

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

*21 DEC 15 P3:43

SENATE

COMMITTEE REPORT NO. 406

Submitted jointly by the Committees on Higher, Technical and Vocational Education;
Ways and Means; and Finance on DEC 15 2021.

Re: House Bill No. 9518

Recommending the approval of House Bill No. 9518 with amendments, taking into
consideration Senate Bill No. 2111

Sponsor: Senator Joel Villanueva

MR. PRESIDENT:

The Committees on Higher, Technical and Vocational Education; Ways and
Means; and Finance, to which were referred **House Bill No. 9518**, introduced by
Representatives Santos-Recto, Ermita-Buhain, Abu, et al., entitled:

**"AN ACT
DECLARING THE BATANGAS STATE UNIVERSITY AS THE
NATIONAL ENGINEERING UNIVERSITY AND
APPROPRIATING FUNDS THEREFOR"**

taking into consideration, **Senate Bill No. 2111**, introduced by Senator Recto, entitled:

**"AN ACT
DECLARING THE BATANGAS STATE UNIVERSITY AS THE
NATIONAL ENGINEERING UNIVERSITY, STRENGTHENING
THE UNIVERSITY FOR THE PURPOSE, AND
APPROPRIATING FUNDS THEREFOR"**

have considered the same and have the honor to report them back to the Senate with the recommendation that House Bill No. 9518, taking into consideration Senate Bill No. 2111, be approved with the following amendments:

1. On page 4, line 48, on SEC. 11 ADMINISTRATION, insert a new paragraph which shall read as follows, to wit:

"THE UNIVERSITY PRESIDENT SHALL BE ASSISTED BY THE VICE PRESIDENTS WHO SHALL BE DESIGNATED BY THE BOARD OF REGENTS UPON THE RECOMMENDATION OF THE PRESIDENT, SUBJECT ONLY TO CERTAIN LIMITATIONS AND INSOFAR AS DELEGATED BY THE PRESIDENT OF THE UNIVERSITY AND AUTHORIZED BOARD OF REGENTS."

2. On page 4, line 53, on SEC. 11 ADMINISTRATION, insert a new paragraph which shall read as follows, to wit;

"THE CHANCELLOR SHALL BE ASSISTED BY THE VICE CHANCELLORS WHO SHALL LIKEWISE BE DESIGNATED BY THE BOARD OF REGENTS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE UNIVERSITY, SUBJECT ONLY TO CERTAIN LIMITATIONS AND IN SO FAR AS DEFINED IN THE UNIVERSITY ADMINISTRATIVE MANUAL."

- 3 On page 14, line 29, on SEC. 37. TRANSITORY PROVISION, delete the entire Section and in lieu thereof adopt in toto Section 37 of the Senate Bill 2111, and add the phrase "SUBJECT TO ONE (1) REAPPOINTMENT: PROVIDED, THAT SUCH REAPPOINTMENT IS IN PURSUANT TO THE GUIDELINES STATED IN SECTION 11 OF CHED MEMORANDUM ORDER NO. 16" which shall now read as follows, to wit;

"SEC. 37. TRANSITORY PROVISION. – TO PROVIDE STRATEGIC DIRECTION AND LEADERSHIP AS THE BATANGAS STATE UNIVERSITY TRANSITION TO ITS PIONEER STATUS AS THE NATIONAL ENGINEERING UNIVERSITY, AND TO ENSURE THE ATTAINMENT OF ITS DISTINCTIVE AND PURPOSEFUL MANDATE AS SUCH, AS DECLARED AND PROVIDED FOR IN THIS ACT, THE INCUMBENT PRESIDENT OF THE BATANGAS STATE UNIVERSITY SHALL SERVE A NEW TERM AS ITS FIRST PRESIDENT AS THE NATIONAL ENGINEERING UNIVERSITY, SUBJECT TO ONE (1) REAPPOINTMENT: PROVIDED, THAT SUCH REAPPOINTMENT IS IN PURSUANT TO THE GUIDELINES STATED IN SECTION 11 OF CHED MEMORANDUM ORDER NO. 16 SERIES OF 2009."

Respectfully submitted:

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Member, Committee on Higher,
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SEN. JOEL VILLANUEVA

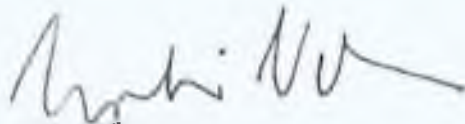
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SEN. SONNY ANGARA

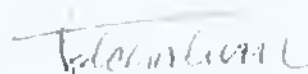
*Committee on Finance;
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Vice-Chairpersons



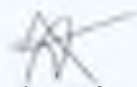
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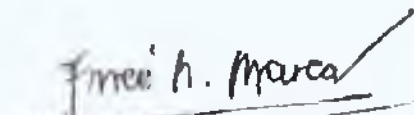


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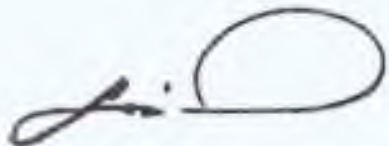


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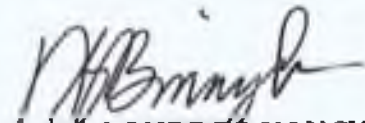
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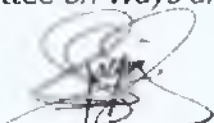


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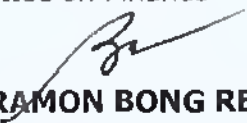
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Ex Officio Members



SEN. RALPH G. RECTO
President Pro-Tempore



SEN. JUAN MIGUEL F. ZUBIRI
Majority Leader

SEN. FRANKLIN M. DRILON
Minority Leader

HON. VICENTE C. SOTTO III
Senate President

Ex Officio Members



SEN. RALPH G. RECTO
President Pro-Tempore



SEN. JUAN MIGUEL F. ZUBIRI
Majority Leader



SEN. FRANKLIN M. DRILON
Minority Leader

HON. VICENTE C. SOTTO III
Senate President

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

SENATE

S. No. 2111



Introduced by Senator Ralph G. Recto

**AN ACT
DECLARING THE BATANGAS STATE UNIVERSITY AS THE NATIONAL
ENGINEERING UNIVERSITY, STRENGTHENING THE UNIVERSITY FOR THE
PURPOSE, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The Batangas State University has an enduring history of providing quality, relevant and accessible education and training to the Filipino youth since its humble beginnings some 117 years ago.

With the remarkable achievements of the Institute and its graduates in terms of: its superior performance in licensure examinations; being a consistent top performing school in mechanical engineering coupled with a number of topnotchers in different engineering programs; the high employability of its graduates; and its growing relevance and accessibility through the establishment of nine (9) extension campuses in different municipalities in the Province of Batangas, it was finally elevated into a state university in 2001 by virtue of Republic Act No. 9045. It was named Batangas State University (BatSU).

