



HOUSE OF REPRESENTATIVES

H. No. 4431

BY REPRESENTATIVES BIRON AND ANGARA, PER COMMITTEE REPORT NO. 817

AN ACT CONVERTING THE ILOILO STATE COLLEGE OF FISHERIES IN THE MUNICIPALITY OF BAROTAC NUEVO, PROVINCE OF ILOILO INTO A STATE UNIVERSITY TO BE KNOWN AS THE ILOILO STATE UNIVERSITY OF FISHERIES SCIENCE AND TECHNOLOGY, WITH CAMPUSES IN THE MUNICIPALITIES OF SAN ENRIQUE, DINGLE AND DUMANGAS, AND INTEGRATING THEREWITH THE BAROTAC NUEVO POLYTECHNIC INSTITUTE IN THE MUNICIPALITY OF BAROTAC NUEVO, ALL LOCATED IN THE PROVINCE OF ILOILO AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Conversion.* – The Iloilo State College of Fisheries
2 (ISCOF) in the Municipality of Barotac Nuevo, Province of Iloilo, including
3 its campuses, namely: the San Enrique Polytechnic College in the Municipality
4 of San Enrique; the Dingle Agricultural and Technological College in the
5 Municipality of Dingle; and the Dumangas Polytechnic College in the
6 Municipality of Dumangas, is hereby converted into a state university to be
7 known as the Iloilo State University of Fisheries Science and Technology,
8 hereinafter referred to as the University, and integrating therewith the Barotac

1 Nuevo Polytechnic Institute in the Municipality of Barotac Nuevo. The main
2 campus of the University shall be located in Barangay Ilaya Poblacion,
3 Municipality of Barotac Nuevo, Province of Iloilo.

4 *SEC. 2. General Mandate.* – The University shall primarily provide
5 advanced education, higher technological, professional instruction and training
6 in fisheries technology, arts and sciences, education, industrial technology,
7 engineering, aquaculture, seaweed farming and other related fields of study and
8 as may be relevant to national development. It shall also undertake research,
9 extension services and production activities in support of the development of
10 the Province of Iloilo and provide progressive leadership in its areas of
11 specialization.

12 *SEC. 3. Academic Freedom and Institutional Autonomy.* – The
13 University shall enjoy academic freedom and institutional autonomy, pursuant
14 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
15 the Philippines.

16 *SEC. 4. Curricular Offerings.* – The University shall offer
17 undergraduate and graduate programs in the fields of marine biology, fisheries,
18 information and communications technology, arts and sciences, industrial
19 technology, teacher education, engineering and other related courses within its
20 areas of specialization and according to its capabilities as the Board of Regents
21 may deem necessary to carry out its objectives, particularly in meeting the
22 needs of the Province of Iloilo and Region VI.

23 The University may operate a reasonably-sized laboratory school if it
24 has a College of Education.

25 *SEC. 5. Administration.* – The University shall have the general
26 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,
27 otherwise known as “The Corporation Code of the Philippines”. The
28 administration of the University and the exercise of its corporate powers shall

1 be vested exclusively in the Board of Regents and the President of the
2 University.

3 **SEC. 6. *The Governing Board.*** – The governing body of the
4 University shall be the Board of Regents, hereinafter referred to as the Board,
5 which shall be composed of the following:

6 (a) The Chairperson of the Commission on Higher Education (CHED),
7 Chairperson;

8 (b) The President of the University, Vice Chairperson;

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

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

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

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

17 (g) The President of the federation of faculty associations of the
18 University, member;

19 (h) The President of the federation of student councils of the
20 University, member;

21 (i) The President of the federation of alumni associations of the
22 University, member; and

23 (j) Two (2) prominent citizens from the private sector who have
24 distinguished themselves in their profession or fields of specialization of the
25 University, members.

26 The Board shall appoint the two (2) prominent citizens from among a
27 list of at least five (5) qualified persons in the Province of Iloilo where the
28 University and its branches are located, as recommended by the search

1 committee constituted by the University President, in consultation with the
2 Chairperson of the CHED and the other members of the Board, based on the
3 normal standards and qualifications for the position.

