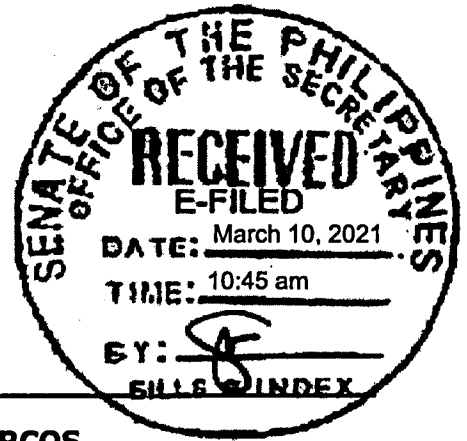


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
S.B. No. 2096



Introduced by **SEN. IMEE R. MARCOS**

**AN ACT ESTABLISHING A POLYTECHNIC STATE COLLEGE IN THE
MUNICIPALITY OF ALIAGA, PROVINCE OF NUEVA ECIIJA TO BE KNOWN AS
THE ALIAGA POLYTECHNIC STATE COLLEGE AND APPROPRIATING FUNDS
THEREFOR**

EXPLANATORY NOTE

Section 1, Article XIV of the 1987 Constitution provides that, *"The State shall protect and promote the rights of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all."*

Education has the power to uplift a country and establish a healthy, efficient economy, according to the Borgen Project. The economic benefits of education are undeniably important to a countries growth.

According to the World Bank, one of the main benefits of education is labor market earnings. Employees with more education earn more than those with no post-secondary education. Those who stopped studying in school when they got a high school degree are twice as susceptible to unemployment compared to workers with a bachelor's degree.

In one of its publications, Asia Society pointed that the core barrier to many young people here in the Philippines to further their educational attainment is poverty. A significant number of students are unable to finish education because they do not have enough resources that will enable them to go to school and receive a decent education. This limits the educational opportunities available for the poor but deserving students. It is the duty of the government to ensure that proper education is accessible to all especially those who are less privileged in life.

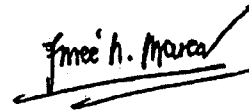
According to the 2021 General Appropriations Act, there are only two state-funded educational institutions in the province of Nueva Ecija: Central Luzon State University (CLSU) in the Science City of Muñoz and Nueva Ecija University of Science and Technology (NEUST) in Cabanatuan City. The establishment of another state-funded college in the province will certainly provide haven for students from less

privileged families. Moreover, graduates of polytechnic institutions will have good chances in the workforce since these institutions have career-focused curriculum which combine applied learning with a liberal arts education.

This bill seeks for the establishment of a Polytechnic State College in the Municipality of Aliaga, Province of Nueva Ecija to be known as the Aliaga Polytechnic State College to provide refuge for students seeking further education but do not have the financial capability.

This bill also seeks to address the clamor of the people in the province to have access to quality and affordable tertiary educational institution accessible to all without having to leave the province and live elsewhere.

In view of the foregoing, approval of this bill is earnestly sought.

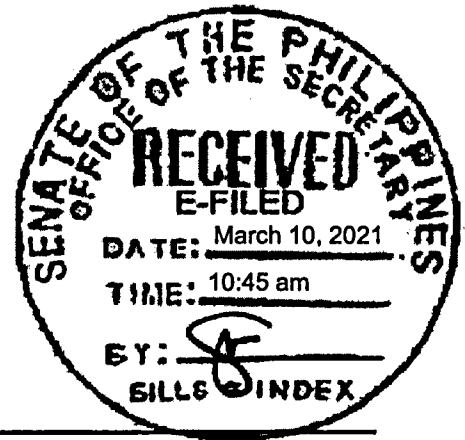
A handwritten signature in black ink, reading "Imee R. Marcos", is written over a horizontal line. The signature is slanted upwards to the right.

