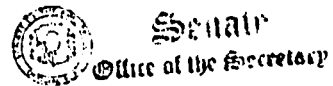


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

Senate Bill No. 1756

20 JUL 30 P1 :56

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO ^{REC:} 

**AN ACT
CONVERTING THE BICOL STATE COLLEGE OF APPLIED SCIENCES AND
TECHNOLOGY INTO A STATE UNIVERSITY TO BE KNOWN AS THE
PHILIPPINE UNIVERSITY OF SCIENCES AND TECHNOLOGY AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The 1987 Constitution, under Article XIV, Section 1 thereof provides: "The State shall protect the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all."

As one of the few State Universities and Colleges (SUCs) in the Bicol Region, Bicol State College of Applied Sciences and Technology (BISCAST) constantly strives to be the premier college for creative and innovative Applied Sciences and Technology. Established in 1911, it has survived 109 years as an academic institution which continuously serves underprivileged students with accessible quality education.

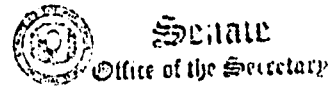
To produce more exemplary graduates who are globally competitive, ecologically sensitive and socially responsive to the needs of the community through quality Applied Science and Technology education, it is high time to invest in the further advancement and improvement of BISCAST by converting the college into a state university which shall be known as the Philippine University of Sciences and Technology.

With appropriate recognition, it will continue to grow, serve and pursue its goals and commitment not only to the people of Bicol but to all Filipinos.

In view of the foregoing, immediate approval of this measure is earnestly sought.


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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

1 Section 1. *Conversion.* – The Bicol State College of Applied Sciences and
2 Technology (BISCAST) in the City of Naga, Province of Camarines Sur is hereby
3 converted into a state university to be known as the Philippine University of Sciences
4 and Technology, hereinafter referred to as the "University."

5
6 Sec. 2. *Authority to establish satellite locations.* – The University, in accordance
7 with pertinent laws and rules, may establish satellite locations such as campuses,
8 branches, and extension class sites.

9
10 Sec. 3. *Purpose of the university.* – The University shall be an institution of
11 higher learning which leads in dynamic, unique, and distinct academic standards in
12 technology education, innovation, and discoveries through research, instruction,
13 advance graduate and professional education and training, and other related
14 undertakings higher than the minimum standards set by the Commission on Higher
15 Education.

16
17 Sec. 4. *General mandate.* – The University shall primarily provide advanced
18 education and higher technological, professional, technical, and vocational instruction

1 and training in the sciences, arts, education, entrepreneurship, engineering, and other
2 related courses. It shall also undertake research and extension services, and provide
3 progressive leadership in its areas of specification.

4
5 **Sec. 5. *Academic freedom and institutional autonomy.*** – The University shall
6 enjoy academic freedom and institutional autonomy, pursuant to the Constitution.

7
8 **Sec. 6. *Curricular offerings.*** – The University shall offer undergraduate and
9 graduate courses and studies in the fields of engineering, industrial technology, arts
10 and sciences, and architecture, as well as non-traditional courses and other degrees
11 and courses within the purview of its areas of specialization and in accordance with
12 its capabilities as the Board of Regents may deem necessary to carry out its objectives,
13 with particular emphasis on meeting the needs of the Province of Camarines Sur and
14 the Bicol Region.

15
16 The University may operate a laboratory school offering short-term courses.

17
18 **Sec. 7. *Administration.*** – The University shall have the general powers of a
19 corporation set forth in Batas Pambansa Blg. 68, otherwise known as the "Corporation
20 Code of the Philippines," as amended.

21
22 The administration of the University and the exercise of its corporate powers
23 shall be vested exclusively in the Board of Regents and the President of the University.

