

Republic of the Philippines
HOUSE OF REPRESENTATIVES
 Quezon City, Metro Manila

EIGHTEENTH CONGRESS
 Second Regular Session

House Bill No. 7019
(In Substitution of HB No. 3194)

Introduced by REPRESENTATIVES ADOLPH EDWARD G. PLAZA, MARK O. GO, ERIC GO YAP and JOEY SARTE SALCEDA

AN ACT

CONVERTING THE AGUSAN DEL SUR STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY (ASSCAT) IN THE MUNICIPALITY OF BUNAWAN, PROVINCE OF AGUSAN DEL SUR INTO A STATE UNIVERSITY, INTEGRATING THEREWITH THE SATELLITE CAMPUS IN THE MUNICIPALITY OF TRENTO, PROVINCE OF AGUSAN DEL SUR, TO BE KNOWN AS THE AGUSAN DEL SUR STATE UNIVERSITY (ADSSU), AND APPROPRIATING FUNDS THEREFOR

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

2 **SECTION 1. Conversion.** - The Agusan del Sur State College of Agriculture and
 3 Technology (ASSCAT) in the Municipality of Bunawan, Province of Agusan del Sur,
 4 including its existing satellite campus in the Municipality of Trento, Province of Agusan del
 5 Sur, is hereby converted into a state university to be known as the Agusan del Sur State
 6 University (ADSSU), and hereinafter referred to as the University. Its main campus shall be
 7 in the Municipality of Bunawan.

8
 9 **SEC. 2. General Mandate.** - The University shall primarily provide advance
 10 education, higher technological, professional and advance instruction in the fields of
 11 agriculture, agribusiness management, science and technology, education, forestry,
 12 engineering, arts and sciences, nontraditional courses, and other relevant fields of study. It
 13 shall also undertake research, extension services, and production activities in support of the
 14 development of the Province of Agusan del Sur and provide progressive leadership in its
 15 areas of specialization.

16
 17 **SEC. 3. Curricular Offerings.** - The University shall offer short-term technical-
 18 vocational courses, undergraduate and graduate programs within its areas of competency and
 19 specialization in the fields of agriculture, agribusiness management, science and technology,
 20 education, forestry, engineering, arts and sciences, and other courses, as the Board of Regents
 21 may deem necessary to carry out its objectives, and those which respond to the human
 22 resource development needs of the Province of Agusan del Sur and the CARAGA Region.

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

26
 27 **SEC. 4. Administration.** - The University shall have the general powers of a
 28 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the
 29 "Corporation Code of the Philippines." The administration of the University and the exercise

1 of its corporate powers shall be vested exclusively in the Board of Regents and the President
2 of the University.

3
4 **SEC. 5. *The Governing Board.*** - The governing board of the University shall be the
5 Board of Regents, hereinafter referred to as the Board, which shall be chaired and co-chaired
6 by the Chairperson of the Commission on Higher Education (CHED) and the President of the
7 University, respectively, with the following as members:

- 8
9 a. Chairperson of the Committee on Higher and Technical and Vocational Education
10 of the Senate;
11 b. Chairperson of the Committee on Higher and Technical Education of the House of
12 Representatives;
13 c. Regional Director of the National Economic and Development Authority
14 (NEDA);
15 d. Regional Director of the Department of Agriculture (DA);
16 e. Regional Director of the Department of Science and Technology (DOST);
17 f. President of the federation of faculty associations of the University;
18 g. President of the federation of student councils of the University;
19 h. President of the federation of alumni associations of the University; and
20 i. Two (2) prominent citizens from the private sector who have distinguished
21 themselves in their professions or fields of specialization.
22

23 The Board shall appoint the two (2) prominent citizens who shall be selected from a
24 list of at least five (5) qualified persons in the Province of Agusan del Sur where the
25 University and its campuses are located, as recommended by the search committee constituted
26 by the University President, in consultation with the CHED Chairperson and the other
27 members of the Board, based on the standards and qualifications for the position set by the
28 Board. They shall serve for a term of two (2) years from the date of appointment.
29