IMEE R. MARCOS

EIGHTEENTH CONGRESS OF THE
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Introduced by **SEN. IMEE R. MARCOS**

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THEREFOR**

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

1 **SECTION. 1. *Establishment.*** – There is hereby established a polytechnic state
2 college in the Municipality of Aliaga, Province of Nueva Ecija to be known as the Aliaga
3 Polytechnic State College, hereinafter referred to as the College. Its main campus shall
4 be located in the Municipality of Aliaga of he said province.

5 **SEC. 2. *General Mandate.*** – The College shall primarily provide advanced
6 education, higher technological, professional instruction and training in the fields of
7 agriculture, arts and sciences, teacher education, commerce, business administration,
8 engineering, and social sciences as well as short-term technical-vocational courses
9 that will support the development of the Province of Nueva Ecija and Region III.

10 **SEC. 3. *Curricular Offerings.*** – The College shall offer short-term technical-
11 vocational courses, undergraduate, and graduate courses within its competency and
12 areas of specialization in the fields of agriculture, arts and sciences, teacher education,
13 commerce, business administration, engineering, and social sciences and other degree
14 courses, as the Board of Trustees may deem necessary to carry out its objectives, and
15 those which respond to human resource development needs of the Province of Nueva
16 Ecija and Region III.

17 The existing and any other future technical-vocational courses or programs
18 under the supervision of the Technical Education and Skills Development Authority
19 (TESDA) shall remain and continue to be offered within the campus of the College.

20 The College may operate a reasonably-sized laboratory school, if it has a College
21 of Education.

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

6 SEC. 5. *The Governing Board.* – The governing body of the College shall be
7 vested in its Board of Trustees, hereinafter referred to as the Board, which shall be
8 chaired and co-chaired by the Chairperson of the Commission on Higher Education
9 (CHED) and the President of the College, respectively, with the following as members:

- 10 a) Chairperson of the Committee on Higher, Technical, Vocational Education of
11 the Senate;
- 12 b) Chairperson of the Committee on Higher and Technical Education of the
13 House of Representatives;
- 14 c) Regional Director of the National Economic and Development Authority;
- 15 d) Regional Director of the Department of Agriculture;
- 16 e) Regional Director of the Department of Science and Technology;
- 17 f) Regional Director of the TESDA;
- 18 g) President of the federation of faculty associations of the College;
- 19 h) President of the federation of student councils of the College;
- 20 i) President of the federation of alumni associations of the College; and
- 21 j) Two (2) prominent citizens from the private sector who have distinguished
22 themselves in their professions or fields of specialization.

23 The Board shall appoint the two (2) prominent citizens from among a list of five
24 (5) qualified persons in the Province of Nueva Ecija, as recommended by the search
25 committee constituted by the College President, in consultation with the Chairperson
26 of the CHED and the other members of the Board, based on the normal standards and
27 qualifications for the position set by the Board. They shall serve for a term of two (2)
28 years from the date of appointment.

29 Membership of the President of the federation of faculty associations, the
30 President of the federation of student councils, and the President of the federation of
31 alumni associations in the governing board, shall be coterminous with their terms of
32 office, as provided under their respective constitution and bylaws.

33 SEC. 6. *Promulgation and Implementation of Policies.* – The Board shall
34 promulgate and implement policies in accordance with the declared State policies on
35 education, other pertinent provisions of the Constitution on education, agriculture,

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

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

7 a) Approve the curricula, instructional programs, and rules of discipline drawn
8 by the Administrative and Academic Councils herein provided;

9 b) Appoint, upon the recommendation of the President of the College, the vice
10 presidents, deans, directors, heads of the campuses, faculty members, and other
11 officials and employees of the College;

12 c) Fix and adjust the salaries of faculty members, administrative officials and
13 employees, subject to the provisions of the Revised Compensation and Position
14 Classification System and other pertinent budget and compensation laws, including
15 those governing the hours of service, and such other duties and conditions as it may
16 deem proper; grant them, at its discretion, leaves of absence under such regulations
17 as it may promulgate, any provision of existing law to the contrary notwithstanding;
18 and remove them for cause in accordance with the requirements of due process of
19 law;

20 d) Fix the tuition fees and other necessary school charges, such as
21 matriculation fees, graduation fees, and laboratory fees, as the Board may deem
22 proper to impose, after due consultation with the concerned sectors. The fees and
23 charges, including government subsidies and other income generated by the College,
24 shall constitute its special trust funds and shall be deposited in any authorized
25 government depository bank. All interests that shall accrue therefrom shall form part
26 of the same funds for the use of the College.

