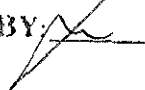


'11 MAY 17 P5:25

SENATE

S. No. 2830

RECEIVED BY: 

Introduced by Senator JUAN MIGUEL F. ZUBIRI

EXPLANATORY NOTE

Since its establishment in 1946, the Negros State College of Agriculture has demonstrated relevance and quality in its educational programs not only in the entire Negros and Panay Islands but also in the neighboring provinces of the region. The College has been engaged in education and training of skilled farmers, entrepreneurs, technicians, teachers, social workers and other professionals that now help turn the wheel of the highly agricultural economy in the Negros Island and Western Visayas.

On October 2, 1946 Republic Act No. 43 created the Negros Occidental National Agricultural School (NONAS). It stands on a 4,653.7-hectare land reservation, which is traversed by a new concrete national highway linking the two Negros Provinces. In 1977, Negros Occidental National Agricultural School became a College named as Negros Occidental Agricultural College offering both degree and non-degree courses. Due to its dynamism and guided by its vision, NOAC was converted to Negros State College of Agriculture (NSCA) on July 3, 2001 by virtue of Republic Act no. 9141.

NSCA, the "agro eco tourism" state college in Central Philippines is the largest state college in the Visayas in terms of land area. The conversion of NSCA into a university to be known as the Central Philippines State University will bring the government closer to the poor but deserving students who cannot afford private higher education. Being a university it can offer courses relevant to the needs of the industry which at present are offered by private education institutions that charge very high fees.

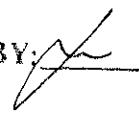
Central Philippines State University (CPSU) can be a vehicle of the vision of a Strong Republic. As a State University in Central Philippines in general and Western Visayas in particular, its offering of the relevant courses will help revolutionize the monocropping sugar industry into a diversified industry by producing quality graduates who will man the various industries, and at the same time reach out to the sons and daughters of the marginalized farmers, fisherfolks, "sacadas" and other hacienda workers with the most affordable tertiary education in agriculture and other professional courses which answers to the needs of industries in the locality.

In view of the foregoing, approval of this Bill is earnestly requested.


JUAN MIGUEL F. ZUBIRI

*11 MAY 17 P5:25

SENATE

RECEIVED BY: 

S. No. 2830

Introduced by Senator JUAN MIGUEL F. ZUBIRI

AN ACT
CONVERTING THE NEGROS STATE COLLEGE OF AGRICULTURE (NSCA) IN THE
CITY OF KABANKALAN, PROVINCE OF NEGROS OCCIDENTAL INTO A STATE
UNIVERSITY TO BE KNOWN AS THE CENTRAL PHILIPPINES STATE UNIVERSITY
(CPSU) AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Conversion.** – The Negros State College of Agriculture in the City of
2 Kabankalan, including its extension campuses in the municipalities of Hinobaan, Cauayan, Ilog,
3 Candoni, Moises Padilla, Hinigaran, and in the cities of San Carlos, Sibalay, Himamaylan and
4 Victorias all located in the Province of Negros Occidental is hereby converted into a state
5 university to be known as the Central Philippines State University (CPSU), hereinafter referred
6 to as the University. The main campus of the University shall be in the City of Kabankalan.

7
8 **SECTION 2. General Mandate.** – The University shall primarily provide advanced
9 education, higher technological, professional instruction and training in agriculture/fisheries,
10 animal science, forestry, education, computer studies, engineering, arts and sciences and other
11 relevant fields of study. It shall also promote and undertake research, extension services and
12 provide progressive leadership in its areas of specialization.

13
14 **SECTION 3. Curricular Offerings.** – The University shall offer undergraduate and
15 graduate studies in the fields of agriculture/fisheries, animal science, forestry, education,
16 computer studies, engineering, arts and sciences, short-term technical or diploma courses in
17 agricultural technology, and other degrees within its areas of specialization and according to its
18 capabilities, as the Board of Regents may deem necessary to carry out its objectives and in
19 order to meet the needs of the Province of Negros Occidental and Region VI.

20 The University shall maintain and operate a reasonably-sized laboratory school, under
21 its College of Education in the main campus.