This bill seeks to declare the Batangas State University as the national engineering university. Through the years, its programs in engineering, allied sciences, and technology have propelled its rise to national service, prominence and recognition. Some of the remarkable achievements of the University include:

1. It is the only state university in the country whose engineering, computing science and IT programs are accredited by the United States Accreditation Board for Engineering and Technology (ABET)- Washington Accord, the global gold

standard for engineering and computing. The University has ten (10) engineering, computer science, and IT programs, which are ABET accredited;

2. The University is designated by the Commission on Higher Education (CHED) as a Level IV state university, which demonstrate its excellence in instruction, research competence, active community service, and efficient management of resources;

3. It has gained national recognition as a Center of Excellence (COE) in Electronics Engineering, and as Centers of Development in Electrical Engineering and in Mechanical Engineering, along with the other programs of the university;

4. The University consistently ranks as the top performing school in mechanical engineering licensure examination and above national passing percentage in other engineering board exams. It has already produced 166 topnotchers in the licensure examinations in various engineering disciplines;

5. With all its academic, research and extension service performance, the University received in 2020 a four-star rating in its electronics engineering program and a three-star rating overall from Quacquarelli Symonds (QS) Stars University Rating, putting the University in the QS list of top universities;

6. The University also boasts of its 29 ASEAN Engineers in the faculty roster awarded by the ASEAN Federation of Engineering Organizations (AFEO), the distinction which makes them globally competitive. It is the highest among higher education institutions in the country;

7. The University offers over one hundred (100) graduate and undergraduate degree programs, which include forty-six (46) degree programs in a wide range of fields in engineering both in the graduate and undergraduate programs, making the University as having the most number of engineering programs being offered among higher education institutions (HEIs) in the country. Out of 46 Engineering programs, 23 are new and emerging graduate and undergraduate programs that are responsive to the fourth industrial revolution and community needs. New and emerging engineering programs include: aerospace engineering, geological engineering, geodetic engineering, biomedical engineering, naval architecture and marine engineering, ceramics engineering, transportation engineering, metallurgical engineering, materials engineering, earthquake engineering, energy engineering,

engineering management, engineering education, and highly specialized fields in artificial intelligence, advance manufacturing, construction management, and data science and analytics;

8. The 11,169 or 27% of its total 41,132 enrolment during the 1st Semester, AY 2020-2021, belongs to the College of Engineering, Architecture and Fine Arts, making the University as one of the Philippines' leading providers of engineering education and producers of engineers and professionals in the country;

9. With research and innovation as a powerful means of transforming lives, the University spearheaded the establishment of fifteen (15) research and innovation development centers, foremost are the Science, Technology, Engineering and Environment Research Hub which is recognized by the Regional Development Council as the CALABARZON's Center for Science, Technology, and Engineering Research. Batangas State University is recognized by the Regional Development Council (RDC) as CALABARZON's Regional Inclusive Innovation Center;

10. On May 22, 2020 by virtue of Proclamation No. 947, President Rodrigo R. Duterte designated the BatStateU Knowledge, Innovation, and Science Technology (KIST) Park as a Special Economic Zone. It is the first KIST Park registered by the Philippine Economic Zone Authority (PEZA);

11. The university's partnerships and linkages with foreign universities and engineering professional organizations for instruction and research have grown over the years. It has on-going partnerships with a number of Universities in Asia (20), and in the US (10), and its engineering faculty members are affiliated with twenty-six (26) Engineering Organizations in the world. The University has ten (10) engineering, computer science, and IT programs accredited by the United States Accreditation Board for Engineering and Technology (ABET), the global gold standard for engineering and computing. It is the first and only state university in the country whose engineering, computing science and IT programs are ABET accredited, which gives the University due recognition that the quality of its graduates are at par with foreign universities of similar accreditation - a distinctive mark of quality and excellence.

As the University celebrates its 118 years of meaningful existence and the 50th Anniversary of the College of Engineering, it is now strongly poised to embark on an

even larger mandate of scaling towards greater heights the engineering education in the country. Boldly and courageously, the University envisions to become the national engineering university.

All that the University has done and continuously been doing for the past years are geared towards its vision of becoming "*A premier national university that develops leaders in the global knowledge economy*". It shall produce adequate and well-trained engineers and other professionals who can provide solutions to country's challenges in energy, infrastructure, environment, information and telecommunication, construction, production, transportation and other facilities for living.

Recognizing the need for a shared commitment, to provide leadership, and to take a specific action to support the University in its strategic initiatives to be declared as the national engineering university, the BatStateU Board of Regents, during its regular meeting on December 02, 2020, passed Resolution No. 138, s. 2020 unanimously endorsing the declaration of the Batangas State University as the national engineering university.

There can be no better time to fully support and declare the Batangas State University as *the National Engineering University*.

As the National Engineering University, Batangas State University will be more learner-centered, reform and transformation-focused; provide greater access, relevance and inclusivity with a broader geographical service areas and sectors of the society; adopt more innovative educational approaches including contents, methods, practices and means of delivery; and attain a responsible and accountable governance and management that combines social vision, and greater understanding of the framework for change and development, and of shaping a new vision for engineering education in the country.

In view of the foregoing, the immediate passage of this measure is highly sought.



RALPH G. RECTO

/ejcv

SENATE

S. No. 2111



Introduced by Senator Ralph G. Recto

AN ACT
DECLARING THE BATANGAS STATE UNIVERSITY AS THE NATIONAL
ENGINEERING UNIVERSITY, STRENGTHENING THE UNIVERSITY FOR THE
PURPOSE, AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Title.* — This Act shall be known as “The Batangas State University
2 Charter of 2021”.

3 SEC. 2. *Declaration of Policy.* — The Batangas State University is hereby
4 declared as the national engineering university.

5 The State shall promote quality education that is accessible and relevant to the
6 changing needs of the people and society. In this light, the State shall strengthen the
7 Batangas State University as the national engineering university.

8 SEC. 3. *Purpose of the University.* — As the national engineering university,
9 committed for the development of leaders in the global knowledge economy, the
10 Batangas State University shall:

- 11 a) Lead in the generation of productive knowledge, innovation and technology to
12 develop relevant and technical higher order skills needed to compete in the
13 global knowledge economy;
- 14 b) Provide progressive leadership in setting academic standards and initiating
15 innovations in advanced instruction, research, and professional training in the
16 fields of engineering education, and maintain centers of excellence in such
17 disciplines and professions;
- 18 c) Strengthen engineering programs of the country through the development and
19 offering of industry-driven and emerging engineering programs; spearhead
20 collaboration between the academe and engineering industries; and lead in the

1 implementation of innovative pedagogies in engineering education through the
2 Center for Innovations in Engineering Education (CIEE);

3 d) Make important contribution to the economy by producing adequate and well-
4 trained engineers and other professionals who can provide solutions to
5 country's challenges in energy, infrastructure, environment, information and
6 telecommunication, construction, production, transportation and other facilities
7 for living;

8 e) Serve as a graduate university by providing advanced studies and specialization
9 for engineers, scientists, entrepreneurs, industry practitioners, and other
10 professionals, primarily for those who serve as faculty of the state and private
11 colleges and universities;

12 f) Serve as a research university in engineering and related field of specialization
13 by conducting basic and applied research and development, promoting
14 research in various colleges and universities in the country, and contributing to
15 the dissemination and application of knowledge;

16 g) Contribute to national economic growth, jobs creation, domestic and foreign
17 investment, and community wellbeing through the university-based
18 Knowledge, Innovation and Science Technology (KIST) Park, designated as a
19 Special Economic Zone by virtue of Presidential Proclamation No. 947 dated 22
20 May 2020;

21 h) Lead in the protection, conservation, and strategic management of the Verde
22 Island Passage (VIP), described as the "center of the center of marine shore
23 fish biodiversity in the world" by developing biodiversity experts, conducting
24 collaborative research, marine exploration, community education and training,
25 and establishment of the Verde Island Passage Center for Oceanographic
26 Research and Aquatic Life Sciences (VIP CORALS) endorsed by the Regional
27 Development Council-CALABARZON as the National Center for Marine Bio-
28 diversity in VIP;

29 i) Intensify scientific, innovative, and technological research and development
30 that would lead in the development of high-impact research, startups/ spinoffs
31 and technology transfer of products and services in specific areas such as
32 electronic systems, environment, information and computing technology,
33 material science and testing, and advanced manufacturing through the

1 established research centers under the Science, Technology, Engineering and
2 Environment Research (STEER) Hub, recognized by the Regional Development
3 Council as CALABARZON's Center for Science, Technology, Engineering and
4 Environment Research;

