



Republic of the Philippines  
Province of Bulacan  
Municipality of Marilao

**Office of the Secretary to the Sangguniang Bayan**

**EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE  
SANGGUNIANG BAYAN OF MARILAO, PROVINCE OF BULACAN, HELD AT THE  
SESSION HALL OF THE MUNICIPAL BUILDING ON  
JULY 17, 2017**

**PRESENT:**

Hon. Henry R. Lutao

----- Municipal Vice Mayor  
Presiding Officer

**COUNCILORS**

Hon. Jun Bob J. Dela Cruz

Hon. Divina E. Reyes

Hon. Arnold T. Papa

Hon. Irma G. Celones

Hon. Wilfredo D. Diaz

Hon. Mark Joseph L. Guillermo

Hon. Ariel P. Amador

Hon. Maria Luisa I. Silvestre

Hon. Eduardo S. Gabriel (Ex-Officio, Liga)

**MUNICIPAL ORDINANCE NO – 826**

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Introduced by Councilor Wilfredo D. Diaz and seconded by all members of the Sangguniang Bayan Present.

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**ORDINANCE**

**ADOPTING THE REVISED CHARTER OF PAMBAYANG DALUBHASAAN NG MARILAO (PDM), AMENDING BY SUBSTITUTION MUNICIPAL ORDINANCE 671 FOR THIS PURPOSE**

**WHEREAS**, 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 actions to make education accessible to all;

**WHEREAS**, Article 3, section 447, paragraph 5 of the Local Government Code of 1991, mandates the local government units to provide for the establishment and operation of vocational, technical and similar post-secondary institutions within their jurisdiction, subject to the availability of funds and to existing laws, rules and regulations;

**WHEREAS**, R.A 7722 otherwise known as the Higher Education Act of 1994, created the Commission on Higher Education (CHED) to pursue the policy of the state to protect, foster and promote the right of every citizen to quality education covering both the public and private higher education institutions (HEI's).

**WHEREAS**, CHED as mandated by the law to rationalize program has set policies, standards and guidelines (PSG) for the establishment and operation of public HEI's through CHED Memorandum Order (CMO) 32.2006, CMO 4.2007, and CMO 42.2016;

**WHEREAS**, the Sangguniang Bayan of Marilao, through the enactment of Municipal Ordinance No. 671 in 2009 provided for the creation, establishment and operation of the Pambayang Dalubhasaan ng Marilao;

*[Handwritten signatures and initials]*

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**WHEREAS**, PDM has been operating under authority issued by CHED, and consistently complying with all the its regulatory requirements as per existing applicable memoranda and issuances;

**WHEREAS**, the operation of PDM necessitates government recognition to qualify and be eligible to the grants, subsidy and other relevant programs of CHED;

**WHEREAS**, PDM's recognition requires its operation and management fully-compliant to standards that, review, subsequent revision and approval of its Charter become highly imperative;

**WHEREAS**, this council has full support and interposes no objection to the recommended and required revision as per applicable issuances, hence, this amendment by substitution;

**Now therefore, be it ordained by Sangguniang Bayan, that:**

**ARTICLE I - TITLE**

Section 1. **Short Title, Description:** This ordinance shall be known as the "Revised Charter of Pambayang Dalubhasaan ng Marilao (PDM)".

**ARTICLE II – GENERAL PROVISIONS**

Section 2. **Declaration of Policy:** It is hereby declared the policy of the Municipal Government of Marilao (MGM) to operate within the framework of national development goals and shall ensure that tertiary education is afforded to all qualified residents of Marilao.

Section 3. **Description:** The Pambayang Dalubhasaan ng Marilao is a public, non-sectarian, non-partisan higher educational institution operating primarily by subsidy from the Municipal Government of Marilao. Its curricular offering are degree programs in Information Technology, Computer Science, Hotel and Restaurant Management, Tourism Management and Office Administration. Other allied and relevant degree programs may be offered upon authorization duly issued by CHED.

Section 4. **Purposes and Objectives:** As a tertiary educational institution, PDM shall have the following purposes and objectives:

- a. serve as the premiere higher educational institution that will provide quality and subsidized tertiary education and industry training programs to mold young Marileños into productive citizens who are aware of their Filipino heritage and proud of the local culture, while inculcating in them good moral values and desirable personal traits;
- b. offer relevant degree programs delivered by a core of competent faculty to develop graduates who can respond to the needs of both the local and national business community, labor demands and global requirements;
- c. enhance knowledge through effective instruction, research, community extension and parallel social, cultural, outreach and other co-curricular programs.

