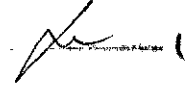


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 SEP -3 2013

RECEIVED BY



SENATE

S. No. 2599

Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

Concepcion Vocational School (CVS) was created under Republic Act 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.

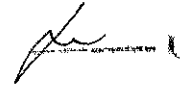
It is therefore earnestly requested that this proposed measure be approved.

A handwritten signature in black ink, appearing to be 'Francis G. Escudero', written over a horizontal line.

FRANCIS G. ESCUDERO

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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8 SEP -3 12 118

RECEIVED BY 

SENATE

S. No. 2599

Introduced by Senator FRANCIS G. ESCUDERO

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

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

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

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

13 SECTION 3. *Curricular Offerings*. - The State College shall offer
14 undergraduate, graduate and short-term technical courses within its areas of

1 specialization and according to its capabilities, as the Board of Trustees may
2 deem necessary to carry out its objectives, particularly in order to meet the
3 needs of the district, the province and the region.

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

10 SECTION 5. *The Governing Board.* -

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

- 13 i. The Chairperson of the Commission on Higher Education
14 (CHED), chairperson;
- 15 ii. The Director General of the Technical Education and Skills
16 Development Authority (TESDA), co-chairperson;
- 17 iii. The President of the State College, vice chairperson;
- 18 iv. The Chairperson of the Committee on Education, Arts and
19 Culture of the Senate, member;
- 20 v. The Chairperson of the Committee on Higher and Technical
21 Education of the House of Representatives, member;
- 22 vi. The Regional Director of the National Economic and
23 Development Authority (NEDA), member;

- 1 vii. The Regional Director of the Department of Science and
2 Technology (DOST), member;
- 3 viii. The President of the faculty association of the Polytechnic
4 State College, member;
- 5 ix. The President of the supreme student council or the student
6 representative elected by the student council: *Provided*, That
7 in the absence of a student council president or student
8 representative elected by the student council, the college
9 shall schedule one (1) week for the campaign and election of
10 a student representative;
- 11 x. The President of the alumni association of the Polytechnic
12 State College; and
- 13 xi. Two (2) prominent citizens who have distinguished themselves
14 in their professions or fields of specialization chosen from
15 among a list of at least five (5) persons qualified in the
16 district or the province, as recommended by the search
17 committee constituted by the President in consultation
18 with the chairman of the CHED based on the normal
19 standards and qualifications for the position.

20 The private sector representatives shall be appointed by the
21 Board of Trustees upon recommendation of a duly
22 constituted search committee.

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

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

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

11 The Chairperson shall supervise degree programs while the Co-Chair
12 shall supervise non-degree programs. The Chairperson shall be the presiding
13 officer of the Board of Trustees. However, in the absence of the Chairperson,
14 the Co-chairperson shall serve as the presiding officer. Further, the Co-
15 Chairperson shall provide inputs on matters pertaining to technical-
16 vocational programs. If and when the Chairperson and Co-Chairperson are
17 not available, the Vice-Chairperson shall serve as the presiding officer.

18 SECTION 6. *Promulgation and Implementation of Policies.* - The Board
19 shall promulgate and implement policies in accordance with the declared
20 state policies on education and other pertinent provisions of the Philippine
21 Constitution on education, agriculture, science and technology, arts, culture
22 and sports; as well as the policies, standards and thrusts of the CHED under
23 Republic Act No. 7722, otherwise known as the "Higher Education Act of
24 1994," and TESDA under Republic Act No. 7796, otherwise known as the
25 TESDA Act of 1994.

1 SECTION 7. *Powers and Duties of the Governing Board.* – The governing
2 board shall have the following specific powers and duties in addition to its
3 general powers of administration and the exercise of all the powers granted to
4 the board of directors of a corporation under Section 36 of Batas Pambansa
5 Blg. 68, otherwise known as the Corporation Code of the Philippines:

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

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

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

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

22 Such donations shall be exempt from all taxes and shall be
23 considered as allowable deductions from the gross income in the
24 computation of the income tax of the donor, in accordance with the
25 provisions of the National Internal Revenue Code (NIRC) of 1997, as

1 amended: Provided, That such donations shall not be disposed of,
2 transferred or sold;

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

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

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

22 If, for reasons beyond its control, the Polytechnic State College
23 shall not be able to pursue any project for which funds have been
24 appropriated and allocated under its approved program of
25 expenditures, the Board of Trustees may authorize the use of said
26 funds for any reasonable purpose which, in its discretion, may be

1 necessary and urgent for the attainment of the objectives and goals of
2 the Polytechnic State College:

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

5 (g) To authorize the construction or repair of its buildings,
6 machineries, equipment and other facilities and the purchase and
7 acquisition of real and personal properties, including necessary
8 supplies, materials and equipment. Purchases and other transactions
9 entered into by the Polytechnic State College through the Board of
10 Regents shall be exempt from all taxes and duties;

11 (h) To appoint, upon the recommendation of the president of the
12 Polytechnic State College, vice presidents, deans, directors, heads of
13 departments, faculty members and other officials and employees of the
14 Polytechnic State College;

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

24 (j) To approve the curricula, instructional programs and rules of
25 discipline drawn by the administrative and academic councils as
26 herein provided;

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

2 (l) To award honorary degrees upon persons in recognition of
3 outstanding contribution in the fields of agriculture, education, public
4 service, arts, science and technology or in any field of specialization
5 within the academic competence of the Polytechnic State College, and
6 to authorize the award of certificates of completion of non-degree and
7 nontraditional courses;