22
23 **SECTION 4. Administration.** – The University shall have the general powers of a
24 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the

1 "Corporate Code of the Philippines". The administration of the University and the exercise of its
2 corporate powers shall be vested exclusively in the Board of Regents and the President of the
3 University.

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

- 8 (a) The Chairperson of the Commission of Higher Education (CHED), Chairperson;
9 (b) The President of the University, Vice Chairperson;
10 (c) The Chairperson of the Committee on Education, Arts and Culture of the Senate,
11 member;
12 (d) The Chairperson of the Committee on Higher and Technical Education of the House of
13 Representatives, member;
14 (e) The Regional Director of the National Economic and Development Authority (NEDA),
15 member;
16 (f) The Regional Director of the Department of Agriculture (DA), member;
17 (g) The President of the federation of faculty associations of the University, member;
18 (h) The President of the federation of student councils of the University, member;
19 (i) The President of the federation of alumni associations of the University, member;
20 (j) Two (2) prominent citizens from the private sector who have distinguished themselves in
21 their profession or fields of specialization, members.

22 The Board shall appoint the two (2) prominent citizens from among a list of at least five
23 (5) qualified persons in the Province of Negros Occidental, as recommended by the search
24 committee constituted by the University President, in consultation with the Chairperson of the
25 CHED and the other members of the Board, based on the normal standards and qualifications
26 for the position set by the Board.

27 The President of the federation of faculty associations, the President of the federation of
28 student councils and the President of the federation of alumni associations shall serve in the
29 Board only for the duration of their terms of office, as set forth in their respective constitutions
30 and bylaws.

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

33
34 **SECTION 6. *Promulgation and Implementation of Policies.*** – The Board shall
35 promulgate and implement policies in accordance with the declared State policies on education
36 and other pertinent provisions of the Philippine Constitution on education, agriculture, science
37 and technology, as well as the policies, standards and thrusts of the CHED under Republic Act
38 No. 7722, otherwise known as the "Higher Education Act of 1994".

39
40 **SECTION 7. *Powers and Duties of the Board of Regents.*** – The Board shall have the
41 following specific powers and duties, in addition to its general powers of administration and the
42 exercise of all the powers granted to the board of directors of a corporation under existing laws:

1 (a) To promulgate rules and regulations not contrary to law as may be necessary to carry
2 out the purposes and functions of the University;

3 (b) To receive and appropriate all sums as may be provided for the support of the University
4 in the manner it may determine in its discretion, in order to carry out the purposes and functions
5 of the University;

6 (c) To import economic, technical and cultural books and/or publications;

7 (d) To receive in trust legacies, gifts and donations of real and personal properties of all
8 kinds and to administer and dispose of the same when necessary for the benefit of the
9 University, and subject to the limitations, directions and instructions of the donor, if any;

10 (e) To fix the tuition fees and other necessary school charges such as, but not limited to,
11 matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to
12 impose, after due consultations with the involved sectors.

13 Such fees and charges, including government subsidies and other income generated by
14 the University, shall constitute special trust funds and shall be deposited in any authorized
15 government depository bank, and all interests that shall accrue therefrom shall form part of the
16 same funds for the use of the University.

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

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

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

30 (g) To authorize the construction or repair of its buildings, machinery, equipment and other
31 facilities, and the purchase and acquisition of real property, including necessary supplies,
32 materials and equipment;

33 (h) To appoint upon recommendation of the President of the University, Vice Presidents,
34 deans, directors, heads of departments/heads of campuses, faculty members, and other
35 officials and employees of the University;

36 (i) To fix and adjust salaries of faculty members and administrative officials and employees,
37 subject to the provisions of the Revised Compensation and Position Classification System as
38 modified by Joint Resolution No. 4 dated June 17, 2009 and by such other law amendatory
39 thereto which may hereinafter be enacted, and other pertinent budget and compensation laws
40 governing hours of service and such other duties and conditions as it may deem proper; to grant
41 them, at its discretion, leaves of absence under such regulations as it may promulgate, any