27 Any provision of existing laws, rules or regulations to the contrary
28 notwithstanding, any income generated by the College from tuition fees and other
29 charges, as well as from the operation of auxiliary services and land grants, shall be
30 retained by the College and may be disbursed by the Board for instruction, research,
31 extension services or other programs and projects of the College: *Provided*, That all
32 fiduciary fees shall be disbursed for the specific purposes for which these are collected:
33 *Provided, however*, That if, for reasons beyond its control, the College shall not be
34 able to pursue any project for which the funds have been appropriated and allocated
35 under its approved program of expenditures, the Board may authorize the use of the
36 funds for any reasonable purpose which, in its discretion, may be necessary and
37 urgent for the attainment of the objectives and goals of the College;

1 e) Adopt and implement a socialized scheme of tuition and other school fees
2 for greater access of poor but deserving students in accordance with RA No. 10931 or
3 the "Universal Access to Quality Tertiary Education Act";

4 f) Establish professorial chairs in the College and provide fellowships for
5 qualified faculty members, and scholarships to deserving students;

6 g) Receive and appropriate all sums as may be provided for the support of the
7 College in the manner it may determine, in its discretion, in order to carry out the
8 purposes and functions of the College;

9 h) Set the policies on admission and graduation of students;

10 i) Award honorary degrees upon persons in recognition of their outstanding
11 contribution in the fields of education, public service, arts, science and technology,
12 agriculture or any area of specialization within the academic competency of the
13 College, and authorize the awarding of certificates of completion of nondegree and
14 nontraditional courses;

15 j) Establish research and extension centers to promote the development of
16 the College;

17 k) Develop academic arrangements for institutional capability building with
18 appropriate institutions and agencies, whether public, private, local or foreign, and
19 appoint experts/specialists as consultants, part-time or visiting/exchange professors,
20 scholars or researchers, as the case may be;

21 l) Adopt modern and innovative modes of transmitting knowledge for the
22 promotion of greater access to education such as the use of information technology,
23 dual training system, open distance learning, and community laboratory;

24 m) Collaborate with the governing boards of other state universities and
25 colleges within the Province of Nueva Ecija and Region III, under the supervision of
26 the CHED and in consultation with the Department of Budget and Management (DBM),
27 in restructuring the College to make it more efficient, relevant, productive and
28 competitive;

29 n) Absorb non-chartered tertiary institutions within the Province of Nueva Ecija
30 and Region III, as branches and extension/external centers, in coordination with the
31 CHED and in consultation with the DBM, and offer therein programs or courses to
32 carry out the Constitutional mandate of providing equal access to educational
33 opportunities;

34 o) Authorize an external management audit of the College, to be financed by
35 the CHED, subject to the rules and regulations of the Commission on Audit, and
36 institute reforms, including academic and structural changes, on the basis of the audit
37 results and recommendations;

1 p) Develop consortia and other economic forms of linkages with local
2 government units (LGUs), as well as public, private, local and foreign institutions and
3 agencies, in the furtherance of the purposes and objectives of the College;

4 q) Import economic, technical, and cultural books and publications;

5 r) Enter into joint ventures with business and industry for the profitable
6 development and management of the economic assets of the College. The proceeds
7 of which shall be used for the development and strengthening of the College;

8 s) Receive, in trust, legacies, gifts and donations of real and personal
9 properties of all kinds and to administer and dispose of the same, when necessary,
10 for the benefit of the College, and subject to the limitations, directions and instructions
11 of the donor, if any;