30 Membership of the President of the federation of faculty associations, the President of
31 the federation of alumni associations, and the President of the federation of student councils
32 in the governing board, shall be coterminous with their terms of office, as provided under their
33 respective constitutions and bylaws.
34

35 **SEC. 6. *Powers and Duties of the Board.*** - In addition to its general powers of
36 administration and the powers granted to the Board of Directors of a corporation under
37 existing laws, the Board shall have the following specific powers and duties:
38

- 39 a. Promulgate and implement policies in accordance with the declared State policies
40 and the provisions of the Constitution on education, agriculture, science and
41 technology, as well as the policies, standards and thrusts of the CHED under
42 Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";
43
44 b. Approve the curricula, instructional programs, and rules of discipline drawn by
45 the Administrative and Academic Councils herein provided;
46
47 c. Appoint, upon the recommendation of the President of the University, the vice
48 presidents, deans, directors, heads of the campuses, faculty members and other
49 officials and employees of the University;
50
51 d. Fix and adjust the salaries of faculty members, administrative officials and
52 employees, subject to the provisions of the Revised Compensation and Position
53 Classification System and other pertinent budget and compensation
54 laws, including those governing the hours of service, and such other duties and
55 conditions as it may deem proper; grant them, at its discretion, leaves of absence

1 under such regulations as it may promulgate, any provision of existing law to the
2 contrary notwithstanding; and remove them for cause in accordance with the
3 requirements of due process of law;
4

- 5 e. Fix the tuition fees and other necessary school charges, such as matriculation
6 fees, graduation fees, and laboratory fees, as the Board may deem proper to
7 impose, after due consultation with the concerned sectors. The fees and charges,
8 including government subsidies and other income generated by the University,
9 shall constitute its special trust funds and shall be deposited in any authorized
10 government depository bank. All interests that shall accrue therefrom shall form
11 part of the same funds for the use of the University.
12

13 Any provision of existing laws, rules or regulations to the contrary
14 notwithstanding, any income generated by the University from tuition fees and
15 other charges, as well as from the operation of auxiliary services and land grants,
16 shall be retained by the University, and may be disbursed by the Board for
17 instruction, research, extension services or other programs and projects of the
18 University: *Provided*, That all fiduciary fees shall be disbursed for the specific
19 purposes for which these are collected: *Provided, however*, That if, for reasons
20 beyond its control, the University shall not be able to pursue any project for
21 which the funds have been appropriated and allocated under its approved program
22 of expenditures, the Board may authorize the use of the funds for any reasonable
23 purpose which, in its discretion, may be necessary and urgent for the attainment
24 of the objectives and goals of the University;
25

- 26 f. Adopt and implement a socialized scheme of tuition and other school fees for
27 greater access of poor but deserving students in accordance with RA No. 10931
28 or the “Universal Access to Quality Tertiary Education Act”;
29
- 30 g. Establish professorial chairs in the University and provide fellowships for
31 qualified faculty members, and scholarships to deserving students;
32
- 33 h. Receive and appropriate all sums as may be provided for the support of the
34 University in the manner it may determine, in its discretion, in order to carry out
35 the purposes and functions of the University;
36
- 37 i. Set the policies on admission and graduation of students;
38
- 39 j. Award honorary degrees upon persons in recognition of their outstanding
40 contribution in the fields of education, public service, arts, science and
41 technology, agriculture or any field of specialization within the academic
42 competence of the University, and authorize the awarding of certificates of
43 completion of nondegree and nontraditional courses;
44
- 45 k. Establish research and extension centers to promote the development of the
46 University;
47
- 48 l. Develop academic arrangements for institutional capability building with
49 appropriate partners whether public, private, local or foreign institutions and
50 agencies, and appoint experts/specialists as consultants, part-
51 time/visiting/exchange professors, scholars or researchers, as the case may be;
52
- 53 m. Adopt modern and innovative modes of transmitting knowledge for the
54 promotion of greater access to education such as the use of information