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**ARTICLE III  
Governance and Administration**

Section 5. **Board of Trustees:** The governance of the college (CMO 42.2016) shall be vested in the Board of Trustees (BOT) which shall be composed of the following:

Municipal Mayor (Local Chief Executive) - Chairman  
College President - Vice Chairman

Mandated Members:

Chairman of the Sangguniang Bayan Committee on Education  
President of the Faculty Association  
President of the Alumni Association  
President of the Student Council  
Representative of the Business Sector  
Representative from the Association of Local Colleges and Universities (ALCU)

Other members:

Representatives from the Local Finance Committee  
School Administrator

The CHED Regional Director or his/her duly designated representative, significant stakeholders, or concerned municipal department heads may be invited as resource persons during BOT meetings.

Section 6. **Term and Appointment.** The term of office of representatives of the faculty, alumni and student body shall be co-terminus with their respective terms. The representatives from the business sector and the ALCU shall be appointed by the BOT for a specific term; the ALCU representative must be confirmed by National ALCU. Other members shall be ex-officio.

Section 7. **Compensation.** The members of the BOT shall receive honoraria to be determined by the Sangguniang Bayan subject to existing and applicable rules on personal services.

Section 8. **Meeting.** The BOT shall meet regularly at least twice every academic year, preferably before the opening of every semester or at the call of its Chairman to discharge the powers and functions herein conferred upon, at the college campus or at any other place as may be determined by the majority of the BOT. Provided that the members shall be notified in writing at least three (3) days before the date of the meeting. Provided further, that no other agenda shall be discussed other than those in the notice without the prior approval of the BOT. The BOT shall have the power to determine its own rules in the conduct of the meeting. Special meetings may be called by the Chairman when deemed necessary.

Section 9. **Quorum.** A majority of the BOT, which must include the Chairman, the Vice Chairman or both, shall constitute a quorum before it can do business.

**ARTICLE IV  
The Board of Trustees**

Section 10. **Powers and Functions.** The BOT shall, in accordance with the declared state policies on education, and subject to existing policies and standards of CHED under R.A 7722 and other pertinent laws, specifically CMO 4.2007, perform the following powers and functions:

- a. Promulgate rules of governance and enact regulations as may be necessary to carry out the functions of the college;
- b. Establish policies, guidelines and procedures for participative decision-making.

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- c. Develop academic arrangements and linkages for institutional capability building with appropriate institutions both public and private, local and foreign;
- d. Determine and approve curricular programs, and course offerings in response to the needs and demands of the community provided that these shall comply with the provisions of pertinent and applicable CMO's;
- e. Promulgate policies on admission, retention and graduation of students and confer degree(s) or title(s), award diploma(s), upon recommendation of the academic council to candidates for graduation who have satisfactorily completed the requirements prescribed by their respective programs. However, conferment of honorary degree(s) shall be in accordance with the policies and guidelines set by CHED;
- f. Ensure the efficient management of non-academic services such as medical and dental, guidance and counseling, canteen, building, grounds, property maintenance and other services;
- g. Institutionalize research and extension programs;
- h. Recommend to the Municipal Mayor nominees for College President upon screening and selection of the Search Committee for President;
- i. Recommend to the Municipal Mayor the appointment of other school officials upon recommendation of the College President or School Administrator;
- j. Delegate any of its powers and duties herein described, by way of resolution, to the College President or the School Administrator, as it may deem appropriate so as to expedite the administration of the affairs of the college;
- k. Invite representatives from other government or private entities as resource persons during its meetings;
- l. Determine, as it may deem proper to impose, after due consultation with involved sectors, tuition and other necessary school fees and charges such as but not limited to matriculation, graduation, laboratory and other fees;
- m. Recommend to the Sangguniang Bayan policies on tertiary education and other related development legislation on effective governance and management;
- n. Perform such other functions as may be necessary to effectively carry out the objectives of the college.

Section 11. **The Secretary to the BOT:** The Secretary to the BOT shall be designated by the President subject to the confirmation of the BOT, and shall perform the following functions:

- a. Prepare notice, agenda and minutes of meetings;
- b. Maintain records of the college;
- c. Provide administrative assistance to the BOT;
- d. Coordinate the schedule of BOT meetings;
- e. Perform other related duties as may assigned by the BOT from time to time.

**ARTICLE V  
The College Officials**

Section 12. **The College President:** The administration of the college relative to academics shall be vested upon the College President who shall be appointed by the BOT upon recommendation of the search committee. He/She must have earned appropriate doctoral degree and must have at least five (5) years relevant administrative experience. He/She shall serve for a term of four years and shall be eligible for one reappointment only.

Section 13. **Powers and Functions.** The College President shall exercise the following powers and functions:



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- a. Provide academic leadership for the college, preserve and protect its academic integrity, ensure the observance and implementation of its purposes, objectives and policies as laid down by this ordinance and the BOT;
- b. Exercise, within the framework of college policies, primary authority and responsibility over the following areas: curriculum planning and development, grants, endorsements, external relations and public affairs;
- c. Formulate, subject to the approval of the BOT and in coordination with the school administrator, comprehensive development plan of the college relative to academic, research and extension programs;
- d. Establish and maintain links with other educational and research institutions, community and industry partners;
- e. Exercise such other related functions as the Municipal Mayor and the BOT may prescribe.