24
25 **Sec. 8. *Governing board.*** – The governing body of the University shall be the
26 Board of Regents, hereinafter referred to as the "Board," which shall be composed of
27 the following:

- 28
29 a. The Chairperson of the Commission on Higher Education (CHED) or his
30 designated person, as Chairperson;
31
32 b. The President of the University, as Vice Chairperson;

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- c. The Chairperson of the Committee on Higher, Technical and Vocational Education of the Senate or his nominee, as Member;
- d. The Chairperson of the Committee on Higher and Technical Education of the House of Representatives or his nominee, as Member;
- e. The Regional Director of the National Economic and Development Authority (NEDA) in Region V, as Member;
- f. The Regional Director of the Department of Science and Technology (DOST) in Region V, as Member;
- g. The President of the faculty association of the University, as Member;
- h. The President of the student council of the University, as Member;
- i. The President of the alumni association of the University, as Member; and
- j. Two (2) persons from the private sector who have distinguished themselves in their profession or fields of specialization of the University, as Members, who shall be appointed from a list of at least five (5) qualified persons in the Province of Camarines Sur as recommended by a search committee to be constituted by the University for such purpose.

The term of office of the Presidents of the University's faculty association, student council, and alumni association shall be coterminous with their respective terms of office, as set forth in their respective constitutions and by-laws. The two (2) Members from the private sector shall each serve a term of two (2) years from the date of appointment.

1 **Sec. 9. Powers and duties of the Board of Regents.** – In addition to its general
2 powers of administration and the powers granted to the Board of Directors of a
3 corporation under existing laws and rules, the Board of Regents shall have the
4 following specific powers and duties:

- 5
- 6 a. To promulgate and implement policies in accordance with the declared state
7 policies and the provisions of the Constitution on education, agriculture, science
8 and technology, as well as the policies and standards of the CHED under
9 Republic Act No. 7722, otherwise known as the "Higher Education Act;"
- 10
- 11 b. To promulgate rules and regulations not contrary to law as may be necessary
12 to carry out the purposes and functions of the University;
- 13
- 14 c. To receive and appropriate all sums as may be provided for the support of the
15 University in the manner it may determine in its discretion in order to carry out
16 the purposes and functions of the University;
- 17
- 18 d. To purchase, receive donations or grants of, or import economic, technical, and
19 cultural books and/or publications;
- 20
- 21 e. To receive in trust legacies, gifts, and donations of real and personal properties
22 of all kinds and to administer and dispose of the same when necessary for the
23 benefit of the University, subject to the lawful limitations, directions, and
24 instructions of the donor, if any;
- 25
- 26 f. Subject to the provisions of the Unified Student Financial Assistance System for
27 Tertiary Education (UniFAST) Law or any amendment thereto, to fix the tuition
28 fees and other necessary school charges, including but not limited to
29 matriculation fees, graduation fees, and laboratory fees as the Board may deem
30 proper to impose after due consultations with the involved sectors. Such fees
31 and charges, including government subsidies and other income generated by
32 the University, shall constitute a special trust fund and shall be deposited in

1 any authorized government depository bank; provided, that all interests that
2 shall accrue therefrom shall form part of funds for use of the University.

3
4 Any provision of existing laws, rules, and regulations to the contrary
5 notwithstanding, any income generated by the University from tuition fees and
6 other charges; sale of or royalty from any invention, patent, or utility model or
7 device; operation of auxiliary services; and land grants shall be retained by the
8 University and may be disbursed by the Board for instruction, research,
9 extension, or other programs of and consistent with the functions of the
10 University, including acquisition of lands or property for its expansion. All
11 fiduciary fees shall be disbursed for the specific purpose for which these are
12 collected to the exclusion of all other purposes.