12 t) Extend the term of the President of the College beyond the age of
13 retirement, but not beyond the age of seventy (70), based on the guidelines,
14 qualifications and standards set by the Board: *Provided*, That the President's
15 performance has been rated by the Board as outstanding and a unanimous
16 recommendation has been decided by the search committee;

17 u) Delegate any of its powers and duties provided to the President and other
18 officials of the College, as it may deem appropriate, so as to expedite the
19 administration of the affairs of the College;

20 v) Establish policy guidelines and procedures for participative decision-making
21 and transparency within the College;

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

25 x) Authorize the construction or repair of its buildings, machinery, equipment
26 and other facilities, and the purchase and acquisition of real property, including the
27 necessary supplies, materials and equipment; and

28 y) Promulgate rules and regulations, as may be necessary, to carry out the
29 purposes and functions of the College.

30 **SEC. 8. *Meetings of the Board.*** — The Board shall regularly convene at least once
31 every three (3) months. The Chairperson of the Board may, however, call a special
32 meeting whenever necessary: *Provided*, That members are notified in writing at least
33 three (3) days prior to the conduct of said meeting.

34 A quorum of the Board shall consist of majority of all its members holding office
35 at the time of the meeting: *Provided, however*, That the Chairperson of the Board or
36 the President of the College is among those present in the meeting.

1 In the absence of the Chairperson of the CHED, a Commissioner of the CHED,
2 duly designated by him/her, shall represent him/her in the meeting with all the rights
3 and responsibilities of a regular member: *Provided, however,* That during this meeting,
4 the President of the College as Vice Chairperson shall be the Presiding Officer:
5 *Provided, further,* That this proviso notwithstanding, the Chairperson of the CHED is
6 hereby authorized to designate a CHED Commissioner as the regular Chair of the
7 Board, in which case said CHED Commissioner shall act as the Presiding Officer.

8 In case the Chairpersons of the Congressional Committees on Education shall
9 not be able to attend the Board meeting, they may duly designate their respective
10 representatives to attend the said meeting, who shall have the same rights and
11 responsibilities as a regular member of the Board.

12 **SEC. 9. Compensation.** — The members of the Board shall not receive any salary
13 but shall be entitled to reimbursements for actual and necessary expenses incurred,
14 either in their attendance to meetings of the Board or in connection with other official
15 business authorized by resolution of the Board, subject to existing laws and
16 regulations.

17 **SEC. 10. The College President.** — The College shall be headed by a President,
18 shall render full-time service and be appointed by the Board, subject to the guidelines,
19 qualifications and standards set by the Board, upon the recommendation of a duly
20 constituted search committee. The President shall have a term of four (4) years and
21 shall be eligible for reappointment for another term. Within six (6) months before the
22 expiration of the term of office of the Incumbent President of the College, the Board
23 shall constitute the Search Committee for the Presidency.

24 The Board shall designate an Officer-in-Charge of the College in case of vacancy
25 in the Office of the President by reason of death, compulsory retirement, resignation,
26 removal for cause, or incapacity of the President to perform the functions of the office,
27 pending the appointment of a new President: *Provided,* That the Officer-in-Charge
28 shall serve only during the unexpired portion of the term.

29 The powers and duties of the President of the College, in addition to those
30 specifically provided in this Act, shall be those usually pertaining to the Office of the
31 President of similar colleges, and those delegated by the Board.

32 The salary of the President of the College shall be in accordance with Republic
33 Act No. 11466 or the "Salary Standardization Law of 2019", and by such other laws
34 amendatory thereto, which may hereinafter be enacted, and shall be comparable to
35 that being received by the presidents of similar educational institutions.

36 The President of the College shall be assisted by a Vice President for Academic
37 Affairs, a Vice President for Administration, and a Vice President for Research,
38 Extension and Training, who shall all be appointed by the Board upon recommendation
39 of the President.

1 SEC. 11. *The Secretary of the College.* – The Board shall appoint a Secretary who
2 shall serve as such for both the Board and the College and shall keep all records and
3 proceedings of the Board. The Secretary shall communicate to each member of the
4 Board the notice of meetings.

