

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

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 7030
(In Substitution of House Bill No. 2652)

Introduced by REPRESENTATIVES JOSEPH STO. NIÑO B. BERNOS, MARK O. GO,
ERIC GO YAP, and JOEY SARTE SALCEDA

AN ACT
CONVERTING THE ABRA STATE INSTITUTE OF SCIENCES AND TECHNOLOGY IN THE MUNICIPALITIES OF LAGANGILANG AND BANGUED, PROVINCE OF ABRA INTO A STATE UNIVERSITY, TO BE KNOWN AS THE UNIVERSITY OF ABRA, 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 Abra State Institute of Sciences and Technology
2 (ASIST) located in the Municipalities of Lagangilang and Bangued, Province of Abra, is
3 hereby converted into a state university, to be known as the University of Abra. Its main
4 campus shall be located in the Municipality of Lagangilang.

5
6 **SEC. 2. General Mandate.** – The University of Abra, hereinafter referred to as the
7 University, shall primarily provide advance education, higher technological and
8 professional instruction and training in the fields of education, agricultural technology,
9 agribusiness management, industrial technology, arts and sciences, forestry, health
10 sciences, information technology, and other relevant fields of study. It shall also undertake
11 research and extension services, and provide progressive leadership in its areas of
12 specialization in the Province of Abra and in the Cordillera Administrative Region (CAR).

13
14 **SEC. 3. Curricular Offerings.** – The University shall offer short-term technical
15 vocational, undergraduate, graduate, and post-graduate programs within its competency
16 and areas of specialization in the fields of agricultural technology, agribusiness
17 management, forestry, industrial technology, information technology, education, arts and
18 sciences, engineering, and other degree courses, as the Board of Regents may deem
19 necessary to carry out its objectives, and those which respond to meet the human resource
20 development needs of the Province of Abra and the CAR.

21
22 The existing reasonably-sized laboratory senior high school and elementary school
23 shall continue to operate under the supervision of the College of Education of the
24 University to serve the in-campus requirements of its students.
25

1 **SEC. 4. Administration.** – The University shall have the general powers of a
2 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the
3 “Corporation Code of the Philippines.” The exercise of its corporate powers shall be vested
4 exclusively in the Board of Regents, hereinafter referred to as the Board, and the President
5 of the University.

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

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

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

31
32 The membership of the President of the federation of faculty associations, the
33 President of the federation of student councils, and the President of the federation of alumni
34 associations in the Board shall be coterminous with their terms of office, as provided under
35 their respective constitutions and bylaws.

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

- 40
41 a. Promulgate and implement policies in accordance with the declared State policies
42 on education, other pertinent provisions of the Constitution on education,
43 agriculture, science and technology, and the policies, standards and thrusts of the
44 CHED under Republic Act No. 7722, otherwise known as the "Higher Education
45 Act of 1994";
46
47 b. Approve the curricula, instructional programs, and rules of discipline drawn by
48 the Administrative and Academic Councils herein provided;

1 c. Appoint, upon the recommendation of the President of the University, the vice
2 presidents, deans, directors, heads of the campuses, faculty members, and other
3 officials and employees of the University;

4
5 d. Fix and adjust the salaries of faculty members, 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 governing
8 hours of service, and such other duties and conditions as it may deem proper; grant
9 them, at its discretion, leaves of absence under such regulations as it may
10 promulgate, any provision of existing law to the contrary notwithstanding; and
11 remove them for cause in accordance with the requirements of due process of law;

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

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

33
34 f. Adopt and implement a socialized scheme of tuition and other school fees for
35 greater access of poor but deserving students in accordance with Republic Act No.
36 10931 or the “Universal Access to Quality Tertiary Education Act”;

37
38 g. Establish professorial chairs in the University and provide fellowships for
39 qualified faculty members, and scholarships to deserving students;

40
41 h. Receive and appropriate sums as may be provided by law for the support of the
42 University, and all other sums in the manner it may, in its discretion, determine to
43 carry out the purposes and functions of the University;

44
45 i. Set the policies on admission and graduation of students;

