



HOUSE OF REPRESENTATIVES

H. No. 4453

BY REPRESENTATIVES TUPAS AND ANGARA, PER COMMITTEE REPORT NO. 828

AN ACT ESTABLISHING THE NORTHERN ILOILO STATE UNIVERSITY IN THE PROVINCE OF ILOILO BY INTEGRATING THE NORTHERN ILOILO POLYTECHNIC STATE COLLEGE (NIPSC) IN THE MUNICIPALITY OF ESTANCIA, THE NIPSC – BAROTAC VIEJO CAMPUS IN THE MUNICIPALITY OF BAROTAC VIEJO, THE AJUY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF AJUY, THE BATAD POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF BATAD, THE CONCEPCION POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF CONCEPCION, THE LEMERY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LEMERY AND THE VICTORINO SALCEDO POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF SARA, 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. *Establishment.* – There is hereby established a state
2 university in the Province of Iloilo to be known as the Northern Iloilo State
3 University (NISU), hereinafter referred to as the University, by integrating the
4 Northern Iloilo Polytechnic State College (NIPSC) in the Municipality of
5 Estancia, the NIPSC – Barotac Viejo Campus in the Municipality of Barotac

1 Viejo, the Ajuy Polytechnic College in the Municipality of Ajuy, the Batad
2 Polytechnic College in the Municipality of Batad, the Concepcion Polytechnic
3 College in the Municipality of Concepcion, the Lemery Polytechnic College in
4 the Municipality of Lemery and the Victorino Salcedo Polytechnic College in
5 the Municipality of Sara, all located in the Province of Iloilo. The main
6 campus of the University shall be in the Municipality of Estancia, Province of
7 Iloilo.

8 SEC. 2. *General Mandate.* – The University shall primarily provide
9 advanced education, higher technological, professional instruction and training
10 in the fields of fisheries, agriculture, forestry, science, education, commerce,
11 engineering, tourism and other related courses. It shall also undertake research
12 and extension services, and provide progressive leadership in its areas of
13 specialization and as may be relevant to the development of both marine-based
14 industries and land-based resources of its service area and the country.

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

19 SEC. 4. *Curricular Offerings.* – The University shall offer varied
20 courses in the disciplines and programs through occupation-oriented and
21 industry-based baccalaureate ladder-type curricula and graduate programs that
22 are closely linked with the needs of industries, businesses, services and
23 professions.

24 In addition to the present curricular offerings of the integrated
25 institutions, the University shall offer undergraduate, graduate and short-term
26 courses in marine technology, marine resources and ecology management,
27 harbor/port and business management, engineering, marine transportation and
28 economics, rural enterprise organization and community development,

1 rural-based health and education, industrial technology, food processing,
2 computer and information technology, tourism and ecotourism, agriculture,
3 environmental studies, local governance, cooperatives management and other
4 related courses within its areas of specialization and according to its
5 capabilities as the Board of Regents may deem necessary to carry out its
6 objectives, particularly in meeting the needs of the Province of Iloilo and
7 Region VI.

8 The existing high school shall be transferred to the jurisdiction and
9 supervision of the Department of Education (DepED): *Provided*, That the
10 high school shall be allowed to remain and operate within the campus of the
11 University until the existing students shall have completed their high school
12 education: *Provided, further*, That the University may operate a
13 reasonably-sized laboratory school, if it has a College of Education.

14 SEC. 5. *Administration.* – The University shall have the general
15 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,
16 otherwise known as “The Corporation Code of the Philippines”. The
17 administration of the University and the exercise of its corporate powers shall
18 be vested exclusively in the Board of Regents and the President of the
19 University.

20 SEC. 6. *The Governing Board.* – The governing board of the
21 University shall be the Board of Regents, hereinafter referred to as the Board,
22 which shall be composed of the following:

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

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

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

28 (d) The Chairperson of the Committee on Higher and Technical

1 Education of the House of Representatives, member;

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

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

6 (g) The President of the federation of faculty associations of the
7 University, member;

8 (h) The President of the federation of student councils of the University,
9 member;

10 (i) The President of the federation of alumni associations of the
11 University, member; and

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

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

20 The term of office of the President of the federation of faculty
21 associations, the President of the federation of student councils and the
22 President of the federation of alumni associations shall be coterminous with
23 their respective terms of office, as set forth in their respective constitutions
24 and bylaws.