5 j) Provide an avenue for the professional advancement of Disaster Risk
6 Management (DRM) managers and practitioners by offering academic
7 programs in DRM and contribute in ensuring a resilient community thru the
8 Adaptive Capacity-building and Technology Innovation for Occupational health
9 and Natural disaster (ACTION) Center endorsed by the Regional Development
10 Council-CALABARZON as National Center for Disaster Risk Reduction and
11 Management, and Climate Change Adaptation Education and Research;

12 k) Offer undergraduate and graduate courses within the areas of specialization
13 and according to its capabilities, including among others, medical and allied
14 health, natural and applied sciences, teacher education, business, technology,
15 management, social sciences, arts and culture, agriculture, and other related
16 fields, as the Board of Regents may deem necessary to carry out its objectives,
17 specifically, in order to provide greater access for deserving students in tertiary
18 education and an adequate response to the particular needs of the government,
19 the society and the industry in these fields;

20 l) Serve as a public service university by providing various forms of community,
21 public, and volunteer service, as well as scholarly and technical assistance to
22 the government, private sector, and civil society while maintaining its standards
23 of excellence;

24 m) Strengthen its Laboratory and Integrated Schools for basic education by
25 focusing and adopting advanced teaching and learning on science, technology,
26 engineering and mathematics to serve as feeder schools for engineering,
27 science and technology programs of the University: *Provided*, that the operation
28 of the Integrated Schools shall be self-liquidating, through payment of tuition
29 and other school fees by the students as approved by the governing board;

30 n) Protect and promote the professional and economic rights and welfare of its
31 academic and non-academic personnel;

32 o) Provide opportunities for training and learning in leadership, responsible
33 citizenship, and the development of democratic values, institutions and practice

1 through academic and non-academic programs, including sports and the
2 enhancement of nationalism and national identity;

3 p) Serve as a regional and global university in cooperation with international and
4 scientific unions, networks of universities, scholarly and professional
5 associations in the Asia Pacific region and around the world; and

6 q) Provide democratic governance in the University based on collegiality,
7 representation, accountability, transparency and active participation of its
8 constituents, and promote the holding of fora for students, faculty, researchers,
9 extension program specialists, staff, and alumni to discuss non-academic issues
10 affecting the University.

11 SEC. 4. *The University.* — The Batangas State University shall be composed of
12 constituent campuses and extension campuses established by its governing board
13 upon the recommendation of the President of the University. The constituent
14 campuses include: Batangas State University-Pablo Borbon; Batangas State
15 University-Alangilan; Batangas State University ARASOF-Nasugbu; Batangas State
16 University JPLPC-Malvar; Batangas State University-Lipa and those that may be
17 created in the future. The extension campuses include: Lobo Campus, Mabini
18 Campus, Balayan Campus, Rosario Campus, Lemery Campus, San Juan Campus and
19 those that may be created in the future. It is referred to in this Act as the "University".

20 SEC. 5. *Academic Freedom.* — The University shall enjoy academic freedom as
21 provided for in Republic Act No. 8292, and paragraph 2, Section 5, Article XIV of the
22 1987 Constitution.

23 SEC. 6. *Academic Excellence.* — The University has the responsibility to
24 maintain and enhance its high academic standards in the performance of its functions
25 of instruction, research and extension, and public service.

26 SEC. 7. *Commitment to National Development.* — The University shall harness
27 the expertise of the members of its community and other individuals in relation to the
28 country's quest for national development in the primary areas of engineering, science,
29 and technology, for wealth creation, improvement of the quality of life, real economic
30 growth, and transformation of the society.

31 The members of the university community with profound scientific and
32 professional knowledge shall contribute to or take a solicited involvement in the public
33 policy process.

1 As the national engineering university, it shall ensure the following:

2 1. At least fifty percent (50%) of its total enrolment must be under
3 engineering and technology related programs;

4 2. Discontinue the offering of new programs not allied to engineering and
5 technology and/or not supportive of the multidisciplinary/interdisciplinary curriculum
6 design and content;

7 3. Accelerate faculty development programs in the fields of engineering
8 and technology;

9 4. Lead in the conduct of scientific, innovative and technological research
10 and development, and in the generation, dissemination and application of research-
11 based knowledge.

12 SEC. 8. *Social Responsibility.* — The University is committed to serve the Filipino
13 nation and humanity. While it carries out the obligation to pursue universal principles,
14 it must relate its activities to the needs of the Filipino people and their aspirations for
15 social progress and transformation. The University may provide venues for
16 volunteerism.

17 SEC. 9. *Democratic Access.* — The University shall take affirmative steps which
18 may take the form of an alternative and equitable admissions process to enhance the
19 access of disadvantaged students, such as indigenous peoples, Persons with
20 Disabilities (PWDs), poor and deserving students, including but not limited to
21 valedictorians and salutatorians of public high schools, and students from depressed
22 areas, to its programs and services.

23 No students shall be denied admission to the university by reason solely of age,
24 gender; nationality, religious belief, economic status, ethnicity, physical disability, or
25 political opinion or affiliation.

26 The University recognizes the separation of Church and State. It shall guarantee
27 religious freedom and shall not discriminate on the basis of religion.

28 SEC. 10. *Sports, Culture and the Arts.* — The University shall undertake and
29 support comprehensive sports programs that promote physical education, uphold
30 excellence and encourage competitive participation in sports activities, instill school
31 identity and solidarity, cultivate pride, self-discipline and teamwork. The University
32 shall strengthen culture and the arts as a strategic national resource, and promote its
33 importance to our identity, social wellbeing, and preserve our cultural heritage.

1 SEC. 11. *Institutional Autonomy.* — As the national engineering university, it
2 shall be treated with greater flexibility. The University shall exclusively determine its
3 teaching, research, extension services thrusts, plans, policies, programs and
4 standards, as approved by the Board of Regents, consistent with its purpose, and in
5 accordance with the national goals and priorities.

6 SEC. 12. *Administration.* — The University shall have the general powers of a
7 corporation set forth in the "Revised Corporation Code of the Philippines". The
8 administration of the University and the exercise of its corporate powers shall be
9 vested exclusively in the Board of Regents and the President of the University.

10 There shall be a central administration headed by the University President,
11 which will provide leadership and overall strategic direction of the University in the
12 areas of academic, research, extension services, infrastructure development, linkages
13 and partnerships, and resource management designed to achieve its vision and
14 mission.

15 The administration of the constituent campuses is vested in the Chancellor,
16 who shall be designated by the Board of Regents upon the recommendation of the
17 President, subject only to certain limitations and insofar as delegated by the President
18 of the University and authorized by the Board of Regents.

19 The administration of extension campuses shall be headed by the Campus
20 Directors who shall be designated by the Board of Regents upon the recommendation
21 of the President, subject only to certain limitations and insofar as delegated by the
22 President of the University and authorized by the Board of Regents.

23 SEC. 13. *The Board of Regents.* —

24 1) The governing body of the University shall be the Board of Regents,
25 hereinafter referred to as the Board, which shall be composed of the
26 following:

- 27 a) The Chairperson of the Commission on Higher Education (CHED),
28 chairperson;
- 29 b) The President of the University, co-chairperson;
- 30 c) Chairperson of the Committee on Higher and Technical Education of
31 the Senate, member;
- 32 d) Chairperson of the Committee on Higher and Technical Education of
33 the House of Representatives, member;

- 1 e) The Director General of the National Economic and Development
2 Authority (NEDA), member;
- 3 f) The Secretary of the Department of Science and Technology (DOST),
4 member;
- 5 g) The President of the federation of faculty associations of the
6 University, member;
- 7 h) The President of the federation of student councils, member;
- 8 i) The President of the federation of the alumni associations of the
9 University, member; and
- 10 j) Two (2) private sector representatives who have distinguished
11 themselves in their professions or fields of specialization, chosen
12 from among a list of at least three (3) qualified persons as
13 recommended by the search committee constituted by the President
14 of the University in consultation with the Chairperson of the
15 governing board based on the regular standards and qualifications of
16 the position, members: *Provided*, That one (1) of the private sector
17 representative must have a distinctive contribution in the field of
18 engineering and technology, reputable practice of the profession,
19 and advancement of engineering education in the country.