46
47 j. Award honorary degrees upon persons in recognition of their outstanding
48 contribution in the fields of education, public service, arts, science and technology,
49 agriculture or any field of specialization within the academic competency of the
50 University, and authorize the awarding of certificates of completion of non-degree
51 and non-traditional courses;

1
2 k. Establish research and extension centers to promote the development of the
3 University;

4
5 l. Develop academic arrangements for institutional capability-building with
6 appropriate institutions and agencies, whether public, private, local or foreign, and
7 appoint experts/specialists as consultants, part-time or visiting/exchange professors,
8 scholars or researchers, as the case may be;

9
10 m. Adopt modern and innovative modes of transmitting knowledge for the
11 promotion of greater access to education such as the use of information technology,
12 dual training system, open distance learning, and community laboratory;

13
14 n. Collaborate with the governing bodies of other state universities and colleges
15 (SUCs) within the province of Abra and CAR, under the supervision of the CHED
16 and in consultation with the Department of Budget and Management (DBM), in
17 restructuring the University to make it more efficient, relevant, productive and
18 competitive;

19
20 o. Absorb non-chartered tertiary institutions within the province of Abra and CAR
21 as branches and extension/external centers, in coordination with the CHED and in
22 consultation with the DBM, and offer therein programs or courses to carry out the
23 Constitutional mandate of providing equal access to educational opportunities;

24
25 p. Authorize an external management audit of the University, to be financed by the
26 CHED, subject to the rules and regulations of the Commission on Audit, and
27 institute reforms, including academic and structural changes, on the basis of the
28 audit results and recommendations;

29
30 q. Develop consortia and other economic forms of linkages with local government
31 units (LGUs), as well as public, private, local and foreign institutions and agencies,
32 in the furtherance of the purposes and objectives of the University;

33
34 r. Import economic, technical and cultural books and publications;

35
36 s. Enter into joint ventures with business and industry for the profitable
37 development and management of economic assets, the proceeds of which shall be
38 used for the development and strengthening of the University;

39
40 t. Receive, in trust, legacies, gifts and donations of real and personal properties of
41 all kinds and administer and dispose of the same, when necessary, for the benefit of
42 the University and subject to the limitations, directions and instructions of the
43 donor, if any;

44
45 u. Extend the term of the President of the University beyond the age of retirement,
46 but not beyond the age of seventy (70), based on the guidelines, qualifications and
47 standards set by the Board: *Provided*, That the President's performance has been
48 rated by the Board as outstanding and a unanimous recommendation for such
49 extension has been decided upon by the search committee;

1 v. Delegate any of its powers and duties provided to the President and other
2 officials of the University, as it may deem appropriate, so as to expedite the
3 administration of the affairs of the University;

4
5 w. Establish policy guidelines and procedures for participative and transparent
6 decision-making-within the University;

7
8 x. Where most advantageous to the University, privatize the management of non-
9 academic services such as health, food, building or grounds or property
10 maintenance, and such other similar activities;

11
12 y. Authorize the construction or repair of its buildings, machinery, equipment and
13 other facilities, and the purchase and acquisition of real property, including the
14 necessary supplies, materials and equipment; and

15
16 z. Promulgate rules and regulations, as may be necessary, to carry out the purposes
17 and functions of the University.

18
19 **SEC. 7. Meetings of the Board.** – The Board shall regularly convene once every
20 three (3) months. The Chairperson of the Board may, however, call a special meeting
21 whenever necessary: *Provided*, That members are notified in writing at least three (3) days
22 prior to the conduct of said meeting.

23
24 A quorum of the Board shall consist of the majority of all its members holding
25 office at the time of the meeting: *Provided, however*, That the Chairperson of the Board or
26 the President of the University is among those present in the meeting.

27
28 In case the CHED Chairperson cannot attend a meeting of the Board, a CHED
29 Commissioner duly designated by the CHED Chairperson as representative to the meeting,
30 shall have all the rights and responsibilities of a regular member: *Provided*, That during the
31 meeting, the President of the University, as Vice Chairperson, shall be the presiding
32 officer: *Provided, further*, That this provision, notwithstanding, the Chairperson of the
33 CHED is hereby authorized to designate a CHED Commissioner as the regular Chairperson
34 of the Board, in which case, the said CHED Commissioner, as the regular Chairperson of
35 the Board, shall act as the presiding officer.