1 technology, dual training system, open distance learning, and community
2 laboratory;

- 3
- 4 n. Collaborate with the governing boards of state universities and colleges (SUCs)
5 within the Provinces of Agusan del Sur and CARAGA Region, under the
6 supervision of the CHED and in consultation with the Department of Budget and
7 Management (DBM), in restructuring the University to make it more efficient,
8 relevant, productive and competitive;
- 9
- 10 o. Absorb non-chartered tertiary institutions within the Province of Agusan del Sur
11 and CARAGA Region, as branches and extension/external centers, in
12 coordination with the CHED, and in consultation with the DBM, and offer therein
13 programs or courses to promote and carry out equal access to educational
14 opportunities, as mandated by the Constitution;
- 15
- 16 p. Authorize an external management audit of the University, to be financed by the
17 CHED, subject to the rules and regulations of the Commission on Audit and
18 institute reforms, including academic and structural changes, on the basis of the
19 audit results and recommendations;
- 20
- 21 q. Develop consortia and other economic forms of linkages with local government
22 units (LGUs), public, private, local and foreign institutions and agencies, in the
23 furtherance of the purposes and objectives of the University;
- 24
- 25 r. Import economic, technical and cultural books and publications;
- 26
- 27 s. Enter into joint ventures with business and industry for the profitable
28 development and management of the economic assets of the University, the
29 proceeds from which, shall be used for the development and strengthening of the
30 University;
- 31
- 32 t. Receive, in trust, legacies, gifts and donations of real and personal properties of
33 all kinds and administer and dispose of the same, when necessary, for the benefit
34 of the University, and subject to the limitations, directions and instructions of the
35 donor, if any;
- 36
- 37 u. Authorize the construction or repair of its buildings, machinery, equipment and
38 other facilities, and the purchase and acquisition of real property, including the
39 necessary supplies, materials and equipment;
- 40
- 41 v. Extend the term of the President of the University beyond the age of retirement,
42 but not beyond the age of seventy (70), based on the guidelines, qualifications
43 and standards set by the Board: *Provided*, That the President's performance has
44 been rated by the Board as outstanding and unanimous recommendation has been
45 decided by the search committee;
- 46
- 47 w. Delegate any of its powers and duties provided to the President and other officials
48 of the University, as it may deem appropriate, so as to expedite the administration
49 of the affairs of the University;
- 50
- 51 x. Establish policy guidelines and procedures for participative decision-making and
52 transparency within the University;
- 53

- 1 y. Where most advantageous to the University, privatize the management of
2 nonacademic services such as health, food, building or grounds or property
3 maintenance, and such other similar activities; and
4
5 z. Promulgate rules and regulations, as may be necessary, to carry out the purposes
6 and functions of the University.
7

8 **SEC. 7. Meetings of the Board.** – The Board shall regularly convene once every
9 quarter. The Chairperson of the Board may, however, upon three (3) days’ prior written
10 notice, call a maximum of two (2) special meetings whenever necessary within the year.
11

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

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

24 In case the Chairpersons of the Senate Committee on Higher and Technical and
25 Vocational Education and the House Committee on Higher and Technical Education will not
26 be able to attend the Board meeting, they may designate their respective representatives to
27 attend the meeting, who shall have the same rights and responsibilities as the regular
28 members of the Board.
29

30 The members of the Board shall not receive any salary, but shall be entitled to
31 reimbursements for actual and necessary expenses incurred, either for their attendance to the
32 meetings of the Board or in connection with other official business authorized by resolutions
33 of the Board, subject to existing laws and regulations.
34