20 The regents holding office as members of the Board at the time of the
21 effectivity of this Act shall continue to serve until the expiration of their
22 appointments;

23 The term of office of the President of the federation of faculty
24 associations, the President of the federation of student councils, and the
25 President of the federation of alumni associations shall be coterminous with
26 their respective terms of office.

27 For the purpose of the provisions of this Section, the associations of
28 faculty, alumni and student councils in each Constituent Campus shall organize
29 themselves to form their respective federations, which in turn shall elect their
30 federation officials: *Provided*, That the alumni representative to the Board must
31 not be a faculty or an employee, regardless of status or rank, of the University
32 at the time of representation.

1 The two (2) private sector representatives shall serve for a term of two
2 (2) years, and may be reappointed for another term only.

3 In case of vacancy in the office of the President, the officer-in-charge of
4 the University designated by the Board shall serve for the unexpired term only
5 or until such time that a new president is elected.

6 2) Compensation — Members of the Board shall serve without compensation
7 other than per diem and reimbursement for necessary and miscellaneous
8 expenses incurred in attendance to meetings of the Board and other official
9 business authorized by the Board.

10 3) Meetings; Quorum — The Board shall convene regularly. The Chairperson
11 of the Board may call a special meeting whenever necessary: *Provided, That*
12 members are notified in writing at least five (5) working days prior to the
13 meeting: *Provided further, That* the notice shall contain a brief description
14 of the agenda items to be discussed.

15 A majority of all members of the Board holding office at the time the meeting
16 is called shall constitute a quorum for Board meetings: *Provided, That* the Chairperson
17 of the CHED who is the chairperson of the Board or the President of the University is
18 among those present in the meeting. In the absence of the Chairperson of the CHED,
19 a commissioner of the CHED, duly designated by the chairperson, shall represent the
20 chairperson in the meeting with all the rights and responsibilities of a regular member:
21 *Provided, however, That* in the said meeting, the President of the University as the
22 co-chairperson shall be the presiding officer: *Provided, further, That* the preceding
23 proviso notwithstanding, the Chairperson of the CHED is hereby authorized to
24 designate a CHED Commissioner as the regular Chair to the Board, in which case said
25 CHED Commissioner shall act as the presiding officer.

26 If the Chairpersons of the Senate Committee on Higher and Technical
27 Education, and the House Committee on Higher and Technical Education, as well as
28 the Secretary of DOST, and the Director General of NEDA are unable to attend any
29 regular meeting or special session of the Board, they may designate in writing their
30 representatives to the meeting which the designees shall present to the Board
31 Secretary before the start of the meeting: *Provided, That* the NEDA and the DOST
32 shall be represented by their respective Regional Directors in CALABARZON. They shall
33 be entitled to seat, voice and vote: *Provided, further, that* the members of the Board

1 may exercise their right to vote through remote communication and in *absentia* as
2 provided for in Section 49 of the Revised Corporation Code of the Philippines.

3 SEC. 14. *Powers and Duties of the Board of Regents.* — The administration of
4 the University and the exercise of its corporate powers are vested in the Board of
5 Regents.

6 The Board shall have the following specific powers and duties in addition to its
7 general powers of administration and the exercise of all the powers granted to the
8 Board of Directors of a corporation under Section 35 of the Revised Corporation Code
9 of the Philippines:

- 10 a) To define in general terms the thrusts of the University and adopt broad
11 policy guidelines to ensure their implementation;
- 12 b) To preserve the integrity of the university;
- 13 c) To approve the institution, merger or abolition of academic programs,
14 upon recommendation of the University's Academic Council through the
15 President of the University;
- 16 d) To approve the graduation of students and grant of honors, as
17 recommended by the Academic Council through the President;
- 18 e) To confer honorary degrees upon persons in recognition of learning,
19 statesmanship, or eminence in the field of engineering, science,
20 technology, education, public service or in any field of specialization
21 within the academic competence of the University, upon
22 recommendation of a committee created by the President of the
23 University: *Provided*, That such degrees shall not be conferred in
24 consideration of any payment, gift or other valuable consideration;
- 25 f) To approve the rules on student discipline recommended by the
26 Academic Council through the President of the University, with the Board
27 retaining the power to review and pass final judgment on student
28 disciplinary cases;
- 29 g) To create, organize, reorganize, merge or abolish constituent campuses,
30 extension campuses, coileges, institutes, and other academic and
31 administrative units of the university;
- 32 h) To establish professorial chair awards;

- 1 i) To provide fellowships, scholarships and grants, including athletic grants
2 and to award the same to faculty, staff and students having special
3 evidence of merit, especially those who are poor and deserving
4 individuals;
- 5 j) To elect the President of the University following a process of democratic
6 consultation with the university community based on standards and
7 guidelines set by the Board.
- 8 k) To appoint, upon recommendation of the President of the
9 University, faculty members and other officials and employees; to draw
10 up a position classification and compensation plan for its faculty and
11 staff, and, any law to the contrary notwithstanding, to fix and adjust
12 salaries and benefits of the faculty members and other employees; to
13 determine the hours of service of faculty and staff, and such other terms
14 and conditions of employment as it may deem proper; to grant leave of
15 absence under such regulations as it may promulgate, any other
16 provisions of law to the contrary notwithstanding; and to remove them
17 for cause as provided by law after due investigation and proper hearing;
- 18 l) To extend, with their consent, the tenure of faculty members of the
19 University beyond the compulsory retirement age, any other provision of
20 law to the country notwithstanding, on recommendation of the units and
21 upon endorsement of the President of the University, whenever their
22 services are especially needed: *Provided, however,* that no extension of
23 tenure shall be made beyond the age of seventy (70);
- 24 m) To fix the tuition fees and other necessary school charges, as the Board
25 may deem proper to impose, after due consultation with the students
26 concerned, subject to the provisions of R.A. 10931 and its Implementing
27 Rules and Regulations (IRR).
- 28 n) Such fees and charges, including government support and other income
29 generated by the University, shall constitute special trust funds and shall
30 be deposited in an authorized government depository bank. Any and all
31 interest that shall accrue therefrom shall form part of the same funds for
32 the use of university.

- 1 o) Any provision of law to the contrary notwithstanding, any income
2 generated and collected by the University or by its subsidiaries as well
3 as from operation of auxiliary services and land grants, shall be retained
4 by the University, and may be disbursed at the discretion of the Board
5 for instruction, research, extension or other programs/projects of the
6 University; for the professional growth and development, health,
7 welfare, and other benefits of the students, faculty members and
8 administrative personnel; for the acquisition, construction, maintenance
9 and repair of needed instructional and auxiliary facilities, equipment,
10 buildings and other infrastructure; development of economic assets, and
11 for expenses necessary for the attainment of its purposes under its
12 approved program of expenditures.
- 13 p) If the University, for reasons beyond its control, shall not be able to
14 pursue any project or purpose for which funds have been appropriated
15 and allocated under its approved program of expenditures, the Board
16 may authorize the use of said fund for any reasonable purpose for which
17 it deems necessary and urgent for the attainment of the objectives of
18 the University, including utilization for the professional growth, and other
19 benefits of the students, faculty members and administrative personnel:
20 *Provided,* That trust funds created by law for a specific purpose, other
21 than special trust funds constituted herein shall not be reprogrammed
22 to other expenditures;
- 23 q) To receive and appropriate all sums as may be provided by law for the
24 support of the University to the ends specified by law, and all other sums
25 in the manner it may, in its discretion, determine to carry out the
26 purposes of the University;
- 27 r) To authorize the construction, maintenance or repair of its buildings,
28 machinery, equipment and other facilities, and the purchase and
29 acquisition of real and personal properties, including necessary supplies,
30 materials and equipment.
- 31 s) To receive in trust legacies, gifts and donations of real and personal
32 property of all kinds and to administer and dispose the same when