36
37 In case the Chairpersons of the Senate Committee on Higher, Technical and
38 Vocational Education and the House Committee on Higher and Technical Education shall
39 not be able to attend the Board meeting, they may designate their respective representatives
40 to attend the meeting, who shall have the same rights and responsibilities as regular
41 members of the Board.

42
43 The members of the Board shall not receive any salary, but shall be entitled to
44 reimbursements for actual and necessary expenses incurred, either for their attendance to
45 the meetings of the Board or in connection with other official business authorized by
46 resolutions of the Board, subject to existing laws and regulations.

47
48 **SEC. 8. The University President.** – The University shall be headed by a
49 President, who shall render full-time service and be appointed by the Board, subject to the
50 guidelines, qualifications and standards set by the Board, based on the recommendations of
51 a duly constituted search committee. The University President shall have a term of four (4)

1 years and shall be eligible for reappointment to another term: *Provided*, That in order to
2 effect the smooth transition of the college to a state university, the incumbent President of
3 the ASIST, if qualified, shall serve as the first president of the University.
4

5 Within six (6) months before the expiration of the term of office of the incumbent
6 President of the University, the Board shall constitute the search committee for the
7 Presidency.
8

9 The Board shall designate an Officer-in-Charge of the University in case of a
10 vacancy in the Office of the President by reason of death, compulsory retirement,
11 resignation, removal for cause, or incapacity of the President to perform the functions of
12 the office, pending the appointment of a new President: *Provided*, That the Officer-in-
13 Charge shall serve only during the unexpired portion of the term.
14

15 The powers and duties of the President of the University, in addition to those
16 specifically provided in this Act, shall be those usually pertaining to the Office of the
17 President of similar universities and those delegated by the Board.
18

19 The salary of the President of the University shall be in accordance with RA No.
20 11466 or the “Salary Standardization Law of 2019”, and by such other laws amendatory
21 thereto, which may hereinafter be enacted, and shall be comparable to that being received
22 by the presidents of similar educational institutions.
23

24 The President of the University shall be assisted by a Vice President for Academic
25 Affairs, a Vice President for Administration, and a Vice President for Research, Extension
26 and Training, who shall all be appointed by the Board upon the recommendation of the
27 President of the University.
28

29 **SEC. 9. *The Secretary of the University.*** – The Board shall appoint a Secretary
30 who shall serve as such for both the Board and the University and shall keep all records and
31 proceedings of the Board. The Secretary of the University shall serve upon each member of
32 the Board the appropriate notice of board meetings.
33

34 **SEC. 10. *The Treasurer of the University.*** – The Treasurer of the Philippines shall
35 be the *ex officio* Treasurer of the University.
36

37 **SEC. 11. *The Administrative Council.*** – There shall be an Administrative Council
38 consisting of the President of the University as Chairperson, and the vice presidents, deans,
39 directors and other officials of equal rank as members, that shall review and recommend to
40 the Board the policies that shall govern the administration, management and development
41 planning of the University.
42

43 **SEC. 12. *The Academic Council.*** – There shall be an Academic Council that shall
44 formulate academic policies. It shall be composed of the President of the University, who
45 shall act as Chairperson, and all academic staff with the rank of at least an assistant
46 professor, as members, which shall formulate academic policies.
47

48 The Academic Council shall also have the power to review and recommend the
49 curricular offerings and rules of discipline of the University, subject to the approval of the
50 Board. It shall fix the requirements for the admission of students, as well as for their

1 graduation and conferment of degrees, subject to the review and approval of the Board
2 through the President of the University.

3
4 It shall exercise disciplinary power over the students of the University and shall
5 issue rules and regulations on student discipline, subject to the approval of the Board.

6
7 **SEC. 13. *Heads of University Campuses.*** - The Campus Directors shall
8 respectively serve as heads or administrators of the University's campuses and render full-
9 time service.