13
14 If for reason beyond its control the University shall not be able to pursue any
15 project for which funds have been appropriated and allocated under its
16 approved program of expenditures, the Board may authorize the use of such
17 appropriated and allocated funds for any reasonable purpose which in its
18 discretion may be necessary and urgent for the attainment of the objectives
19 and goals of the University;

20
21 g. To adopt and implement a socialized scheme of tuition and school fees to effect
22 greater accessibility of the University's services and functions to financially
23 incapable but deserving students, in accordance with the provisions of Republic
24 Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary
25 Education Act;"

26
27 h. To authorize the construction or repair of the University's buildings, machinery,
28 equipment, and other facilities and the purchase and acquisition of real and
29 personal properties, including necessary supplies, materials, and equipment,
30 consistent with the functions of the University;

31

- 1 i. To appoint, upon recommendation of the President of the University, Vice
2 Presidents, deans, directors, heads of department, faculty members, and other
3 officials and employees of the University;
4
- 5 j. To fix and adjust salaries of faculty members and administrative officials and
6 employees, subject to the provisions of the Revised Compensation and Position
7 Classification System and other pertinent budget and compensation laws
8 governing hours of service and such other duties and conditions as it may deem
9 proper; to grant them, at its discretion, leaves of absence under such
10 regulations as it may promulgate, any provision of existing laws to the contrary
11 notwithstanding; and to remove them for cause in accordance with the
12 requirements of due process;
13
- 14 k. To approve the curricula, instructional programs, and rules of discipline drawn
15 by Administrative and Academic Councils as herein provided;
16
- 17 l. To set policies on admission and graduation of students;
18
- 19 m. To award honorary degrees upon persons in recognition of their outstanding
20 contribution in the fields of agriculture, public service, arts, science, technology,
21 education, or in any other field of specialization within the academic
22 competence of the University; and to authorize the awarding of certificates of
23 completion of non-degree and non-traditional courses;
24
- 25 n. To establish and absorb and fund non-chartered tertiary institutions within the
26 Province of Camarines Sur as branches and centers, in coordination with the
27 CHED and in consultation with the Department of Budget and Management
28 (DBM);
29
- 30 o. To establish and fund research and extension centers of the University where
31 such will promote the development of the University;
32

- 1 p. To establish professorial chairs in the University and to provide fellowships for
2 qualified faculty members and scholarships to deserving students;
3
- 4 q. To delegate, under such restrictions or standards as it may provide, any of its
5 powers and duties to the President, Officer-in-Charge, or any other official of
6 the University as it may deem appropriate for purposes of effecting an efficient
7 administration of the affairs of the University;
8
- 9 r. To authorize an external management audit of the University to be financed by
10 the CHED and subject to rules and regulations of the Commission on Audit
11 (CoA) and to institute reforms, including but not limited to academic and
12 structural changes, on the basis of the audit results and recommendations, if
13 any;
14
- 15 s. To collaborate with other governing boards of state universities and colleges
16 within the Province of Camarines Sur or the Bicol Region, under the supervision
17 of CHED and in consultation with DBM, and work toward the restructuring of
18 the University to become more efficient, relevant, productive, and competitive;
19
- 20 t. To enter into joint ventures with business and industry for the profitable
21 development and management of the economic assets of the University, the
22 proceeds from which shall be used for the development and strengthening of
23 the University;
24
- 25 u. To develop consortia and other forms of linkages with local government units
26 (LGUs), institutions and agencies, public and private, local and foreign, in
27 furtherance of and consistent with the purposes and objectives of the
28 University;
29
- 30 v. To develop academic arrangements for institutional capability building with
31 appropriate institutions and agencies, public and private, local and foreign, in

1 furtherance of and consistent with the purposes and objectives of the
2 University;

3
4 w. To set up the adoption of modern and innovative modes of transmitting
5 knowledge such as the use of information technology, the dual learning system,
6 open distance learning, and community laboratory for the promotion of greater
7 access to quality education;

8
9 x. To establish policy guidelines and procedures for participative decision-making
10 and transparency within the University;

11
12 y. To privatize, where most advantageous to the University, the management of
13 non-academic services such as health, food, building, ground, or property
14 maintenance and such other similar activities; and

15
16 z. To extend the term of the President of the University beyond the age of
17 mandatory civil service retirement but in no case beyond the age of seventy
18 (70) years whose performance has been rated by the majority of the Board as
19 outstanding based on guidelines, qualifications, and standards set by it.