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

27 *SEC. 7. Powers and Duties of the Board of Regents.* – The Board shall
28 have the following specific powers and duties, in addition to its general powers

1 of administration and the exercise of all the powers granted to the board of
2 directors of a corporation under existing laws:

3 (a) To promulgate and implement policies in accordance with the
4 declared State policies and the provisions of the Philippine Constitution on
5 education, agriculture, science and technology, as well as the policies,
6 standards and thrusts of the CHED under Republic Act No. 7722, otherwise
7 known as the "Higher Education Act of 1994";

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

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

13 (d) To import economic, technical and cultural books and/or
14 publications;

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

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

27 Any provision of existing laws, rules and regulations to the contrary
28 notwithstanding, any income generated by the University 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 University, and may be disbursed by the Board
3 for instruction, research, extension or other programs and projects of the
4 University: *Provided*, That all fiduciary fees shall be disbursed for the specific
5 purposes for which these are collected.

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

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

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

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

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

1 (k) To approve the curricula, instructional programs and rules of
2 discipline drawn by the Administrative and Academic Councils herein
3 provided;

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

5 (m) 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, agriculture or in any field of specialization within the
8 academic competence of the University; and to authorize the awarding of
9 certificates of completion of nondegree and nontraditional courses;

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

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

17 (p) To establish professorial chairs in the University and to provide
18 fellowships for qualified faculty members and scholarships to deserving
19 students;

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

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

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

6 (t) To enter into joint ventures with business and industry for the
7 profitable development and management of the economic assets of the
8 University, the proceeds from which shall be used for the development and
9 strengthening of the University;

10 (u) To develop consortia and other economic forms of linkages with
11 local government units (LGUs), institutions and agencies, both public and
12 private, local and foreign, in the furtherance of the purposes and objectives of
13 the University;

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

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

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

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

27 (z) To extend the term of the President of the University beyond the
28 age of retirement but not beyond the age of seventy (70), whose performance

1 has been unanimously rated by the Board as outstanding based on the
2 guidelines, qualifications and/or standards set by the Board, after unanimous
3 recommendation by the search committee.

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

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

12 In one's absence, the Chairperson of the CHED shall designate a
13 Commissioner as representative in the meeting with all the rights and
14 responsibilities of a regular member: *Provided, however,* That during this
15 meeting, the President of the University as Vice Chairperson shall be the
16 Presiding Officer: *Provided, further,* That this *proviso* notwithstanding, the
17 Chairperson of the CHED is hereby authorized to designate a CHED
18 Commissioner as the *regular Chair of the Board, in which case said CHED*
19 Commissioner shall act as the Presiding Officer.

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

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

1 SEC. 9. *The University President.* – The University shall be headed by
2 a President, who shall render full-time service and who shall be appointed by
3 the Board, subject to the guidelines, qualifications and standards set by the
4 Board, upon recommendation of a duly constituted search committee. The
5 University President shall have a term of four (4) years and shall be eligible for
6 reappointment for another term: *Provided*, That in order to effect a smooth
7 transition to a state university, the incumbent President of the NIPSC, if
8 qualified, shall serve as the first President of the University.

9 Within six (6) months before the expiration of the term of office of the
10 incumbent President of the University, 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 the office, the Board shall designate an
15 Officer-in-Charge of the University 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, the successor or the Officer-in-Charge shall
19 serve only the unexpired portion of the term.

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

24 The salary of the President of the University shall be in accordance with
25 the Revised Compensation and Position Classification System and shall be
26 comparable to that being received by the Presidents of similar educational
27 institutions.

1 The President of the University shall be assisted by a Vice President for
2 Academic Affairs, a Vice President for Finance and Administration, a Vice
3 President for Research and Development and a Vice President for Extension
4 Services. They shall be appointed by the Board upon recommendation of the
5 President, after due consultation with all sectors of the University. The Vice
6 Presidents shall serve for a term of three (3) years.

7 SEC. 10. *Heads of University Campuses.* – Campus Directors shall
8 head the University campuses and they shall render full-time service. They
9 shall be appointed by the Board upon recommendation of the search committee
10 and the University President, subject to the guidelines, qualifications and
11 standards set by the Board: *Provided,* That the incumbent College
12 Administrators of the institutions integrated under this Act shall continue to
13 serve as Campus Directors of their respective campuses, but shall be
14 coterminous with their respective retirements.