5 SEC. 12. *The Treasurer of the College.* – The Treasurer of the Philippines shall
6 be the *ex officio* treasurer of the College.

7 SEC. 13. *Administrative Council.* - There shall be an Administrative Council
8 consisting of the President of the College as Chairperson, the vice presidents, deans,
9 directors and other officials of equal rank, as members, whose duty is to review and
10 recommend to the Board the policies governing the administration, management and
11 development planning of the College.

12 SEC. 14. *Academic Council.* — There shall be an Academic Council to be
13 composed of the President of the College, who shall act as Chairperson, and all the
14 academic staff with the rank of at least an assistant professor, as members, which
15 shall formulate academic policies.

16 The Academic Council shall have the power to review and recommend the
17 curricular offerings and rules of discipline of the College, subject for appropriate action
18 of the Board. It shall fix the requirements for admission as well as for their graduation
19 and conferment of degrees, subject to review and approval by the Board through the
20 President of the College. It shall exercise disciplinary power over the students of the
21 College and shall issue rules and regulations on discipline of students, subject to the
22 approval of the Board.

23 SEC. 15. *Faculty.* — No political beliefs, gender preference, cultural or community
24 affiliation or ethnic origin, and religious opinion or affiliation shall be a matter of inquiry
25 in the appointment of faculty members of the College: *Provided, however,* That said
26 appointment shall be subject to the guidelines, qualifications and/or standards set by
27 the Board: *Provided, further,* That no member of the faculty shall teach for or against
28 any particular church or religious set.

29 SEC. 16. *Academic Freedom and Institutional Autonomy.* — The College shall
30 enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section
31 5 of Article XIV of the Constitution of the Republic of the Philippines.

32 SEC. 17. *Admission/ Scholarship Program.* — No student shall be denied
33 admission to the College by reasons of sex, nationality, religion, political affiliation,
34 physical disability, cultural or community affiliation or ethnic origin. The College shall
35 provide for a scholarship program and other affirmative action programs to assist poor
36 but deserving students who qualify for admission to the College.

37 SEC. 18. *Authority to Loan or Transfer Apparatus/ Equipment/ Supplies and*
38 *Detail of Personnel.* – The heads of the bureaus and offices of the national government
39 are hereby authorized to loan or transfer, upon the request of the President of the

1 College, such apparatus, equipment or supplies as may be needed by the College, and
2 to detail employees for duty therein when, in the judgment of the head of bureau or
3 office, such apparatus, equipment, supplies or services of such employees can be
4 spared without serious detriment to public service.

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

8 SEC. 19. *Assets, Liabilities and Personnel.* — All parcels of land belonging to the
9 government occupied by the Aliaga Polytechnic State College are hereby declared to
10 be property of the College, and shall be titled under the name: *Provided*, That should
11 the College cease to exist or be abolished or should such aforementioned parcels of
12 land be no longer needed by the College, the same shall revert to the national
13 government or to the concerned LGU.

14 SEC. 20. *Tax Exemption on Importation and Donations.* — The importation of
15 economic, technical, and cultural books or publications, which are for economic,
16 technical, vocational, scientific, philosophical, historical or cultural purposes made by
17 the College upon certification by the CHED, shall be exempt from customs duties in
18 accordance with the provisions of Republic Act No. 10863, otherwise known as the
19 "Customs Modernization and Tariff Act (CMTA)".

20 All grants, bequests, endowments, donations, and contributions made to the
21 College, to be used actually, directly, and exclusively by it, shall be exempt from
22 donor's tax and the same shall be considered as allowable deductions from the gross
23 income of the donor in accordance with the provisions of the National Internal
24 Revenue Code of 1997, as amended.