20
21 **Sec. 10. *Meetings of the Board.*** – The Board shall regularly convene once every
22 three (3) months. Whenever necessary, the Chairperson of the Board may, upon three
23 (3) days prior written notice, call a maximum of two (2) special meetings within the
24 same period.

25
26 A quorum of the Board shall consist of a majority of all its members holding
27 office at the time of the meeting; *provided*, however, that for quorum to exist, the
28 Chairperson or the Vice Chairperson must be present at the meeting.

29
30 In case the Chairperson of the CHED cannot attend a meeting of the Board, he
31 may be represented by a commissioner of the CHED. If the Chairperson of the CHED
32 is represented by a commissioner who is designated by such Chairperson as his regular

1 representative to the University's Board and is recognized as such by the Board, such
2 commissioner shall have all the rights and responsibilities of the Chairperson of the
3 CHED as Chairperson of the University's Board and shall preside over the meeting. If
4 the Chairperson of the CHED is represented by a commissioner who is not designated
5 by such Chairperson as his regular representative to the University's Board, such
6 commissioner shall have all the rights and responsibilities of a Member of the Board
7 and the Vice Chairperson of the Board shall preside over the meeting.

8
9 In case the Chairpersons of the Committee on Higher, Technical and Vocational
10 Education of the Senate or the Committee on Higher and Technical Education of the
11 House of Representatives cannot attend a meeting, they may be represented by their
12 respective representatives to attend such meeting. In such case, the representatives
13 shall have all the rights and responsibilities as a regular Member of the Board in
14 accordance with their agency.

15
16 The Members of the Board shall not receive any salary but shall be entitled to
17 reimbursements for actual and necessary expenses incurred in the performance of
18 their official functions with respect to the University or in connection to official
19 business authorized by resolution of the Board, subject to existing laws, rules, and
20 regulations.

21
22 *Sec. 11. The University President.* – The University shall be headed by a
23 President, who shall render full-time service and who shall be appointed by the Board,
24 subject to guidelines, qualifications, and standards set by the Board and upon the
25 recommendation of a search committee constituted for the purpose.

26
27 The University President shall have a term of four (4) years and shall be eligible
28 for reappointment once.

29
30 For purposes of this Act, in order to facilitate the smooth transition of the
31 BISCAS into a state university, the incumbent President of BISCAS shall serve as

1 the first President of the University for a transition term of two (2) years, subject to
2 reappointment for one (1) full term only.

3
4 Within five (5) months before the expiration of the term of office of the
5 President of the University, the Board shall constitute a Search Committee for the
6 Presidency.

7
8 In case of vacancy in the Office of the President due to death, compulsory
9 retirement, resignation, removal for cause, or incapacity of the President to perform
10 the functions of his office, the Board shall constitute an SCP. In the meantime and
11 until such time as a President shall have been chosen and qualified, the Board shall
12 designate an Officer-in-Charge of the University, who shall hold office for the
13 unexpired portion of the term of the replaced President.

14
15 The powers and duties of the President of the University are those specifically
16 provided in this Act and in other laws, rules, and regulations. In addition, the Board
17 may delegate any of its delegable functions and powers to the President in accordance
18 with pertinent laws and rules.

19
20 The salary of the President of the University shall be in accordance with the
21 Revised Compensation and Position Classification System and shall be comparable to
22 that being received by those serving in similar capacities with similar qualifications.

23
24 The President of the University shall be assisted by a Vice President for
25 Academic Affairs and a Vice President for Administration, who shall be coterminous
26 with the President and who shall be appointed by the Board upon the recommendation
27 of the President of the University. The Vice Presidents for Academic Affairs and for
28 Administration shall be eligible for reappointment once.