- 1 provision of existing law to the contrary notwithstanding; and to remove them for cause in
2 accordance with the requirements of due process of law;
- 3 (j) To approve the curricula, instructional programs and rules of discipline drawn by the
4 Administrative and Academic Councils herein provided;
- 5 (k) To set policies on admission and graduation of students;
- 6 (l) To award honorary degrees upon persons in recognition of their outstanding contribution
7 in the fields of education, public service, arts, science and technology, agriculture or in any field
8 of specialization within the academic competence of the University; and to authorize the
9 awarding of certificates of completion of nondegree and nontraditional courses;
- 10 (m) To establish and absorb nonchartered tertiary institutions within the Province of Negros
11 Occidental as branches and centers, in coordination with the CHED and in consultation with the
12 Department of Budget and Management (DBM), and to offer therein programs or courses to
13 promote and carry out equal access to educational opportunities as mandated by the
14 Constitution;
- 15 (n) To establish research and extension centers of the University where such will promote
16 the development of the latter;
- 17 (o) To establish professional chairs in the University and to provide fellowships for qualified
18 faculty members and scholarships to deserving students;
- 19 (p) To delegate any of its powers and duties provided for hereinabove to the President
20 and/or other officials of the University as it may deem appropriate, so as to expedite the
21 administration of the affairs of the University;
- 22 (q) To authorize an external management audit of the University, subject to the rules and
23 regulations of the Commission on Audit (COA); and to institute reforms, including academic and
24 structural changes, on the basis of the audit results and recommendations;
- 25 (r) To collaborate with other governing boards of the state colleges and universities within
26 the Province of Negros Occidental or Region VI, under the supervision of the CHED, and work
27 towards the restructuring of the University to become more efficient, relevant, productive and
28 competitive, in consultation with the DBM;
- 29 (s) To enter into joint ventures with business and industry for the profitable development
30 and management of the economic assets of the University, the proceeds from which shall be
31 used for the development and strengthening of the University;
- 32 (t) To develop consortia and other economic forms of linkages with local government units
33 (LGUs), institutions and agencies, both public and private, local and foreign, in the furtherance
34 of the purposes and objectives of the University;
- 35 (u) To develop academic arrangements for institutional capability building with appropriate
36 institutions and agencies, public and private, local and foreign, and to appoint
37 experts/specialists as consultants, part-time or visiting or exchange professors, scholars or
38 researchers, as the case may be;
- 39 (v) To set up the adoption of modern and innovative modes of transmitting knowledge such
40 as the use of information technology, the dual learning system, open learning or distance
41 education and community laboratory for the promotion of greater access to education;

1 (w) To establish policy guidelines and procedures for participative decision-making and
2 transparency within the University;

3 (x) To privatize, where most advantageous to the University, the management of
4 nonacademic services such as health, food, building or grounds or property maintenance and
5 such other similar activities; and

6 (y) To extend the term of the President of the University beyond the age of retirement but
7 not beyond the age of seventy (70), whose performance has been unanimously rated by the
8 Board as outstanding, based on the guidelines, qualifications and/or standards set by the Board,
9 after unanimous recommendation by the search committee.

10
11 **SECTION 8. Meetings of the Board.** – the Board shall regularly convene at least once
12 every quarter. However, the Chairperson of the Board may, upon three (3) days' prior written
13 notice, call a maximum of two (2) special meetings whenever necessary.

14 A quorum of the Board shall consist of majority of all its members holding office at the time of
15 the meeting. *Provided, however,* That the Chairperson of the Board or the President of the
16 University is among those present in the meeting.

17 In the absence of the Chairperson of the CHED, a Commissioner of the CHED, duly
18 designated by him/her, shall represent him/her in the meeting with all the rights and
19 responsibilities of a regular member: *Provided, however,* That during this meeting, the
20 President of the University as Vice Chairperson shall be the Presiding Officer: *Provided, further,*
21 That this *proviso* notwithstanding, the Chairperson of the CHED is hereby authorized to
22 designate a CHED Commissioner as the regular Chair of the Board, in which case said CHED
23 Commissioner shall act as the Presiding Officer.