Section 14. **The School Administrator.** There shall be a school administrator, with the rank of a municipal government department head, to be appointed by the Municipal Mayor with the concurrence of the Sangguniang Bayan. No person shall be appointed as School Administrator unless he/she is a citizen of the Philippines, a resident of the Municipality of Marilao, holder of an earned master's degree in education or public administration from a recognized college or university and a first grade civil service eligible or its equivalent. He/she shall be in-charge of the administration of the college relative to the requirements of local government operations and shall directly report to the Municipal Mayor. He/she shall assist the President in implementing the policies laid down by this ordinance and the BOT. Specifically, he/she shall exercise the following functions:

- a. Formulate, in consultation with various departments, the annual action plan of the college for consolidation in the municipality's Annual Investment Plan, and in the Executive and Legislative Agenda;
- b. Coordinate the activities and programs of the college with other component units and institutions and ensure that those are included in the budget allocation;
- c. Prepare and recommend to the Municipal Mayor, the consolidated budget requirements of the college, for inclusion in the Annual General Appropriations of the municipality;
- d. Monitor performance of personnel and report the same to the Municipal Mayor through the Strategic Performance Management System (SPMS) as required by the Civil Service Commission;
- e. Validate attendance record, endorse and recommend requests for leave of absence; validate and approve locator and pass slips of personnel; and identify manpower need and communicate requisition to the Municipal Mayor through the Human Resources Office ;
- f. Ensure the provision of learning and maintenance resources;
- g. Ensure that requisition, purchasing and disbursement procedures are observed;
- h. Ensure that LGU mandatory reports and plans are prepared and submitted on time;
- i. Ensure the sufficiency of resources and efficiency of basic utilities;
- j. Exercise such other related functions and discharge such other responsibilities as may be delegated by the BOT and the Municipal Mayor may assign.

Section 15. **Other Officials and Personnel of the College.** The Vice-President(s) Dean(s), Administrative Officers, Program Director(s), Registrar, Librarian, faculty members and other personnel shall be designated by the President, subject to the confirmation of the BOT, provided that, they shall be selected based on merit and qualifications; provided further that, the VP for Academic Affairs must be a holder of an earned doctoral degree, provided finally that, their appointment shall be pursuant to applicable CHED policies and standards. All plantilla appointments shall be issued by the Municipal Mayor, they shall enjoy security of tenure and

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shall be subject to all applicable restrictions, rules and regulations prescribed by the Civil Service Commission.

**ARTICLE VI  
The Board of Visitors**

Section 16. **The Board of Visitors.** The Mayor, Vice Mayor and the members of the Sangguniang Bayan ng Marilao shall constitute the BOT of Visitors who shall have the following duties and functions;

- a. Attend commencement exercises of the college;
- b. Visit the college at any time possible as it may deem proper;
- c. Inspect and evaluate the books of accounts, properties, programs of study, discipline and the state of finances of the college.

**ARTICLE VII  
The Academic Council**

Section 17. **Composition.** There shall be an Academic Council composed of the College President as Chairman, School Administrator as Vice-Chairman, the College Deans, Program Directors, Heads of Academic Departments, Heads of Student Services, Registrar, Librarian and Guidance Counselor as members.

Section 18. **Functions.** The Academic Council shall, subject to applicable CHED regulations and standards, exercise the following functions:

- a. Determine and recommend requirements for admission to the college;
- b. Validate the completion of requirements for graduation and granting of degrees;
- c. Review and ensure that curriculum, syllabus and course/subject frameworks are current and properly implemented;
- d. Monitor changes in policies, standards and guidelines of national and international regulatory bodies regarding higher education and ensure compliance to these;
- e. Assist in the formulation of annual action plan by consolidating curricular and co-curricular activities, projects and programs;
- f. Submit report on any/all student-related activities;
- g. Assist in the assessment of faculty applicants;
- h. Perform such other related academic functions.

**ARTICLE VIII  
The Faculty**

Section 19. **Qualifications and Classification.** The members of the faculty shall be appointed by the President with the approval of the BOT. All appointments shall be made strictly based on merit and shall be in accordance with the criteria, rules, procedure and other guidelines set forth in the common promotion and merit system for faculty of LCU's, and the Quality Standards of the Civil Service Commission. They shall be classified into regular and contractual who may serve fulltime or part time. The categories, rank, privileges and impediments of regular and contractual members of the faculty shall be prescribed in accordance with applicable circulars.

Section 20. **Compensation.** Faculty members shall receive compensation based on their academic qualification and ranking as recommended by the College President and approved by the BOT. Lecturers/ instructors under contract of services shall be paid for each hour of actual service in accordance with schedule as approved by the BOT.