- 1 necessary for the benefit of the University and subject to the instructions
2 of the donor, if any.
- 3 t) Notwithstanding any provisions of law to the contrary, to authorize its
4 faculty and staff to travel abroad to study, deliver papers, attend
5 conferences and disseminate research: *Provided*, That the fellowship,
6 scholarship or grant is authorized by the Board: *Provided, finally*, That
7 research and other activities funded by the University shall likewise
8 undertake research in fields or topics with promising commercial
9 applications, and that the faculty and staff involved in said research be
10 allowed to participate in its financial or economic benefits; subject to
11 existing rules and regulations;
- 12 u) To delegate any of its powers and duties to the President and/or other
13 officials of the University as it may deem appropriate so as to expedite
14 the administration of the affairs of the University;
- 15 v) To prescribe rules for its own government and discipline of the faculty
16 and other personnel and to establish for the governance of the University
17 such general policies, rules and regulations, not contrary to law, as are
18 consistent with its purposes;
- 19 w) To set policies on admission and graduation of students;
- 20 x) To approve the curricula, institutional programs and rules of discipline
21 drawn by the academic council as herein provided;
- 22 y) To establish research and extension centers of the University where such
23 will promote the development of the latter;
- 24 z) To develop consortia and other forms of linkages with local government
25 units, institutions and agencies, both public and private, local and
26 foreign, in furtherance of the purposes and objectives of the University;
- 27 aa) To develop academic arrangements for institution capability building
28 with appropriate institutions and agencies, public or private, local or
29 foreign, and to appoint experts/specialists as consultants, or visiting or
30 exchange professors, scholars, researchers, as deemed necessary;
- 31 bb) To enter into joint ventures and/or public private partnerships (PPPs)
32 with business and industry for the profitable development and
33 management of the economic assets of the University, the proceeds

1 from which shall be used for the development and strengthening of the
2 same, and for the professional growth and development, health, welfare,
3 and other benefits of the students, faculty members and administrative
4 personnel;

5 cc) To outsource, where most advantageous to the University, management
6 of non-academic services such as health, food, building, grounds or
7 property maintenance and such other similar activities;

8 dd) To develop mechanisms for the efficient adoption of public-private
9 partnerships (PPP) in the areas of research, instruction, extension and
10 in the acquisition of facilities and structures of the University;

11 ee) To extend the term of the President of the University beyond the age of
12 retirement but not later than the age of seventy (70), whose
13 performance has been unanimously rated as outstanding and upon
14 unanimous approval of the Board; and

15 ff) To exercise such powers as may be proper and necessary to carry out
16 the objectives of this Act.

17 **SEC. 15. *The President of the University.*** —The President of the University is
18 the chief academic officer, head of the university faculty and the chief executive officer
19 of the University. The President of the University shall exercise the powers specifically
20 provided for in this Act, those determined by the Board, those which pertain to the
21 office of the President of a university, and those which are related or necessary to its
22 functions.

23 The President of the University who shall render full-time service shall be
24 elected by the Board, upon recommendation of a duly constituted search committee.
25 The President of the University shall have a term of four (4) years and shall be eligible
26 for reappointment for another term, upon recommendation of a duly constituted
27 evaluation committee.

28 In case of vacancy by reason of death, resignation, removal for cause or
29 incapacity of the President to perform the functions of his office, the Board shall have
30 the authority to designate an officer-in-charge pending the appointment of a new
31 president. In no case shall the search and appointment of the next President be longer
32 than ninety (90) calendar days from the date when the vacancy occurs. The newly

1 appointed President shall serve a full term: *Provided*, That the designated Officer-in-
2 Charge shall not be allowed to join as candidate in the search process.

3 The powers and duties of the President of the University, in addition to those
4 specifically provided in this Act, shall be those usually pertaining to the office of the
5 president of a similar university, and those delegated by the Board.

6 SEC. 16. *The Secretary of the University and of the Board of Regents.* --There
7 shall be a Secretary of the University designated by the Board, who shall also be the
8 Secretary of the Board, and who shall keep such records of the University.

9 SEC. 17. *The Academic Council.* --There shall be an Academic Council consisting
10 of the President of the University as chairperson, the Vice President for Academic
11 Affairs as vice chairperson, and all faculty members of the University holding the rank
12 of assistant professor and higher as members.

13 SEC. 18. *Powers of the Academic Council.* -- The Academic Council shall be the
14 highest academic body of the University and shall exercise the following powers:

- 15 a) Review and propose academic policies and standards, curricular offerings,
16 instructional evaluation and assessment systems;
- 17 b) Recommend to the Board, through the President of the University, the
18 award of all honorary degrees;
- 19 c) Fix the requirements for admission to any college or unit, graduation, and
20 the grant of honors subject to the prescribed university policies and
21 guidelines;
- 22 d) Recommend to the Board, through the President of the University, on
23 matters pertaining to the conduct and welfare of the University, but are not
24 limited to, preparation of the academic calendar, student life, standards of
25 conduct and discipline, living conditions, organizations, sports, culture and
26 the arts, and participation in extracurricular activities;
- 27 e) Prescribe the academic programs including their institution, revision,
28 abolition and merger, subject to the approval of the Board;
- 29 f) Recommend to the Board, through the President of the University, the
30 graduation of students and the grant of honors; and
- 31 g) Adopt internal rules of procedure, not contrary to law, and consistent with
32 the provisions of this Act.

1 SEC. 19. *University Administrative Council.* — There shall be created in the
2 University a University Administrative Council, which shall be composed of the
3 President as chairperson and, with the vice presidents, chancellors, vice chancellors,
4 deans, associate deans, directors, assistant directors, and other officials of equal rank,
5 as members. The President of the University, as Chairperson thereof, shall constitute
6 the University Administrative Council.

7 SEC. 20. *Duty of the University Administrative Council.* — The University
8 Administrative Council so formed and constituted shall review and recommend, in
9 accordance with the direction of the Board, appropriate policies governing the
10 administration, management and development planning of the University.

11 SEC. 21. *University Research Council.* — There shall be created in the University
12 a University Research Council, which shall be composed of the President as
13 Chairperson, the Vice President for Research, Development and Extension Services as
14 Vice Chairperson, with the Vice President for Academic Affairs, Vice President for
15 Administration and Finance, Vice President for Development and External Affairs,
16 Chancellors, Vice Chancellors for Research, Development and Extension Services,
17 Director for Research, Director for Research Management Services, Director STEER
18 Hub, Director for Finance, Assistant Director for Research, Assistant Director for
19 Research Management Services, and Head of established Research Centers as
20 members.

21 SEC. 22. *Duty of the University Research Council.* — The University Research
22 Council so formed and constituted shall act as an advisory body to the President on
23 matters of setting research direction, planning, fund sourcing and allocation, and in
24 reviewing and/or recommending policies and guidelines pertaining to the Research
25 Program of the University.

26 SEC. 23. *University Extension Services Council.* — There shall be created in the
27 University a University Extension Services Council, which shall be composed of the
28 President as Chairperson, the Vice President for Research, Development and Extension
29 Services as Vice Chairperson, with the Vice President for Academic Affairs, Vice
30 President for Administration and Finance, Vice President for Development and External
31 Affairs, Chancellors, Vice Chancellors for Research, Development and Extension
32 Services, Director for Extension Services, Director for Finance, and Assistant Director
33 for Extension Services as members.