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

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

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

15 (a) To promulgate and implement policies in accordance with the
16 declared State policies and the provisions of the Philippine Constitution on
17 education, agriculture, science and technology, as well as the policies,
18 standards and thrusts of the CHED under Republic Act No. 7722, otherwise
19 known as the “Higher Education Act of 1994”;

20 (b) To promulgate rules and regulations not contrary to law as may be
21 necessary to carry out the purposes and functions of the University;

22 (c) To receive and appropriate all sums as may be provided for the
23 support of the University in the manner it may determine in its discretion, in
24 order to carry out the purposes and functions of the University;

25 (d) To import economic, technical and cultural books and/or
26 publications;

27 (e) To receive in trust legacies, gifts and donations of real and personal
28 properties of all kinds and to administer and dispose of the same when

1 necessary for the benefit of the University, and subject to the limitations,
2 directions and instructions of the donor, if any;

3 (f) To fix the tuition fees and other necessary school charges such as,
4 but not limited to, matriculation fees, graduation fees and laboratory fees, as
5 the Board may deem proper to impose, after due consultations with the
6 involved sectors. Such fees and charges, including government subsidies and
7 other income generated by the University, shall constitute special trust funds
8 and shall be deposited in any authorized government depository bank, and all
9 interests that shall accrue therefrom shall form part of the same funds for the
10 use of the University.

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

18 If, for reasons beyond its control, the University shall not be able to
19 pursue any project for which the funds have been appropriated and allocated
20 under its approved program of expenditures, the Board may authorize the use
21 of said funds for any reasonable purpose which, in its discretion, may be
22 necessary and urgent for the attainment of the objectives and goals of the
23 University;

24 (g) To adopt and implement a socialized scheme of tuition and school
25 fees for greater access to poor but deserving students;

26 (h) To authorize the construction or repair of its buildings, machinery,
27 equipment and other facilities, and the purchase and acquisition of real
28 property, including necessary supplies, materials and equipment;

1 (i) To appoint upon recommendation of the President of the
2 University, Vice Presidents, deans, directors, heads of campuses, faculty
3 members and other officials and employees of the University;

4 (j) To fix and adjust salaries of faculty members and administrative
5 officials and employees, subject to the provisions of the Revised Compensation
6 and Position Classification System and other pertinent budget and
7 compensation laws governing hours of service, and such other duties and
8 conditions as it may deem proper; to grant them, at its discretion, leaves of
9 absence under such regulations as it may promulgate, any provision of existing
10 law to the contrary notwithstanding; and to remove them for cause in
11 accordance with the requirements of due process of law;

12 (k) To approve the curricula, instructional programs and rules of
13 discipline drawn by the Administrative and Academic Councils herein
14 provided;

15 (l) To set policies on admission and graduation of students;

16 (m) To award honorary degrees upon persons in recognition of their
17 outstanding contribution in the fields of education, public service, arts, science
18 and technology, agriculture or in any field of specialization within the
19 academic competence of the University; and to authorize the awarding of
20 certificates of completion of nondegree and nontraditional courses;

21 (n) To establish and absorb nonchartered tertiary institutions within the
22 Province of Iloilo as branches and centers in coordination with the CHED, and
23 in consultation with the Department of Budget and Management (DBM), and
24 to offer therein programs or courses, to promote and carry out equal access to
25 educational opportunities as mandated by the Constitution;

26 (o) To establish research and extension centers of the University where
27 such will promote the development of the latter;

1 (p) To establish professorial chairs in the University and to provide
2 fellowships for qualified faculty members and scholarships to deserving
3 students;

4 (q) To delegate any of its powers and duties provided for hereinabove
5 to the President and/or other officials of the University as it may deem
6 appropriate, so as to expedite the administration of the affairs of the
7 University;

8 (r) To authorize an external management audit of the University, to be
9 financed by the CHED, subject to the rules and regulations of the Commission
10 on Audit (COA); and to institute reforms, including academic and structural
11 changes, on the basis of the audit results and recommendations;

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

17 (t) To enter into joint ventures with business and industry for the
18 profitable development and management of the economic assets of the
19 University, the proceeds from which shall be used for the development and
20 strengthening of the University;

21 (u) To develop consortia and other economic forms of linkages with
22 local government units (LGUs), institutions and agencies, both public and
23 private, local and foreign, in the furtherance of the purposes and objectives of
24 the University;

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

1 (w) To set up the adoption of modern and innovative modes of
2 transmitting knowledge such as the use of information technology, the dual
3 learning system, open or distance education and community laboratory for the
4 promotion of greater access to education;

5 (x) To establish policy guidelines and procedures for participative
6 decision-making and transparency within the University;

7 (y) To privatize, where most advantageous to the University, the
8 management of nonacademic services such as health, food, building or grounds
9 or property maintenance and such other similar activities; and

10 (z) To extend the term of the President of the University beyond the
11 age of retirement but not beyond the age of seventy (70), whose performance
12 has been unanimously rated by the Board as outstanding based on the
13 guidelines, qualifications and/or standards set by the Board, after unanimous
14 recommendation by the search committee.