35 **SEC. 8. The University President.** - The University shall be headed by a President,
36 who shall render full-time service and be appointed by the Board, upon the recommendation
37 of a duly constituted search committee. The President shall have a term of four (4) years and
38 shall be eligible for reappointment to another term: *Provided,* That in order to effect the
39 smooth transition of the ASSCAT to a state university, the incumbent President of
40 the ASSCAT, if qualified, shall serve as the first President of the University.
41

42 Within six (6) months before the expiration of the term of office of the incumbent
43 President of the University, the Board shall constitute the Search Committee for the
44 Presidency.
45

46 The Board shall designate an Officer-in-Charge of the University in case of vacancy
47 in the Office of the President by reason of death, compulsory retirement, resignation, removal
48 for cause, or incapacity of the President to perform the functions of the office, pending the
49 appointment of a new President: *Provided,* That the Officer-in-Charge shall serve only
50 during the unexpired portion of the term.
51

52 The powers and duties of the President of the University, in addition to those
53 provided in this Act, shall be those usually pertaining to the Office of the President of similar
54 universities, and those delegated by the Board.
55

1 The salary of the President of the University shall be in accordance with Republic
2 Act No. 11466 or the “Salary Standardization Law of 2019”, and by such other laws
3 amendatory thereto, which may hereinafter be enacted, and shall be comparable to that being
4 received by the Presidents of similar educational institutions.
5

6 The President of the University shall be assisted by a Vice President for Academic
7 Affairs, a Vice President for Finance and Administration, and a Vice President for Research,
8 Extension and Training, who shall all be appointed by the Board upon recommendation of the
9 President of the University.
10

11 **SEC. 9. *The Secretary of the University.*** - The Board shall appoint a Secretary who
12 shall serve as such for both the Board and the University and shall keep all records and
13 proceedings of the Board in addition to other duties and responsibilities. The Secretary of the
14 University shall serve upon each member of the Board the appropriate notice of Board
15 meetings.
16

17 **SEC. 10. *The Treasurer of the University.*** - The Treasurer of the Philippines shall be
18 the *ex officio* treasurer of the University.
19

20 **SEC. 11. *Administrative Council.*** - There shall be an Administrative Council
21 consisting of the President of the University, as Chairperson, and the vice presidents, deans,
22 directors and other officials of equal rank, as members, whose duty is to review and
23 recommend to the Board such policies governing the administration, management, and
24 development planning of the University.
25

26 **SEC. 12. *The Academic Council.*** - There shall be an Academic Council to be
27 composed of the President of the University, who shall act as its Chairperson, and all
28 academic staff with the rank of at least an assistant professor, as members, which shall
29 formulate academic policies.
30

31 The Academic Council shall also have the power to review and recommend the
32 curricular offerings and rules of discipline of the University, subject to the approval of the
33 Board. It shall fix the requirements for the admission of students, as well as for their
34 graduation and conferment of degrees, subject to the review and approval of the Board
35 through the President of the University.
36

37 It shall have disciplinary power over the students of the University and shall issue
38 rules and regulations on student discipline, subject to the approval of the Board.
39

40 **SEC. 13. *Heads of University Campuses.*** - The Campus Directors shall serve as
41 heads or administrators of the University campuses and shall render full-time service.
42

43 They shall be appointed or designated by the Board, upon the recommendation of the
44 Search Committee and the President, subject to the guidelines, qualifications and standards
45 set by the Board: *Provided*, That, upon the effectivity of this Act, the incumbent Campus
46 Directors of the existing campuses of ASSCAT shall continue to serve as such.
47

48 **SEC. 14. *The Faculty.*** - No political belief, gender preference, cultural or
49 community affiliation, ethnic origin, nor religious opinion or affiliation shall be a matter of
50 inquiry in the appointment of faculty members of the University: *Provided*, That the
51 appointment shall be subject to the guidelines, qualifications and standards set by the Board:
52 *Provided, further*, That a member of the faculty shall not criticize, vouch for, recruit members
53 in behalf of, or preach about any particular church or religious sect.
54

1 **SEC. 15. Academic Freedom and Institutional Autonomy.** - The University shall
2 enjoy academic freedom and institutional autonomy, pursuant to Paragraph 2, Section 5 of
3 Article XIV of the 1987 Constitution.