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**ARTICLE IX  
Search Committee for President**

Section 21. **Constitution:** Six (6) months before the expiration of the term of the incumbent President, the BOT shall constitute a Search Committee for President(SCP), as per CMO 4.2007, composed of representatives from:

- Commission on Higher Education (regional office)
- Civil Service Commission (provincial or regional office)
- Association of Local College and Universities (regional)
- Academe (local)
- Business sector (local)

The SCP shall elect a Chairman and Vice-Chairman from among themselves.

Section 22. **Procedure:** The SCP may determine its own rules in its screening and selection proceedings.

Section 23. **Notice of Vacancy, Submission of Nominees.** Within ten (10) days after its constitution, the SCP shall cause the publication of the notice of vacancy in the office of the President in conspicuous places and in the municipal website. Within a period of thirty(30) days shall screen the applicants, select therefrom three(3) most qualified for recommendation to the BOT. Without prejudice to other applicants, the SCP shall as far as practicable give preference to regular academic personnel of PDM who submitted application.

Section 24. **Appointment.** The BOT shall appoint the President from the list submitted by the SCP.

**ARTICLE X  
Curricular Offerings**

Section 25. **Curricular Offerings.** The College, based on the results of the feasibility studies conducted, and subsequent application shall continue to offer the following programs:

- Bachelor of Science in Information Technology
- Hotel and Restaurant Management
- Bachelor of Science in Computer Science
- Bachelor of Science in Tourism Management
- Bachelor of Science in Office Administration

Section 26. **Other Curricular Offerings.** Allied and other courses may be offered after conducting applicable studies, due consultation with the CHED and considering the sustainability of the program. The College President shall take the lead in the formulation of curriculum developments and programs.

**ARTICLE XI  
Admission and Retention of Students**

Section 27. **Admission Policy Statement.** To ensure that the most qualified and deserving students are admitted, admission to the college shall be determined primarily by entrance examination and high school general point average (GPA) with preference to be given to residents of Marilao; provided that no one shall be denied admission by reason of age, sex, religion or political affiliation. Non-Marilao residents may be admitted only upon complying

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with other relevant requirements, specifically but not limited to payment of non-resident fee to be fixed by the BOT.

Section 28. **Retention Policy.** The Academic Council herein created shall formulate and periodically review retention policy in accordance with acceptable standards and based on policies of regulatory bodies.

**ARTICLE XII**  
**Budget Requirement**

Section 29. **Preparation and Approval.** The School Administrator shall, after consolidation of requisition, duly approved by the BOT, submit to the Municipal Mayor and to the Sangguniang Bayan for approval, the proposed budgetary requirement of the operation of the college for each year.

Section 30. **Regular Appropriation:** The municipal government shall ensure the sustainability of the operation of the college ( Section 4, CMO 32.2006) and shall appropriate not less than five (5%) per cent of the annual income for the operations and activities of the college. The budget shall be disbursed only according to usual accounting and auditing procedures.

Section 31. **Supplemental Budget:** The School Administrator shall also recommend to the Municipal Mayor, and to the Sangguniang Bayan for consideration and approval the supplemental budgetary allocation when need arises.

Section 32. **Collection:** Any reasonable tuition and other school fees to be collected shall be retained and accrue exclusively for the college.

**ARTICLE XIII**  
**Miscellaneous Provisions**

Section 33. **Constitution of the New BOT.** The new BOT shall be created and organized immediately after the approval of this ordinance, until then, the Interim BOT shall continue to exercise the powers and functions conferred upon them.

Section 34. **Policies, Standards and Guidelines.** All previously approved policies, standards, guidelines as well as procedure manual/ flowchart of different academic and non-academic departments and offices of the college shall remain in effect and must be reviewed annually to validate compliance.

Section 35. **Repealing Clause.** Any/all provisions of Municipal Ordinance 671 which are contrary or inconsistent with any provisions herein, are hereby repealed or amended accordingly.

Section 36. **Separability Clause.** If any part or provision of this ordinance is declared invalid by competent authority, other provisions hereof, which are not affected thereby, shall continue to be in full force and effect.


Section 4. **Effectivity.** This ordinance shall take effect immediately upon its approval.



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**UNANIMOUSLY APPROVED**, this 17<sup>th</sup> of July, Two Thousand Seventeen.

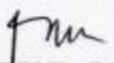
I hereby certify that this resolution has been duly approved by the Sangguniang Bayan.



**EDGAR P. RAMIREZ**


Secretary to the Sangguniang Bayan

**ATTESTED:**



**HENRY R. LUTAO**  
Municipal Vice Mayor  
Presiding Officer

**APPROVED:** JUL 28 2017  
Date



**JUANITO H. SANTIAGO**  
Municipal Mayor