15 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene
16 once every three (3) months. Whenever necessary, the Chairperson of the
17 Board may call, upon three (3) days' prior written notice, a maximum of two
18 (2) special meetings within the same period.

19 A quorum of the Board shall consist of majority of all its members
20 holding office at the time of the meeting: *Provided, however,* That the
21 Chairperson of the Board or the President of the University is among those
22 present in the meeting.

23 In one's absence, the Chairperson of the CHED shall designate a
24 Commissioner as representative in the meeting with all the rights and
25 responsibilities of a regular member: *Provided, however,* That during this
26 meeting, the President of the University as Vice Chairperson shall be the
27 Presiding Officer: *Provided, further,* That this *proviso* notwithstanding, the
28 Chairperson of the CHED is hereby authorized to designate a CHED

1 Commissioner as the regular Chair of the Board, in which case said CHED
2 Commissioner shall act as the Presiding Officer.

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

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

12 SEC. 9. *The University President.* – The University shall be headed by
13 a President, who shall render full-time service and who shall be appointed by
14 the Board, subject to the guidelines, qualifications and standards set by the
15 Board, upon recommendation of a duly constituted search committee. The
16 University President shall have a term of four (4) years and shall be eligible for
17 reappointment for another term: *Provided*, That in order to effect a smooth
18 transition to a state university, the incumbent President of the ISCOF shall
19 serve as the first President of the University.

20 Within six (6) months before the expiration of the term of office of the
21 incumbent President of the University, the Board shall constitute the Search
22 Committee for the Presidency (SCP).

23 In case of vacancy in the Office of the President by reason of death,
24 compulsory retirement, resignation, removal for cause or incapacity of the
25 President to perform the functions of the office, the Board shall designate an
26 Officer-in-Charge of the University within six (6) months from the date of
27 vacancy, pending the appointment of a new President. The successor or the
28 Officer-in-Charge shall serve only the unexpired portion of the term.

1 The powers and duties of the President of the University, in addition to
2 those specifically provided in this Act, shall be those usually pertaining to the
3 Office of the President of similar universities, and those delegated by the
4 Board.

5 The salary of the President of the University shall be in accordance with
6 the Revised Compensation and Position Classification System and shall be
7 comparable to that being received by the Presidents of similar educational
8 institutions.

9 The President of the University shall be assisted by a Vice President for
10 Academic Affairs and a Vice President for Administration, who shall be
11 appointed by the Board upon recommendation of the President.

12 SEC. 10. *The Secretary of the University.* – The Board shall appoint a
13 Secretary, who shall serve as such for both the Board and the University and
14 shall keep all records and proceedings of the Board. The Secretary of the
15 University shall serve upon each member of the Board the appropriate notice
16 of the Board meetings.

17 SEC. 11. *The Treasurer of the University.* – The Treasurer of the
18 Philippines shall be the *ex officio* Treasurer of the University.

19 SEC. 12. *The Administrative Council.* – There shall be an
20 Administrative Council consisting of the President of the University as
21 Chairperson, Vice Presidents, deans, directors and other officials of equal rank
22 as members, whose duty is to review and recommend to the Board the policies
23 governing the administration, management and development planning of the
24 University.

25 SEC. 13. *The Academic Council.* – There shall be an Academic
26 Council to be composed of the President of the University, who shall act as
27 Chairperson, and all academic staff with the rank of at least an assistant
28 professor, as members.

1 The Academic Council shall have the power to review and recommend
2 the curricular offerings and rules of discipline of the University, subject to the
3 approval of the Board. It shall fix the requirements for the admission of
4 students, as well as for their graduation and conferment of degrees, subject to
5 review and approval by the Board through the President of the University. It
6 shall have the disciplinary power over students of the University and shall
7 formulate academic policies and rules and regulations on discipline, subject to
8 the approval of the Board.

9 SEC. 14. *The Faculty.* – No political beliefs, gender preference,
10 cultural or community affiliation or ethnic origin, and religious opinion or
11 affiliation shall be a matter of inquiry in the appointment of faculty members of
12 the University: *Provided*, That said appointment shall be subject to the
13 guidelines, qualifications and standards set by the Board: *Provided, further*,
14 That no member of the faculty shall teach for or against any particular church
15 or religious sect.