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

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

32
33 **SECTION 9. The University President.** – The University shall be headed by a
34 President, who shall render full-time service. He/She shall be appointed by the Board, subject
35 to the guidelines, qualifications and/or standards set by the Board, upon recommendation of a
36 duly constituted search committee. He/She shall have a term of four (4) years and shall be
37 eligible for reappointment for another term: *Provided,* That in order to effect a smooth transition
38 to a state university, the incumbent President of the Negros State College of Agriculture, if
39 qualified, shall serve as the first President of the University.

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

1 In case of vacancy in the Office of the President by reason of death, compulsory
2 retirement, resignation, removal for cause or incapacity of the President to perform the functions
3 of his/her office, the Board shall designate an Officer-in-Charge of the University within six (6)
4 months from date of vacancy, pending the appointment of a new President.

5 In case of vacancy in the Office of the President as mentioned in the immediately
6 preceding paragraph, his/her successor or the Officer-in-Charge shall serve only the unexpired
7 portion of the term.

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

11 The salary of the President of the University shall be in accordance with the Revised
12 Compensation and Position Classification System as modified by Joint Resolution No. 4 dated
13 June 17, 2009 and by such other law amendatory thereto which may hereinafter be enacted and
14 shall be comparable to that being received by the Presidents of similar educational institutions.

15 The President of the University shall be assisted by a Vice President for Academic Affairs and a
16 Vice President for Administration, who shall be appointed by the Board upon recommendation
17 of the President.

18
19 **SECTION 10. *Heads of University Campuses.*** – Each extension campus in the
20 municipalities of Hinobaan, Cauayan, Ilog, Candoni, Moises Padilla, Hinigaran, and in the cities
21 of San Carlos, Sipalay, Himamaylan and Victorias shall be referred to as the University
22 Campus.

23 A Campus Administrator shall head each University Campus and he/she shall render
24 full-time service. He/She shall be appointed by the Board upon recommendation of the search
25 committee and the President of the University, subject to the guidelines, qualifications and/or
26 standards set by the Board: *Provided*, That the incumbent College Administrator of an
27 extension campus shall serve as its Campus Administrator.

28
29 **SECTION 11. *The Administrative Council.*** – There shall be an Administrative Council
30 consisting of the President of the University as Chairperson, Vice Presidents, deans, directors,
31 campus administrators and other officials of equal rank as members, whose duty is to review
32 and recommend to the Board the policies governing the administration, management and
33 development planning of the University.

34
35 **SECTION 12. *The Academic Council.*** – There shall be an Academic Council to be
36 composed of the President of the University, who shall act as Chairperson and all academic
37 staff with the rank of at least an assistant professor, as members.

38 The Academic Council shall have the power to review and recommend the curricular offerings
39 and rules of discipline of the University, subject to the approval of the Board. It shall fix the
40 requirements for the admission of students, as well as for their graduation and conferment of
41 degrees, subject to review and/or approval by the Board through the President of the University.

1 It shall have the disciplinary power over students of the University and shall formulate academic
2 policies and rules and regulations on discipline, subject to the approval of the Board.
3

4 **SECTION 13. *The Secretary of the University.*** – The Board shall appoint a secretary,
5 who shall serve as such for both the Board and the University and shall keep all records and
6 proceedings of the Board. He/She shall serve upon each member of the Board the appropriate
7 notice of the Board meetings.
8

9 **SECTION 14. *The Treasurer of the University.*** – The Treasurer of the Philippines
10 shall be the *ex officio* treasurer of the University.
11

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

19 **SECTION 16. *Scholarship Program/Admission.*** – The University shall provide a
20 scholarship program and other affirmative action programs to assist poor but deserving students
21 who qualify for admission to the University.
22 No student shall be denied admission to the University by reason of gender, religion, cultural or
23 community affiliation or ethnic origin.
24

25 **SECTION 17. *Academic Freedom and Institutional Autonomy.*** – The University shall
26 enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of
27 Article XIV of the Constitution of the Republic of the Philippines.
28

29 **SECTION 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and***
30 ***Detail of Personnel.*** – The heads of the bureaus and offices of the national government are
31 hereby authorized to loan or transfer, upon the request of the President of the University, such
32 apparatus, equipment or supplies as may be needed by the University, and to detail employees
33 for duty therein when, in the judgment of the head of bureau or office, such apparatus,
34 equipment, supplies or services of such employees can be spared without serious detriment to
35 public service.