29
30 *Sec. 12. The Secretary of the University.* – The Board shall appoint a Secretary,
31 who shall serve as such for both the Board and the University and shall keep all records
32 and proceedings of the Board. The Secretary of the University shall serve upon each

1 member of the Board the appropriate notice of the Board meetings, in accordance
2 with prevailing laws and rules.

3
4 **Sec. 13. *The Treasurer of the University.*** – The Treasurer of the Philippines
5 shall be the *ex officio* treasurer of the University.

6
7 **Sec. 14. *The Administrative Council.*** – There shall be established an
8 Administrative Council who shall formulate, review, and implement policies governing
9 the administration, management, and development of the University, subject to the
10 approval of the Board.

11
12 The Administrative Council shall be composed of the President of the University
13 as Council Chairperson and the deans, directors, and other officials of similar rank
14 holding key leadership positions in the University as council members.

15
16 **Sec. 15. *The Academic Council.*** – There shall be established an Academic
17 Council who shall have the power to formulate, review, and implement the curricular
18 offerings and rules of discipline of the University, subject to approval of the Board.
19 The Academic Council shall likewise fix the requirements for the admission of students,
20 as well as for their graduation and conferment of degrees, subject to review and/or
21 approval by the Board. It shall also have the disciplinary power over students of the
22 University and shall formulate academic policies and rules and regulations on
23 discipline, subject to the approval of the Board.

24
25 The Academic Council shall be composed of the President of the University as
26 Council Chairperson and all the academic staff with the rank of at least Assistant
27 Professor as council members.

28
29 **Sec. 16. *The Faculty.*** – The University shall appoint such faculty members in
30 accordance with and consistent with the academic policies and requirements of the
31 University, subject to guidelines, qualifications, and standards set by the Board. No
32 political belief, gender preference, cultural or community affiliation, ethnic origin,

1 religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty
2 members of the University.

3
4 **Sec. 17. *Scholarships and Admissions.*** – The University shall provide a
5 scholarship program and such other programs to assist financially incapable but
6 deserving students who have qualified for admission to the University.

7
8 No student shall be denied admission to the University by reason of gender,
9 religion, cultural or community affiliation, ethnic origin, or any other standard where
10 such denial will constitute an undue violation of Constitutional rights of such students.

11
12 **Sec. 18. *Authority to loan or transfer apparatus, equipment, supplies, and detail***
13 ***of personnel.*** – The heads of the bureaus and offices of the National Government and
14 the LGUs are hereby authorized to loan or transfer, upon the request of the President
15 of the University, such apparatus, equipment, or supplies as may be needed by the
16 University, and to detail employees for duty in or for the University when, in the sound
17 judgment of the head of the bureau or office, such apparatus, equipment, supplies,
18 or services can be spared without serious detriment to public service.

19
20 The employees so detailed shall perform such duties as are required of them
21 by the President of the University, and the time spent so performing shall be counted
22 as part of their regular services.

23
24 **Sec. 19. *Assets, liabilities, and personnel.*** – All assets, real and personal,
25 personnel, and records of the BISCASST, as well as liabilities or obligations, are hereby
26 transferred to the Philippine University of Sciences and Technology. The positions,
27 rights, and security of tenure of faculty members and personnel therein employed
28 under existing laws prior to the conversion into a state university shall be respected.

29
30 Specific parcels of land belonging to the provincial government of Camarines
31 Sur and occupied by the BISCASST are hereby declared to be property in usufruct to
32 the University; *provided*, that should the University cease to exist or should such

1 parcels of land be no longer needed by the University, the same shall ipso facto revert
2 to the provincial government of Camarines Sur.

3
4 The University shall be authorized to purchase any land or property or any part
5 thereof in the attainment of and consistent with the functions and goals of the
6 University.