16 SEC. 15. *Scholarship Program/Admission.* – The University shall
17 provide a scholarship program and other affirmative action programs to assist
18 poor but deserving students who qualify for admission to the University.

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

21 SEC. 16. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
22 *and Detail of Personnel.* – The heads of the bureaus and offices of the
23 national government are hereby authorized to loan or transfer, upon the request
24 of the President of the University, such apparatus, equipment or supplies as
25 may be needed by the University, and to detail employees for duty therein
26 when, in the judgment of the head of the bureau or office, such apparatus,
27 equipment, supplies or services of such employees can be spared without
28 serious detriment to public service.

1 The employees so detailed shall perform such duties as required of them
2 by the President of the University, and the time so employed shall be counted
3 as part of their regular services.

4 SEC. 17. *Assets, Liabilities and Personnel.* – All assets, real and
5 personal, personnel and records of the ISCOF, the San Enrique Polytechnic
6 College, the Dingle Agricultural and Technological College, the Dumangas
7 Polytechnic College and the Barotac Nuevo Polytechnic Institute, as well as
8 liabilities or obligations, are hereby transferred to the University. The
9 positions, rights and security of tenure of faculty members and personnel
10 therein employed under existing laws prior to the conversion into a University
11 shall be respected.

12 All parcels of land belonging to the government occupied by the ISCOF
13 and its campuses in the municipalities of San Enrique, Dingle and Dumangas,
14 and the Barotac Nuevo Polytechnic Institute are hereby declared to be property
15 of the University and shall be titled under that name: *Provided*, That should
16 the University cease to exist or be abolished or should such parcels of land
17 aforementioned be no longer needed by the University, the same shall revert to
18 the LGUs concerned.

19 SEC. 18. *Tax Exemption on Importation and Donations.* – The
20 importation of economic, technical and cultural books or publications, which is
21 for economic, technical, vocational, scientific, philosophical, historical or
22 cultural purposes, made by the University upon certification by the CHED,
23 shall be exempt from customs duties in accordance with the provisions of the
24 Tariff and Customs Code of the Philippines, as amended.

25 Donations in any form to the University shall be exempt from the
26 donor's tax and the same shall be considered as allowable deduction from the
27 gross income in the computation of the income tax of the donor, in accordance

1 with the provisions of the National Internal Revenue Code of 1997, as
2 amended.

3 SEC. 19. *Appropriations.* – The amount necessary to carry out the
4 provisions of this Act shall be charged against the current year’s appropriations
5 of the ISCOF, except the sums needed to continue the operations of the
6 existing high school. Thereafter, such sums as may be necessary for the
7 continued operation and maintenance of the University shall be included in the
8 annual General Appropriations Act.

9 SEC. 20. *Development Plan, Management Audit, Organizational/
10 Administrative/Academic Structure.* – Within the period of one hundred
11 twenty (120) days after the approval of this Act, the University shall
12 accomplish the following:

13 (a) Submit a five (5)-year development plan, including its
14 corresponding program budget to the CHED, for corresponding
15 recommendation to the DBM;

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

17 (c) Set up its organizational, administrative as well as academic
18 structure, including the appointment of the key officials of the University.

19 SEC. 21. *Filing of Report.* – On or before the fifteenth (15th) day of
20 the second (2nd) month after the opening of the regular classes each year, the
21 Board shall file with the Office of the President of the Philippines through the
22 Chairperson of the CHED, and with both Houses of Congress, a detailed report
23 on the progress, conditions and needs of the University.

24 SEC. 22. *Suppletory Application.* – The provisions of Republic Act
25 No. 8292, otherwise known as the “Higher Education Modernization Act of
26 1997”, shall be an integral part of this Act and shall serve as part of the
27 Governing Charter of the University.

1 SEC. 23. *Parity Clause.* – All other powers, functions and privileges,
2 responsibilities and limitations to state universities and their officials under
3 existing laws shall be deemed granted to or imposed upon the University and
4 its officials, whenever appropriate.

5 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
6 consultation with the CHED, shall formulate the guidelines to fully implement
7 the provisions of this Act.

8 SEC. 25. *Separability Clause.* – If, for any reason, any part or
9 provision of this Act is declared invalid or unconstitutional, the remaining
10 parts or provisions not affected thereby shall remain in full force and effect.

11 SEC. 26. *Repealing Clause.* – All laws, presidential decrees, executive
12 orders, rules and regulations contrary to or inconsistent with the provisions of
13 this Act are hereby repealed or modified accordingly.

14 SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after
15 its publication in two (2) newspapers of general circulation.

Approved,

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