36 The employees so detailed shall perform such duties as required of them by the
37 President of the University, and the time so employed shall be counted as part of their regular
38 services.
39

40 **SECTION 19. *Assets, Liabilities and Personnel.*** – All assets, real and personal,
41 personnel and records of the Negros State College of Agriculture, as well as liabilities or
42 obligations, are hereby transferred to the University. The positions, rights and security of tenure

1 of faculty members and personnel therein employed under existing laws prior to the conversion
2 into a University shall be respected.

3 All parcels of land belonging to the government and occupied by the Negros State
4 College of Agriculture, are hereby declared to be property of the University, and shall be titled
5 under that name: *Provided*, That should the University cease to exist or be abolished or should
6 such parcels of land aforementioned be no longer needed by the University, the same shall
7 revert to the LGUs concerned.

8
9 **SECTION 20. *Tax Exemption on Importation and Donations.*** – The importation of
10 economic, technical and cultural books and/or publications, which are for economic, technical-
11 vocational, scientific, philosophical, historical or cultural purposes made by the Central
12 Philippines State University, upon certification by the CHED, shall be exempt from customs
13 duties in accordance with the provisions of the Tariff and Customs Code of the Philippines, as
14 amended.

15 All donations of any form to the Central Philippines State University shall be exempt from
16 the donor's tax and the same shall be considered as allowable deduction from the gross income
17 in the computation of the income tax of the donor, in accordance with the provisions of the
18 National Internal Revenue Code of 1997, as amended.

19
20 **SECTION 21. *Appropriations.*** – The amount necessary to carry out the provisions of
21 this Act shall be charged against the current year's appropriations of the Negros State College
22 of Agriculture, except the sums needed to continue the operations of the existing high school.
23 Thereafter, such sums as may be necessary for the continued operation and maintenance of
24 the Central Philippines State University shall be included in the annual General Appropriations
25 Act.

26
27 **SECTION 22. *Development Plan, Management Audit,***
28 ***Organizational/Administrative/Academic Structure.*** – Within the period of one hundred
29 twenty (120) days after the approval of this Act, the University shall accomplish the following:
30 (a) Submit a five (5)-year development plan, including its corresponding program budget to
31 the CHED, for corresponding recommendation to the DBM;
32 (b) Undergo a management audit in cooperation with the CHED; and
33 (c) Accordingly set up its organizational, administrative, as well as academic structure,
34 including the appointment of the key officials of the University.

35
36 **SECTION 23. *Filing of Report.*** – On or before the fifteenth (15th) day of the second
37 (2nd) month after the opening of the regular classes each year, the Board shall file with the
38 Office of the President of the Philippines through the Chairperson of the CHED, and with both
39 Houses of Congress a detailed report on the progress, conditions and needs of the University.

1 **SECTION 24. *Suppletory Application.*** – The provisions of Republic Act No. 8292,
2 otherwise known as “Higher Education Modernization Act of 1997”, shall be an integral part of
3 this Act and shall serve as part of the Governing Charter of the University.
4

5 **SECTION 25. *Parity Clause.*** – All other powers, function and privileges, responsibilities
6 and limitations to state universities and/or their officials under existing laws shall be deemed
7 granted to or imposed upon the University and/or its officials whenever appropriate.
8

9 **SECTION 26. *Implementing Rules and Regulations.*** – The Board, in consultation with
10 the CHED, shall formulate the guidelines to fully implement the provisions of this Act.
11

12 **SECTION 27. *Separability Clause.*** – If, for any reason, any part or provision of this Act
13 is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby
14 shall remain in full force and effect.
15

16 **SECTION 28. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
17 rules and regulations contrary to or inconsistent with the provisions of this Act are hereby
18 repealed or modified accordingly.
19

20 **SECTION 29. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
21 publication in two (2) newspapers of general circulation.
22

23 Approved,