10
11 They shall be appointed or designated by the Board, upon recommendation of the
12 Search Committee and the President, subject to the guidelines, qualifications and standards
13 set by the Board: *Provided*, That, upon the effectivity of this Act, the incumbent Campus
14 Directors of the existing campuses of the ASIST shall continue to serve as such.

15
16 **SEC. 14. *The Faculty.*** - No political belief, gender preference, cultural or
17 community affiliation or ethnic origin, nor religious opinion or affiliation shall be a matter
18 of inquiry in the appointment of faculty members of the University: *Provided*, That said
19 appointment shall be subject to the guidelines, qualifications and standards set by the
20 Board: *Provided, further*, That no member of the faculty shall teach for or against any
21 particular church or religious sect.

22
23 **SEC. 15. *Academic Freedom and Institutional Autonomy.*** - The University shall
24 enjoy academic freedom and institutional autonomy pursuant to Paragraph 2, Sec. 5 of
25 Article XIV of the Constitution.

26
27 **SEC. 16. *Scholarship Programs/Admission.*** - The University shall provide
28 scholarship and other affirmative action programs to assist poor but deserving students who
29 qualify for admission to the University.

30
31 No student shall be denied admission to the University by reason of gender,
32 religion, cultural or community affiliation or ethnic origin.

33
34 **SEC. 17. *Authority to Loan or Transfer Apparatus, Equipment, Supplies and***
35 ***Detail of Personnel.*** - The heads of the bureaus and offices of the national government are
36 hereby authorized to loan or transfer, upon the request of the President of the University,
37 such apparatus, equipment or supplies as may be needed by the University, and detail
38 employees for duty therein when, in the judgment of the head of bureau or office, such
39 apparatus, equipment, supplies or service of such employees can be spared without serious
40 detriment to public service.

41
42 The employees so detailed shall perform such duties as required of them by the
43 President of the University and the time thus served shall be counted as part of their regular
44 service.

45
46 **SEC. 18. *Assets, Liabilities and Personnel.*** - All assets, real and personal,
47 personnel and records of the ASIST, as well as its liabilities or obligations, are hereby
48 transferred to the University: *Provided*, That the positions, rights and security of tenure of
49 faculty members and personnel therein employed under existing laws prior to the
50 conversion into a university shall be respected: *Provided, further*, That the incumbents
51 occupying the positions shall remain in the same status until otherwise provided for by the

1 Board: *Provided, finally*, That the University shall also accordingly upgrade or increase its
2 human resource component as may be deemed appropriate by the Board.

3
4 All parcels of land belonging to the government occupied by the ASIST and all its
5 campuses, are hereby declared the property of the University, and shall be titled under its
6 name: *Provided*, That should the University cease to exist or be abolished, or should such
7 aforementioned parcels of land be no longer needed by the University, the same shall revert
8 to the concerned LGU or to the Republic of the Philippines, as the case may be.

9
10 **SEC. 19. Tax Exemption on Importation and Donations.** - The importation by the
11 University of economic, technical and cultural books or publications, which are for
12 economic, technical, vocational, scientific, philosophical, historical or cultural purposes
13 shall, upon certification by the CHED, be exempt from customs duties in accordance with
14 the provisions of Republic Act No. 10863, otherwise known as the “Customs
15 Modernization and Tariff Act (CMTA)”.

16
17 All grants, bequests, endowments, donations and contributions made to the
18 University, and used actually, directly and exclusively by it, shall be exempt from donor’s
19 tax and the same shall be considered as allowable deduction from the gross income of the
20 donor for purposes of computing the taxable income of the donor, in accordance with the
21 provisions of the National Internal Revenue Code of 1997, as amended.

22
23 **SEC. 20. Compliance with CHED Requirements.** – The provisions of this Act
24 notwithstanding, the conversion of the ASIST into a state university shall become effective
25 only upon the determination and declaration by the CHED, based on the recommendation
26 of a panel of experts constituted for the purpose, that the institution has complied with the
27 requirements for a university status based on CHED Memorandum Order No. 46, series of
28 2012 (Policy-Standard to Enhance Quality Assurance in Philippine Higher Education
29 Through an Outcomes-Based and Typology-Based Quality Assurance): *Provided*, That the
30 panel may issue such recommendation when the ASIST has substantially complied with the
31 requirements for the grant of university status.

