detailed shall perform such duties as required of them
26 by the President of the College, and the time so employed shall be counted as
27 part of their regular services.

1 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
2 personal, personnel and records of the UNP – Candon Branch (formerly
3 Candon Community College), as well as liabilities or obligations, are hereby
4 transferred to the College. The positions, rights and security of tenure of
5 faculty members and personnel therein employed under existing laws prior to
6 the conversion into a College shall be respected.

7 All parcels of land belonging to the government and occupied by the
8 UNP – Candon Branch (formerly Candon Community College) are hereby
9 declared to be property of the College, and shall be titled under that name:
10 *Provided,* That should the College cease to exist or be abolished or should
11 such parcels of land aforementioned be no longer needed by the College, the
12 same shall revert to the LGUs concerned.

13 SEC. 19. *Tax Exemption on Importation and Donations.* – The
14 importation of economic, technical and cultural books and/or publications,
15 which are for economic, technical-vocational, scientific, philosophical,
16 historical or cultural purposes made by the North Luzon Philippines State
17 College, upon certification by the CHED, shall be exempt from customs duties
18 in accordance with the provisions of the Tariff and Customs Code of the
19 Philippines, as amended.

20 All donations in any form to the North Luzon Philippines State College
21 shall be exempt from the donor's tax and the same shall be considered as
22 allowable deduction from the gross income in the computation of the income
23 tax of the donor, in accordance with the provisions of the National Internal
24 Revenue Code of 1997, as amended.

25 SEC. 20. *Appropriations.* – The amount necessary to carry out the
26 provisions of this Act shall be charged against the current year's appropriations
27 of the UNP – Candon Branch (formerly Candon Community College).
28 Thereafter, such sums as may be necessary for the continued operation and

1 maintenance of the North Luzon Philippines State College shall be included in
2 the annual General Appropriations Act.

3 SEC. 21. *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 (5)-year development plan, including its
8 corresponding program budget to the CHED, for corresponding
9 recommendation to the DBM;

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

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

14 SEC. 22. *Filing of Report.* – On or before the fifteenth (15th) day of
15 the second (2nd) month after the opening of the regular classes each year, the
16 Board shall file with the Office of the President of the Philippines through the
17 Chairperson of the CHED, and with both Houses of Congress, a detailed report
18 on the progress, conditions and needs of the College.

19 SEC. 23. *Suppletory Application.* – The provisions of Republic Act
20 No. 8292, otherwise known as the “Higher Education Modernization Act of
21 1997”, shall be an integral part of this Act and shall serve as part of the
22 Governing Charter of the College.

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

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

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

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

10 SEC. 28. *Effectivity Clause.* – This Act shall take effect fifteen (15)
11 days after its publication in two (2) newspapers of general circulation.

Approved,

O