1 SEC. 24. *Duty of the University Extension Services Council.* — The University
2 Extension Services Council so formed and constituted shall act as an advisory body to
3 the President on matters of setting extension services direction, planning, fund
4 sourcing and allocation, and in reviewing and/or recommending policies and guidelines
5 pertaining to the Extension Services Program of the University.

6 SEC. 25. *The Chancellor of the Constituent Campus.* — The administration of
7 each constituent campus is vested in the Chancellor insofar as delegated by the
8 President of the University and authorized by the Board. The Chancellor of the
9 constituent campus shall be designated by the Board upon recommendation of the
10 President of the University. The Chancellor shall report to the President of the
11 University, and shall perform the duties and functions provided in this Act, and all the
12 usual, necessary and related functions of the Office of the Chancellor subject to the
13 policies and rules prescribed by the Board.

14 SEC. 26. *The Faculty.* — The teaching staff of each college shall constitute its
15 faculty. The College Faculty shall be presided over by a Dean. The Dean shall be
16 designated by the Board upon recommendation of the President of the University.

17 SEC. 27. *Appointment Requisites and Practice of Profession.* — Faculty
18 members and researchers of the university shall be exempt as such from any civil
19 service examination as a requisite to appointment. In the appointment of faculty
20 members, no religious test shall be applied, nor shall the religious or political opinions
21 or affiliations of the faculty members of the university be made subject of examination
22 or inquiry.

23 SEC. 28. *Student Affairs.* —

- 24 a) There shall be established in the University the following student councils: for
25 every college, a College Student Council; and for every constituent campus, a
26 Campus Student Council; and for the University, a Federation of all Student
27 Councils.

28 The University Student Council shall be composed of elected students
29 from constituent campuses and their extension campuses. The student council
30 shall serve as the primary student body that shall advance the interests, welfare
31 and aspirations of the students of the University. It shall have the power to
32 adopt internal rules of procedure consistent with the provisions of this Act;

- 1 b) Subject to due and comprehensive consultation with the students, there shall
2 be a student publication established in every constituent campus to be funded
3 by student fees. Freedom of expression and autonomy in all matters of editorial
4 and fiscal policy shall be guaranteed especially in the selection of its editors and
5 staff.

6 SEC. 29. *Land Grants and Other Real Properties of the University.* —

- 7 a) The State shall support the Batangas State University as the national
8 engineering university, through general appropriations and other financial
9 benefits, and in kind, through land grants and donations and use of other real
10 properties. To carry out the intent of these grants, income derived from the
11 development of all land grants and real properties shall be used to further the
12 ends of the University, as may be determined and decided by the Board;
- 13 b) Such parcels of land ceded by law, decree or presidential issuance to the
14 University are hereby declared to be reversed for the purposes intended. The
15 absolute ownership of the University over these landholdings, including those
16 covered by original and transfer certificates of title in the name of the Batangas
17 State University and their future derivatives, is hereby confirmed. Where the
18 issuance of proper certificates of title is yet pending for these landholdings, the
19 appropriate government office shall expedite the issuance thereof within six (6)
20 months from the date of effectivity of this Act: *Provided, That all registration*
21 *requirements necessary for the issuance of the said titles have been submitted*
22 *and complied with;*
- 23 c) The Board may plan, design, approve and/or cause the implementation of land
24 leases: *Provided, That such mechanisms and arrangements shall sustain and*
25 *protect the environment in accordance with law, and be exclusive of the*
26 *academic core zone of the campuses of the Batangas State University:*
27 *Provided, further, That such mechanisms and arrangements shall not conflict*
28 *with the academic mission of the University;*
- 29 d) The Board may allow the use of the income coming from real properties of the
30 University as security for transactions to generate additional revenues when
31 needed for educational purposes;
- 32 e) The Board may approve the implementation of joint ventures: *Provided, That*
33 *in the event real properties of the University are involved, only the income*

1 derived by the University from the use of the real properties shall be the subject
2 of its participation or obligation in the joint ventures: *Provided, further,* That no
3 joint venture shall result in the alienation of the real properties of the University;
4 and

- 5 f) Any plan to generate revenues and other sources from land grants and other
6 real properties entrusted to the University shall be consistent with the academic
7 mission and orientation of the University as well as protect it from undue
8 influence and control of commercial interests: *Provided,* That such programs,
9 projects or mechanisms shall be approved by the Board subject to a transparent
10 and democratic process of consultation with the constituents of the University:
11 *Provided, further,* That funds generated from such programs, projects or
12 mechanisms shall not be meant to replace, in part or in whole, the annual
13 appropriations provided by the national government to the University.

14 SEC. 30. *Safeguards on Assets Disposition.* — The preservation of the value of
15 the assets of the University shall be of primordial consideration.

16 The sale of any existing real property of the University shall be prohibited:
17 *Provided,* That the Board may alienate real property donated after the effectivity of
18 this Act if the terms of the donation specifically allow it.

19 Notwithstanding the provision of this Act or any other law to the contrary, the
20 lease of more than five (5) years of the assets of the University and any transaction
21 referred to in Section 29 shall be subject to the following conditions and procedures:

- 22 a) The transactions shall be discussed with the members of the Board, in any of
23 its formally convened regular or special meeting;
- 24 b) The transactions shall be based on a multi-year comprehensive development
25 plan, crafted and developed by qualified urban planning professionals having
26 at least five (5) years experience, with prior consultations with and concurrence
27 of third-party experts and duly approved by a majority vote of all the members
28 of the Board;
- 29 c) The transactions shall be subject to competitive and public bidding as provided
30 under Republic Act No. 9184, otherwise known as the "Government
31 Procurement Reform Act";
- 32 d) In the case of two (2) failed biddings and negotiated transactions, if
33 undertaken, the Board, when considering the approval of any such transaction,

1 shall secure a fairness opinion report from an independent third-party body.
2 This body shall have five (5) members, three (3) of which shall be nominated
3 by the Bankers Association of the Philippines (BAP), Investment Houses
4 Association of the Philippines (IHAP), Trust Officers Association of the
5 Philippines (TOAP), or the Financial Executive Institute of the Philippines
6 (FINEX). The members shall be entitled to a reasonable per diem as the Board
7 may specify.

8 The fairness opinion report shall contain a statement expressing the opinion of
9 the body as to the fairness to the University of the terms of the proposed
10 transaction, particularly its financial terms. The report shall include, but not
11 limited to, a review and analysis of the proposed transaction, financial
12 statements, industry information, economic conditions assumptions using
13 management projections and the assumptions used therein and a comparison
14 of similar transactions: *Provided*, That if the Board differs with the fairness
15 opinion report they shall justify their decision in writing and make this available
16 to the community of the University. This provision shall not apply to leases
17 granted to faculty and staff as part of their benefit and those for academic
18 purposes; and

- 19 e) If the contract or transaction involves an amount more than Fifty Million Pesos
20 (P50,000,000.00), it shall be approved by at least three-fourths (3/4) of all the
21 members of the Board: *Provided*, That the splitting of contracts, which is by
22 breaking up a contract into smaller quantities or amounts or dividing contract
23 implementation into artificial or arbitrary phases or subcontracts for the
24 purpose of circumventing this provision, shall not be allowed.

25 SEC. 31. *Management of Funds.* —

- 26 a) There shall be an independent trust committee to be composed of the President
27 of the University, as Chairperson, one (1) representative each nominated by
28 the Bankers Association of the Philippines (BAP), the Investment Houses
29 Association of the Philippines (IHAP), the Trust Officers Associations of the
30 Philippines (TOAP) and the Financial Executive Institute of the Philippines
31 (FINEX). The members shall be entitled to a reasonable per diem as the Board
32 may specify;

- 1 b) The independent trust committee shall recommend to the Board five (5)
2 universal banks selected on a prudent basis which trust departments shall
3 manage the corporate and other funds through trust agreements of the
4 University in a non-directed basis: *Provided*, That any such agreement shall be
5 for a period of not more than two (2) years;
- 6 c) The independent trust committee shall provide the Board with direction on
7 appropriate investments with the view to preserving the value of funds while
8 allowing the University to earn a reasonable return thereon.