32
33 The following operational requirements for a university, as established by the
34 CHED, shall be complied with:

35
36 a. Employment of full-time, permanent faculty members who possess relevant
37 degrees in their areas of specialization, as required by the CHED, and shall have
38 participated in research and development activities in their respective disciplines, as
39 evidenced by refereed publications and other scholarly outputs;

40
41 b. The offering of a comprehensive range of degree programs in place in all levels,
42 from basic post-secondary to doctoral programs;

43
44 c. Conduct of viable research programs in specific disciplinal and multidisciplinary
45 areas of study that produce new knowledge, as evidenced by refereed publications,
46 citations, inventions, and patents, among others.;

47
48 d. Existence of comprehensive learning resources and support structures, to include
49 libraries, practicum laboratories, relevant educational resources, and linkages with relevant
50 disciplinal and professional sectors, so as to allow students to explore basic, advance, and
51 even cutting-edge knowledge in a wide range of disciplines or professions;

1
2 e. Continuing linkage and affiliation with other research institutions in various parts
3 of the world to ensure that the research activities of the University are functioning at
4 current global standards; and
5

6 f. Conduct of outreach activities to allow the students, faculty, and research staff to
7 apply the new knowledge they generate to address specific social development problems.
8

9 The CHED, through its regional office, shall regularly provide technical assistance
10 to the University and monitor its compliance with the requirements of the Commission.
11

12 The ASIST shall retain its status prior to the effectivity of this Act until it is able to
13 comply with the requirements provided herein.
14

15 **SEC. 21. *Development Plan, Management Audit, and Organization,***
16 ***Administrative and Academic Structure.*** – Within a period of one hundred twenty (120)
17 days after the approval of this Act, the University shall accomplish the following:
18

- 19 a. Submit a five (5)-year development plan, including its program budget to the
20 CHED for corresponding recommendation to the DBM;
21
22 b. Set up its organizational, administrative, and academic structure, including the
23 appointment of key officials of the University; and
24
25 c. Undergo a management audit in coordination with the CHED.
26

27 **SEC. 22. *Filing of Report.*** – On or before the fifteenth (15th) day of the second
28 month after the opening of the regular classes each year, the Board shall file with the Office
29 of the President of the Philippines, through the Chairperson of the CHED, and with both
30 Houses of Congress, a detailed report on the progress, condition, and needs of the
31 University.
32

33 **SEC. 23. *Suppletory Application.*** – The provisions of Republic Act No. 8292,
34 otherwise known as the “Higher Education Modernization Act of 1997”, shall form an
35 integral part of this Act and shall serve as part of the governing charter of the University.
36

37 **SEC. 24. *Parity Clause.*** – All other powers, functions, privileges, responsibilities,
38 and limitations under existing laws shall be deemed granted to or imposed upon the
39 University and its officials, whenever appropriate.
40

41 **SEC. 25. *Appropriations.*** – The amount necessary to carry out the provisions of
42 this Act shall be charged against the current year’s appropriations for the ASIST.
43 Thereafter, such sums as may be necessary for the continued operation and maintenance of
44 the University shall be included in the annual General Appropriations Act.
45

46 **SEC. 26. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
47 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules
48 and regulations to fully implement the provisions of this Act.
49

1 **SEC. 27. *Separability Clause.*** – If, for any reason, any part or provision of this Act
2 is declared invalid or unconstitutional, the remaining parts or provisions not affected shall
3 remain in full force and effect.

4
5 **SEC. 28. *Repealing Clause.*** – All laws, presidential decrees, executive orders, and
6 rules and regulations contrary to or inconsistent with the provisions of this Act are repealed
7 or modified accordingly.

8
9 **SEC. 29. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
10 publication in the *Official Gazette* or in a newspaper of general circulation.

11
12 *Approved,*