4
5 **SEC.16. Scholarship Program/Admission.** - The University shall provide
6 scholarship and other affirmative action programs to assist poor but deserving students who
7 qualify for admission to the University.

8
9 No student shall be denied admission to the University by reason of sex, religion,
10 political, cultural or community affiliation, and ethnic origin.

11
12 **SEC. 17. Authority to Loan or Transfer Apparatus/Equipment/Supplies and Detail**
13 **of Personnel.** - The heads of the bureaus and offices of the national government are hereby
14 authorized to loan or transfer, upon the request of the President of the University, such
15 apparatus, equipment or supplies as may be needed by the University, and detail employees
16 for duty therein when, in the judgment of the head of bureau or office, such apparatus,
17 equipment, supplies or services of such employees can be spared without serious detriment to
18 public service. The employees so detailed shall perform such duties as required of them by
19 the President of the University and the time so employed shall be counted as part of their
20 regular service.

21
22 **SEC. 18. Assets, Liabilities and Personnel.** - All assets, real and personal, personnel
23 and records of the ASSCAT, as well as its liabilities or obligations, are hereby transferred to
24 the University: *Provided*, That the positions, rights and security of tenure of the faculty
25 members and personnel therein employed under existing laws prior to the conversion into a
26 University shall be respected: *Provided, further*, That the incumbents of the positions shall
27 remain in the same status until otherwise provided for by the Board: *Provided, finally*, That
28 the University shall also include an upgrade or increase in its human resource component as
29 may be deemed appropriate by the Governing Board.

30
31 All parcels of land belonging to the government occupied by the ASSCAT are hereby
32 declared to be property of the University, and shall be titled under its name: *Provided*, That
33 should the University cease to exist or be abolished or should such aforementioned parcels of
34 land be no longer needed by the University, the same shall revert to the concerned LGU or to
35 the Republic of the Philippines, as the case may be.

36
37 **SEC. 19. Tax Exemption.** - The importation of economic, technical and cultural
38 books and publications, which are for economic, technical-vocational, scientific,
39 philosophical, historical or cultural purposes made by the University, upon certification by
40 the CHED, shall be exempt from customs duties in accordance with the provisions of RA No.
41 10863, otherwise known as the “Customs Modernization and Tariff Act.”

42
43 All grants, bequests, endowments, donations and contributions made to the University
44 and used actually, directly, and exclusively by it, shall be exempt from the donor’s tax and the
45 same shall be considered as allowable deduction from the gross income in the computation of
46 the income tax of the donor, in accordance with the provisions of the National Internal
47 Revenue Code of 1997, as amended.

48
49 **SEC. 20. Compliance with CHED Requirements.** –The provisions of this Act
50 notwithstanding, the conversion of the institution into a state university shall become
51 effective only upon the determination and declaration by the CHED based on the
52 recommendation of a panel of experts it shall constitute for the purpose, that the institution
53 has complied with the requirements for a university status based on CHED Memorandum
54 Order No. 46, series of 2012 (Policy Standard to Enhance Quality Assurance) in Philippine
55 Higher Education through an Outcomes-Based and Typology-Based Quality Assurance):

1 *Provided*, That the panel may issue such recommendation when the institution has
2 substantially complied with the requirements for the grant of university status.