25 SEC. 21. *Compliance with CHED Requirements.* — The provisions of this Act
26 notwithstanding, the establishment of the institution into a state college shall become
27 effective only upon the determination and declaration by the CHED, based on the
28 recommendation of a panel of experts it shall constitute for the purpose, that the
29 institution has complied with the requirements for a college status based on CHED
30 Memorandum Order No. 46, series of 2012 (Policy-Standard to Enhance Quality
31 Assurance in Philippine Higher Education Through an Outcomes-Based and Typology-
32 Based Quality Assurance): *Provided*, That the panel may issue such recommendation
33 when the institution has substantially complied with the requirements for the grant of
34 status as a state college.

35 The following operational requirements for a state college, as established by the
36 CHED, shall be complied with. As such, the College shall:

- 37 a) employ full-time, permanent faculty members who possess relevant degrees,
38 as required by the CHED, and shall have experience in the subject areas they
39 handle;

- 1 b) offer a comprehensive range of degree programs characterized by a core
2 curriculum that holistically develops thinking, problem solving, decision-
3 making, communication, technical, and social skills in line with the mission
4 of the College;
- 5 c) possess learning resources and support structures that are appropriate for
6 developing knowledge and skills in the specific natural science, social
7 science, humanities, and professional disciplines offered by the College,
8 including laboratories, books and journals, etc.;
- 9 d) maintain linkages with the community that would ensure the development
10 of relevant academic and extension programs, as well as the application of
11 their learning outcomes; and
- 12 e) conduct outreach programs involving students in social development-
13 oriented experiences that allow them to contextualize their knowledge within
14 actual social and human experiences.

15 The CHED, through its regional office, shall regularly provide technical assistance
16 to the institution and monitor its compliance with the requirements of the Commission.

17 The institution shall retain its status prior to the effectivity of this Act until it is
18 able to comply with the requirements provided herein.

19 **SEC. 22. *Development Plan, Management Audit, Organizational/ Administrative/***
20 ***Academic Structure.*** — Within the period of one hundred twenty (120) days after the
21 approval of this Act, the College shall accomplish the following:

- 22 a) Submit a five (5)-year development plan, including its corresponding program
23 budget to the CHED for corresponding recommendation to the DBM;
- 24 b) Undergo a management audit in cooperation with the CHED; and
- 25 c) Accordingly set up its organizational, administrative as well as academic
26 structure, including the appointment of the key officials of the College.

27 **SEC. 23. *Filing of Report.*** — On or before the fifteenth (15) day of the second
28 month after the opening of the regular classes each year, the Board shall file with the
29 Office of the President of the Philippines, through the Chairperson of the CHED, and
30 with both Houses of Congress, a detailed report on the progress, condition, and needs
31 of the College.

32 **SEC. 24. *Suppletory Application.*** — The provisions of Republic Act No. 8292,
33 otherwise known as the "Higher Education Modernization Act of 1997", shall be an
34 integral part of this Act and shall serve as part of the Governing Charter of the College.

35 **SEC. 25. *Parity Clause.*** — All other powers, functions, privileges, responsibilities,
36 and limitations under existing laws shall be deemed granted to or imposed upon the
37 College and officials, whenever appropriate.

1 SEC. 26. *Appropriations.* — The amount necessary to carry out the provisions of
2 this Act shall be included in the annual General Appropriations Act.

3 SEC. 27. *Implementing Rules and Regulations.* — Within sixty (60) days after the
4 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the
5 guidelines to fully implement the provisions of this Act

6 SEC. 28. *Separability Clause.* — If, for any reason or reasons, any part or provision
7 of this Act shall be declared as unconstitutional or invalid, the other parts or provisions
8 hereof which are not affected thereby shall continue to be in full force and effect.

9 SEC. 29. *Repealing Clause.* — All provisions of existing laws, orders, rules and
10 regulations or parts thereof which are in conflict or inconsistent with the provisions of
11 this Act are hereby repealed, amended or modified accordingly.

12 SEC. 30. *Effectivity Clause.* — This Act shall take effect effect fifteen (15) days
13 after its publication in the *Official Gazette* or in a newspaper of general circulation in
14 the Philippines.

Approved,