9 SEC. 32. *Tax Exemptions.* — The provisions of any general or special law to the
10 contrary notwithstanding:

- 11 a) All revenues and assets of the Batangas State University used for educational
12 purposes or in support thereof shall be exempt from all taxes and duties;
- 13 b) Gifts and donations of real and personal properties of all kinds shall be exempt
14 from the donor's tax and the same shall be considered as allowable deductions
15 from the gross income of the donor, in accordance with the provisions of the
16 National Internal Revenue Code of 1997, as amended: *Provided*, That the
17 allowable deductions shall be equivalent to one hundred fifty percent (150%)
18 of the value of such donation. Valuation of assistance other than money shall
19 be based on the acquisition cost of the property. Such valuation shall take into
20 consideration the depreciated value of property in case said property has been
21 used;
- 22 c) Importation of economic, technical, vocational, scientific, philosophical,
23 historical and cultural books, supplies and materials duly certified by the Board,
24 including scientific and educational computer and software equipment, shall be
25 exempt from customs duties; and
- 26 d) All academic awards shall be exempt from taxes.

27 SEC. 33. *Reportorial Requirements and Auditing of Accounts.* — The University
28 shall submit an annual report to Congress containing the financial statements,
29 statement of assets and liabilities, statement of income from tuition fees, and other
30 revenue sources. To monitor the performance of the University as the National
31 Engineering University, it shall also submit a physical performance report containing
32 the number of enrollees, graduates, board passers of its engineering, science and
33 technology courses, and the University's accomplishments in the field of engineering,

1 science and technology. All accounts and disbursements of the University shall be
2 audited by the Commission on Audit.

3 SEC. 34. *Rules of Construction.* — No statutory or other issuances shall diminish
4 the powers, rights, privileges and benefits accorded to the University under this Act
5 or enjoyed at present by it under other issuances not otherwise modified or repealed
6 under this Act, unless subsequent legislation expressly provides for their repeal,
7 amendment or modification. Any case of doubt in the interpretation of any of the
8 provisions of this Charter shall be resolved in favor of the academic freedom and fiscal
9 autonomy of the Batangas State University.

10 SEC. 35. *Appropriations.* — The amount needed to carry out the
11 implementation of this Act shall be charged against the current year's appropriations
12 of the University and its other internal funds. Thereafter, the amounts necessary to
13 strengthen its capacity as the national engineering university shall be included in the
14 annual General Appropriations Act

15 SEC. 36. *Development Plan, Organizational Structure.* — Within one hundred
16 twenty (120) days after the approval of this Act, the University shall accomplish the
17 following:

- 18 a) Submit a five (5)-year development plan, including its corresponding program
19 budget to the CHED and DBM;
- 20 b) Set up its organizational, administrative as well as academic structure,
21 including the designations of the key officials and other administrative
22 personnel of the University;
- 23 c) Secure additional plantilla positions from the DBM, including technical, support
24 to technical, and key administrative positions for the existing constituent
25 campuses and extension campuses, and augmentation of personnel services
26 allocation, in order to enhance efficiency and effectiveness in the administration
27 and management of the University, and specifically, to ensure a strong
28 administrative support for the attainment of its mandate as the national
29 engineering university;

30 SEC. 37. *Transitory Provision.* — To provide strategic direction and leadership
31 as the Batangas State University transitions to its pioneer status as the national
32 engineering university, and to ensure the attainment of its distinctive and purposeful
33 mandate as such, as declared and provided for in this Act, the incumbent President of

1 the Batangas State University shall serve a new term as its first President as the
2 national engineering university.

3 SEC. 38. *Separability Clause.* — Should any provision herein be declared
4 unconstitutional, the same shall not affect the validity of the other provisions of this
5 Act.

6 SEC. 39. *Repealing Clause.* — Republic Act No. 9045, as amended, and all laws,
7 decrees, orders, rules and regulations or other issuances or parts inconsistent with the
8 provisions of this Act are hereby repealed or modified accordingly.

9 SEC. 40. *Effectivity.* — This Act shall take effect fifteen (15) days after its
10 publication in the Official Gazette or in any newspaper of general circulation in the
11 Philippines.

Approved,



HOUSE OF REPRESENTATIVES

II. No. 9518

BY REPRESENTATIVES SANTOS-RECTO, ERMITA-BUHAIN, ABU, COLLANTES, BOLILIA, MARINO, GO (M.), SALCEDA, YAP (E.), SUANSING (E.), TAMBUNTING, BABASA, TUPAS, ELAGO, SUNTAY, DELOSO-MONTALIA, ARENAS, TEJADA, NOGRALES (J.J.), SUANSING (H.), GERON, EBCAS, SAVELLANO, PADIERNOS, GARIN (S.), CRISOLOGO, VIOLAGO, DE VENECIA, NIETO, HARESCO, BROSAS, CULIAMAT AND LEGARDA, PER COMMITTEE REPORT NO. 1013

AN ACT

DECLARING THE BATANGAS STATE UNIVERSITY AS THE NATIONAL ENGINEERING UNIVERSITY AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Title.** - This Act shall be known as the "*Revised Batangas State University*
2 *Charter*".

3
4 **SEC. 2. Declaration of Policy.** - The State shall promote quality education that is
5 accessible and relevant to the changing needs of the people and society. It shall also strengthen the
6 curricula of the various engineering fields of study consistent with standards set by the world's
7 leading institutions of learning.

8
9 To this end, the Batangas State University (BatStateU) is hereby declared as the national
10 engineering university.

11
12 **SEC. 3. Purpose of the BatStateU.** - As the national engineering university committed to
13 develop leaders in the global knowledge economy, the BatStateU shall:

14
15 (a) Provide world-class academic training to young Filipinos in the field of engineering and other
16 professions, and mold them into becoming responsible citizens who are aware of their role in
17 nation-building, and are motivated to meet the challenges and opportunities as the country
18 pursues its development goals, especially in the areas of infrastructure development,
19 environmental protection, information and telecommunications, manufacturing, transportation,
20 and land and shelter development;

21
22 (b) Offer advanced studies and specialization for engineers, scientists, entrepreneurs, industry
23 practitioners, and other professionals, primarily for those who serve as faculty of the state and
24 private colleges and universities;