15 SEC. 11. *The Secretary of the University.* – The Board shall appoint a
16 Secretary, who shall serve as such for both the Board and the University and
17 shall keep all records and proceedings of the Board. The Secretary of the
18 University shall serve upon each member of the Board the appropriate notice
19 of the Board meetings.

20 SEC. 12. *The Treasurer of the University.* – The Treasurer of the
21 Philippines shall be the *ex officio* Treasurer of the University.

22 SEC. 13. *The Administrative Council.* – There shall be an
23 Administrative Council consisting of the President of the University as
24 Chairperson, Vice Presidents, deans, directors and other officials of equal rank
25 as members, whose duty is to review and recommend to the Board the policies
26 governing the administration, management and development planning of the
27 University.

1 SEC. 14. *The Academic Council.* – There shall be an Academic
2 Council to be composed of the President of the University, who shall act as
3 Chairperson, and all academic staff with the rank of at least an assistant
4 professor, as members.

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

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

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

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

1 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
2 *and Detail of Personnel.* – The heads of the bureaus and offices of the
3 national government are hereby authorized to loan or transfer, upon the request
4 of the President of the University, such apparatus, equipment or supplies as
5 may be needed by the University, and to detail employees for duty therein
6 when, in the judgment of the head of the bureau or office, such apparatus,
7 equipment, supplies or services of such employees can be spared without
8 serious detriment to public service.

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

12 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
13 personal, personnel and records of the NIPSC, the NIPSC – Barotac Viejo
14 Campus, the Ajuy Polytechnic College, the Batad Polytechnic College, the
15 Concepcion Polytechnic College, the Lemery Polytechnic College and the
16 Victorino Salcedo Polytechnic College, as well as liabilities or obligations, are
17 hereby transferred to the University. The positions, rights and security of
18 tenure of faculty members and personnel therein employed under existing laws
19 prior to the conversion into a University shall be respected.

20 All parcels of land belonging to the government occupied by the NIPSC
21 and the integrated campuses are hereby declared to be property of the
22 University and shall be titled under that name: *Provided*, That should the
23 University cease to exist or be abolished or should such parcels of land
24 aforementioned be no longer needed by the University, the same shall revert to
25 the LGUs concerned.

26 SEC. 19. *Tax Exemption on Importation and Donations.* – The
27 importation of economic, technical and cultural books or publications, which is
28 for economic, technical, vocational, scientific, philosophical, historical or

1 cultural purposes, made by the University upon certification by the CHED,
2 shall be exempt from customs duties in accordance with the provisions of the
3 *Tariff and Customs Code of the Philippines*, as amended.

4 Donations in any form to the University shall be exempt from the
5 donor's tax and the same shall be considered as allowable deduction from the
6 gross income in the computation of the income tax of the donor, in accordance
7 with the provisions of the National Internal Revenue Code of 1997, as
8 amended.

9 *SEC. 20. Appropriations.* – The amount necessary to carry out the
10 provisions of this Act shall be charged against the current year's appropriations
11 of the NIPSC in Estancia, the NIPSC – Barotac Viejo Campus in Barotac
12 Viejo, the Ajuy Polytechnic College, the Batad Polytechnic College, the
13 Concepcion Polytechnic College, the Lemery Polytechnic College and the
14 Victorino Salcedo Polytechnic College, except the sums needed to continue the
15 operations of the existing high school. Thereafter, such sums as may be
16 necessary for the continued operation and maintenance of the University shall
17 be included in the annual General Appropriations Act.

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

22 (a) Submit a five (5)-year development plan, including its
23 corresponding program budget to the CHED, for corresponding
24 recommendation to the DBM;

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

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

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

6 SEC. 23. *Suppletory Application.* – The provisions of Republic Act
7 No. 8292, otherwise known as the “Higher Education Modernization Act of
8 1997”, shall be an integral part of this Act and shall serve as part of the
9 Governing Charter of the University.

10 SEC. 24. *Parity Clause.* – All other powers, functions and privileges,
11 responsibilities and limitations to state universities and their officials under
12 existing laws shall be deemed granted to or imposed upon the University
13 and/or its officials, whenever appropriate.

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

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

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

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

Approved,