3
4 The following requirements for a university, as established by the CHED, shall be
5 complied with:

- 6
7 a. Faculty members must possess relevant degrees in their areas of specialization, as
8 required by the CHED, and shall have participated in research and development
9 activities in their respective disciplines, as evidenced by refereed publications and
10 other scholarly outputs;
- 11
12 b. The University must offer a comprehensive range of degree programs in all levels,
13 from basic post-secondary to doctoral programs;
- 14
15 c. The University shall have conducted viable research programs in specific
16 disciplinal and multidisciplinary areas of study, produce new knowledge, as
17 evidenced by refereed publications, citations, inventions, and patents, among
18 others;
- 19
20 d. The University shall possess comprehensive learning resources and support
21 structures (such as libraries, practicum laboratories, relevant educational resources,
22 and linkages with the relevant disciplinal and professional sectors) so as to allow
23 students to explore basic, advance, and even cuttingedge knowledge in a wide
24 range of disciplines or professions;
- 25
26 e. The University must maintain linkages with other research institutions in various
27 parts of the world to ensure that the research activities of the University are
28 functioning at current global standards; and
- 29
30 f. The University must conduct outreach activities to allow the students, faculty, and
31 research staff to apply the new knowledge they generate to address specific social
32 development problems.

33
34 The CHED, through its regional office, shall regularly provide technical assistance to
35 the institution and monitor its compliance with the requirements of the Commission.

36
37 The institution shall retain its status prior to the effectivity of this Act until it is able to
38 comply with the requirements provided herein.

39
40 **SEC. 21. *Development Plan, Management Audit,***
41 ***Organization/Administrative/Academic Structure.*** - Within a period of one hundred twenty
42 (120) days after the approval of this Act, the University shall accomplish the following:

- 43
44 a. Submit a five (5)-year development plan, including its program budget to the
45 CHED for corresponding recommendation to the DBM;
- 46
47 b. Undergo a management audit in cooperation with the CHED; and
- 48
49 c. Set up its organizational, administrative, and academic structure, including the
50 appointment of key officials of the University.

51
52 **SEC. 22. *Filing of Report.*** - On or before the fifteenth day of the second month after
53 opening of the regular classes each year, the Board shall file with the Office of the President
54 of the Philippines and both Houses of Congress, through the CHED Chairperson, a detailed
55 report on the progress, condition, and needs of the University.

1
2 **SEC. 23. *Supplementary Application.*** - The provisions of Republic Act No. 8292,
3 otherwise known as the "Higher Education Modernization Act of 1997", shall be an integral
4 part of this Act and shall serve as part of the governing charter of the University.
5

6 **SEC. 24. *Parity Clause.*** -All other powers, functions and privileges, responsibilities
7 and limitations to state universities and their officials under existing laws shall be deemed
8 granted to or imposed upon the University or its officials, whenever appropriate.
9

10 **SEC. 25. *Appropriations.*** - The amount necessary to carry out the initial
11 implementation of this Act shall be charged against the current year's appropriations of the
12 ASSCAT. Thereafter, such sums as may be necessary for the continued operation and
13 maintenance of the University shall be included in the annual General Appropriations Act.
14 The Municipality of Trento shall continue to provide the same funding to the ASSCAT
15 satellite campus corresponding to the funding given before the same is integrated into the
16 ADSSU until such time that the full funding requirement of the University is included in the
17 annual General Appropriations Act.
18

19 **SEC. 26. *Implementing Rules and Regulations.*** -Within sixty (60) days after the
20 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules and
21 regulations to fully implement the provisions of this Act.
22

23 **SEC. 27. *Separability Clause.*** - If, for any reason, any part or provision of this Act is
24 declared invalid or unconstitutional, the remaining parts or provisions not affected shall
25 remain in full force and effect.
26

27 **SEC. 28. *Repealing Clause.*** - All laws, presidential decrees, executive orders, and
28 rules and regulations contrary to or inconsistent with the provisions of this Act are repealed
29 or modified accordingly.
30

31 **SEC. 29. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
32 in the *Official Gazette* or in a newspaper of general circulation.
33

34 Approved,
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36
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38