8 (m) To develop training arrangements for institutional
9 capability-building with appropriate institutions and agencies, public
10 and private, local and foreign;

11 (n) To establish research and extension centers of the
12 Polytechnic State College where such will promote the development of
13 the latter;

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

18 (p) To delegate any of its powers and duties provided for
19 hereinabove to the President and/or other officials of the Polytechnic
20 State College as it may deem appropriate, so as to expedite the
21 administration of the affairs of the Polytechnic State College;

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

26 (r) To collaborate with other governing boards of state colleges
27 and universities within the region, under the supervision of the CHED

1 and in consultation with the Department of Budget and Management
2 (DBM), the restructuring of said Polytechnic State College to become
3 more efficient, relevant, productive and competitive;

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

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

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

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

23 (w) To establish policy guidelines and procedures for
24 participative decision-making and transparency within the Polytechnic
25 State College;

26 (x) To privatize, where most advantageous to the Polytechnic
27 State College, management of nonacademic services such as health,

1 food, building or grounds or property maintenance and similar such
2 other activities; and

3 (y) To extend the term of the President of the Polytechnic State
4 College beyond the age of retirement but not later than the age of
5 seventy (70), whose performance has been unanimously rated by the
6 governing board as outstanding and upon unanimous
7 recommendation by the search committee.

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

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

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

20 SECTION 9. *The Polytechnic State College President* - The Polytechnic
21 State College shall be headed by a President, who shall render full time
22 service. He shall be appointed by the Board, subject to the guidelines,
23 qualifications and/or standards set by the Board, upon recommendation of a
24 duly constituted search committee. He/she shall have a term of four (4) years
25 and shall be eligible for reappointment for another term: *Provided*, That in

1 order to effect a smooth transition to a Polytechnic State College, the
2 incumbent vocational school administrator of the Concepcion Vocational
3 School, if qualified, shall serve as the first president of the Concepcion
4 Polytechnic State College.

5 The President shall be assisted initially by a vice president for
6 academic affairs and a vice president for administrative affairs who shall be
7 appointed by the Board upon the recommendation of the president, without
8 prejudice to the appointment of more than two (2) vice presidents when so
9 warranted.

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

14 In case of vacancy in the office of the president as mentioned in the
15 immediately preceding paragraph, his successor shall hold office for the
16 unexpired term.

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

21 The salary of the president of the Polytechnic State College shall be in
22 accordance with the Revised Compensation and Position Classification
23 System and shall be comparable to that being received by the presidents of
24 similar educational institutions.

1 SECTION 10. *Administrative Council.* - There shall be an administrative
2 council consisting of the President of the Polytechnic State College as
3 chairperson, the vice president(s), deans, directors and other officials of equal
4 rank as members, and whose duty is to review and recommend to the Board
5 policies governing the administration, management and development
6 planning of the State College for appropriate action.

7 SECTION 11. *Academic Council.* - There shall be an academic council
8 with the President of the Polytechnic State College as chairperson and all
9 members of the instructional staff with the rank of not lower than assistant
10 professor as members.

11 The academic council shall have the power to review and recommend
12 the curricular offerings and rules of discipline of the of the Polytechnic State
13 College subject to appropriate action of the Board. It shall fix the requirements
14 of the admission of students as well as for graduation and the conferment of
15 degrees subject to review and/or approval by the Board through the
16 President of the Polytechnic State College.

17 SECTION 12. *The Secretary of the State College.* - The Board shall appoint
18 a Secretary who shall serve as such for both the Board and the Polytechnic
19 State College and shall keep all records and proceedings of the Board.
20 He/she shall communicate to each member of the Board notice of meetings.

21 SECTION 13. *The Treasurer of the Philippines.* - The Treasurer of the
22 Philippines shall be the ex officio treasurer of the Polytechnic State College.

23 SECTION 14. *Faculty.*- No political beliefs, gender preference, cultural
24 or community affiliation or ethnic origin, religious opinion or affiliation shall
25 be the matter of inquiry in the appointment of faculty members of the

1 Polytechnic State College: *Provided*, That said appointment shall be subject to
2 the guidelines, qualifications and/or standards set by the Board: *Provided*,
3 *further*, That no member of the faculty shall teach for or against any particular
4 church or religious sect.

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

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

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

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

1 SECTION 18. *Assets, Liabilities and Personnel.* - All assets, fixed and
2 movable, records and personnel of the Concepcion Vocational School, as well
3 as liabilities or obligations, are hereby transferred to the Concepcion
4 Polytechnic State College: *Provided, however,* That the positions, rights and
5 security of tenure of personnel therein employed under existing laws prior to
6 conversion by the College are not impaired: *Provided, further,* That the
7 incumbents of the positions shall remain in the same status until otherwise
8 provided for by the Board.

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

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

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

1 (a) Submit a five (5)-year development plan, including its
2 corresponding program budget, to the CHED and TESDA for
3 appropriate recommendation to the DBM;

4 (b) Undergo a management audit in cooperation with CHED
5 and TESDA;

6 (c) Accordingly set up its organizational, administrative as well
7 as academic structure, including the appointment/designation of
8 Polytechnic State College key officials; and

9 (d) Set in motion the establishment of higher and advanced
10 programs on technological education.

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

16 SECTION 22. *Inclusion Clause.* - The provisions of Republic Act No.
17 8292, otherwise known as the "Higher Education Modernization Act of 1997,"
18 shall form as an integral part of this Act and together shall serve as the
19 governing charter of the Polytechnic State College.

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

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

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

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

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

8 Approved,