7
8 **Sec. 20. *Tax exemption on importation and donations.*** – The importation of
9 economic, financial, technical, vocational, scientific, philosophical, historical, or
10 cultural purposes made by the University upon certification by the CHED shall be
11 exempt from customs duties in accordance with the provisions of Republic Act No.
12 10863, otherwise known as the “Customs Modernization and Tariff Act.”

13
14 All grants, bequests, endowments, donations, and contributions made to the
15 University which are actually, directly, and exclusively used by the University in
16 accordance with and consistent with its functions and objectives shall be exempt from
17 donor’s tax and the same shall be allowed as an allowable deduction from the gross
18 income of the donor for purposes of computing the taxable income of the donor,
19 subject to pertinent laws and rules on taxation.

20
21 **Sec. 21. *Appropriations.*** – The amount necessary to carry out the provisions of
22 this Act shall be charged against the current year’s appropriations for the BISCASST.
23 Thereafter, such sums as may be necessary for the continued operation and
24 maintenance of the University shall be included in the annual General Appropriations
25 Act.

26
27 **Sec. 22. *Development plan, management audit, organizational, administrative,***
28 ***and academic structure.*** – Within the period of one hundred twenty (120) days after
29 effectivity of this Act, the University shall accomplish the following:

- 30
31 a. Submit a five (5) year development plan, including its corresponding program
32 budget to the CHED, for corresponding recommendation to the DBM;

1
2 b. Undergo a management audit in cooperation with the CHED; and

3
4 c. Set up its organizational, administrative, and academic structure, including the
5 appointment of key officials of the University.
6

7 **Sec. 23. *Compliance with CHED requirements for grant of state university***
8 ***status.*** – The provisions of this Act notwithstanding, the conversion of the institution
9 into a state university shall become effective only upon the determination and
10 declaration by the CHED, based on the recommendation of a panel of experts it shall
11 constitute for the purpose, that the institution has complied with the requirements for
12 the grant of university status.
13

14 For this purpose, the CHED shall provide technical assistance to the institution
15 and monitor compliance with the requirements of the Commission.
16

17 The CHED shall designate a panel of experts who shall prepare a
18 recommendation to the Chairperson of the CHED on whether the institution has
19 substantially complied with the requirements for the grant of university status.
20

21 The institution shall retain its status prior to the effectivity of this Act, unless in
22 the meantime it is able to comply with the requirements provided herein within a
23 period not exceeding January 1, 2022.
24

25 **Sec. 24. *Filing of report.*** – On or before the fifteenth (15th) day of the second
26 (2nd) month after the opening of the regular classes every year, the Board shall file
27 with the Office of the President of the Philippines, through the Chairperson of the
28 CHED, and with both Houses of Congress, a detailed report on the progress,
29 conditions, and needs of the University.
30

1 **Sec. 25. *Suppletory application.*** – The provisions of Republic Act No. 8292,
2 otherwise known as the “Higher Education Modernization Act,” shall be an integral
3 part of this Act and shall serve as part of the governing charter of the University.
4

5 **Sec. 26. *Parity clause.*** – All other powers, functions, privileges, responsibilities,
6 and limitations to state universities and/or their officials under existing laws shall be
7 deemed granted to or imposed upon the University and/or its officials whenever
8 appropriate.
9

10 **Sec. 27. *Implementing rules and regulations.*** – Within sixty (60) days from the
11 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the
12 rules and regulations necessary to implement the provisions of this Act.
13

14 **Sec. 28. *Separability clause.*** – If for any reason any part or provision of this Act
15 is declared invalid or unconstitutional, the remaining parts or provisions not affected
16 thereby shall remain in full force and effect.
17

18 **Sec. 29. *Repealing clause.*** – All laws or parts of laws, presidential decrees,
19 executive orders, circulars, rules and regulations contrary to or inconsistent with the
20 provisions of this Act are hereby repealed or amended accordingly.
21

22 **Sec. 30. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
23 publication in the Official Gazette or in a newspaper of general circulation.

Approved,