- 1 (c) Strengthen engineering programs through the development and offering of industry-driven and
2 emerging engineering programs; spearhead collaboration between the academe and
3 engineering industries; and lead in the implementation of innovative pedagogies in engineering
4 education through the Center for Innovations in Engineering Education;
5
- 6 (d) Serve as a research university in engineering and related field of specialization by conducting
7 basic and applied research and development, promoting research collaboration with various
8 colleges and universities in the country, and contributing to the dissemination and application
9 of knowledge;
10
- 11 (e) Intensity scientific, innovative, and technological research and development that would lead
12 in the development of high-impact research, startups and spinoffs and technology transfer of
13 products and services in specific areas such as electronic systems, environment, information
14 and computing technology, material science and testing, and advanced manufacturing through
15 the established research centers under the Science, Technology, Engineering and Environment
16 Research (STEER) Hub, recognized by the Regional Development Council as the Center for
17 Science, Technology, Engineering and Environment Research in the Cavite, Laguna,
18 Batangas, Rizal and Quezon (CALABARZON);
19
- 20 (f) Provide progressive leadership in setting academic standards and initiating innovations in
21 advanced instruction, research, and professional training in the fields of engineering education,
22 and maintain centers of excellence in such disciplines and professions;
23
- 24 (g) Offer undergraduate and graduate courses within the areas of specialization and according to
25 its capabilities, including medical and allied health, natural and applied sciences, teacher
26 education, business, technology, management, social sciences, arts and culture, agriculture, and
27 other related fields, as the Board of Regents may deem necessary to carry out its objectives,
28 specifically, in order to provide greater access for deserving students in tertiary education and
29 an adequate response to the particular needs of the government, the society and the industry in
30 these fields;
31
- 32 (h) Lead in the protection, conservation, and strategic management of the Verde Island Passage
33 (VIP) that separates the islands of Luzon and Mindoro, and described as the "center of the
34 center of marine shore fish biodiversity in the world" by developing biodiversity experts,
35 conducting collaborative research, marine exploration, community education and training, and
36 establishment of the Verde Island Passage Center for Oceanographic Research and Aquatic
37 Life Sciences (VIP CORALS) by the Regional Development Council-Region IV-A (Cavite,
38 Laguna, Batangas, Rizal and Quezon Region) as the National Center for Marine Bio-Diversity
39 in VIP;
40
- 41 (i) Lead in the generation of productive knowledge, innovation and technology to develop relevant
42 and technical higher order skills needed to compete in the global knowledge economy;
43
- 44 (j) Provide an avenue for the professional advancement of Disaster Risk Management (DRM)
45 managers and practitioners by offering academic programs in DRM and contribute in ensuring
46 a resilient community through the Adaptive Capacity-building and Technology Innovation for
47 Occupational Health and Natural Disaster (ACTION) Center endorsed by the Regional
48 Development Council-CALABARZON as National Center for Disaster Risk Reduction and
49 Management, and Climate Change Adaptation Education and Research;
50
- 51 (k) Contribute to national economic growth, jobs creation, domestic and foreign investment, and
52 community wellbeing through the university-based Knowledge, Innovation and Science
53 Technology (KIST) Park, designated as a Special Economic Zone by virtue of the Presidential
54 Proclamation No. 947, dated May 22, 2020;

- 1 (l) Serve as a public service university by providing various forms of community, public, and
2 volunteer service, as well as scholarly and technical assistance to the government, private
3 sector, and civil society while maintaining its standards of excellence;
4
- 5 (m) Strengthen its Laboratory and Integrated Schools for basic education by focusing and adopting
6 advanced teaching and learning on science, technology, engineering and mathematics to serve
7 as feeder schools for engineering, science and technology programs of the BatStateU;
8 *Provided*, that the operation of the Integrated School shall be self-liquidating, through payment
9 of tuition and other school fees by the students as approved by the governing board;
10
- 11 (n) Protect and promote the professional and economic rights and welfare of its academic and non-
12 academic personnel;
13
- 14 (o) Provide opportunities for training and learning in leadership, responsible citizenship,
15 democratic values, institutions, and practice, through academic and non-academic programs,
16 including sports, towards the promotion of nationalism and a deep and enduring pride in the
17 national identity;
18
- 19 (p) Serve as a regional and global university in cooperation with international and scientific
20 unions, networks of universities, scholarly and professional associations in the Asia Pacific
21 region and around the world; and
22
- 23 (q) Provide democratic governance based on collegiality, representation, accountability,
24 transparency, and active participation of its constituents, and promote the holding of fora for
25 students, faculty, researchers, extension program specialists, staff, and alumni to discuss non-
26 academic issues affecting the BatStateU.
27

28 **SEC. 4. *The University.*** -The BatStateU shall be composed of both constituent and
29 extension campuses established by its governing board upon the recommendation of its President.
30

31 The constituent campuses of the BatStateU, shall include the following: BatStateU-Pablo
32 Borbon; BatStateU-Alangilan; BatStateU-Apolinario R. Apacible School of Fisheries (ARASOF)-
33 Nasugbu; BatStateU-JPLPC-Malvar; BatStateU-Lipa, and those that may be created in the future.
34

35 The extension campuses of the BatStateU shall include the following: Lobo Campus,
36 Mabini Campus, Balayan Campus, Rosario Campus, Lemery Campus, San Juan Campus, and
37 those that may be created in the future.
38

39 **SEC. 5. *Academic Freedom.*** - The BatStateU shall enjoy academic freedom as provided
40 for in Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of
41 1997", and paragraph 2, Section 5 of Article XIV of the Constitution.
42

43 **SEC. 6. *Commitment to National Development.*** - The BatStateU shall harness the
44 expertise of the members of its community and other individuals in relation to the country's quest
45 for national development in the primary areas of engineering, science, and technology, for wealth
46 creation, improvement of the quality of life, real economic growth, and transformation of the
47 society.
48

49 The members of the university community with profound scientific and professional
50 knowledge shall contribute to or take a solicited involvement in the public policy process.
51

52 As the national engineering university, it shall ensure the following:
53

- 54 (a) At least fifty percent (50%) of its total enrolment must be in engineering and technology
55 related programs;

- 1 (b) Discontinue the offering of new programs not allied with engineering and technology and
2 not supportive of the multidisciplinary or interdisciplinary curriculum design and content;
3
- 4 (c) Accelerate the faculty development program in the fields of engineering and technology;
5 and
6
- 7 (d) Lead in the conduct of scientific, innovative, and technological research and development,
8 and in the generation, dissemination, and application of research-based knowledge.

9 **SEC. 7. Social Responsibility.** - The BatStateU shall continue to serve the Filipino nation
10 and humanity. While it carries out the obligation to pursue universal principles, it must relate its
11 activities to the needs of Filipino people and their aspirations for social progress and
12 transformation. The BatStateU may provide venues for volunteerism.
13

14 **SEC. 8. Democratic Access.** - The BatStateU shall take affirmative steps which may take
15 the form of an alternative and equitable admission process to enhance the access of disadvantaged
16 students, such as indigenous peoples, persons with disabilities, and poor, but deserving students
17 like valedictorians and salutatorians of public high schools and students from depressed areas to
18 its programs and services.
19

20 No student shall be denied admission to the BatStateU by reason solely of age, gender,
21 nationality, religious belief, economic status, ethnicity, physical disability, and political opinion or
22 affiliation.
23

24 In recognition of the separation of church and State, the BatStateU shall guarantee religious
25 freedom and shall not discriminate on the basis of religion.
26

27 **SEC. 9. Sports, Culture, and the Arts.** - The BatStateU shall undertake and support
28 comprehensive sports programs that promote physical education, uphold excellence, and
29 encourage competitive participation in sports activities, instill school identity and solidarity,
30 cultivate pride, self-discipline, and teamwork. The BatStateU shall strengthen culture and the arts
31 as a strategic national resource, and promote its importance to our identity, social well-being, and
32 preserve the cultural heritage of the country.
33

34 **SEC. 10. Institutional Autonomy.** - As the national engineering university, the BatStateU
35 shall be treated with greater flexibility. It shall determine its teaching, research, extension services
36 thrusts, plans, policies, programs, and standards consistent with its purpose, and according to the
37 national goals and priorities, which shall be approved by the Board of Regents.
38

39 **SEC. 11. Administration.** - The BatStateU shall have the general powers of a corporation
40 set forth in Republic Act No. 11232, otherwise known as the "Revised Corporation Code of the
41 Philippines". The administration of the BatStateU and the exercise of its corporate powers shall be
42 vested exclusively in the Board of Regents and the President of the BatStateU.
43

44 There shall be a central administration headed by the BatStateU President, who shall
45 provide leadership and overall strategic direction in the areas of academic excellence, research,
46 extension services, infrastructure development, linkages and partnerships, and resource
47 management designed to achieve its vision and mission.
48

49 The administration of the constituent campuses is vested in the Chancellor, who shall be
50 designated by the Board of Regents, upon the recommendation of the President, subject only to
51 certain limitations and insofar as delegated by the President of the BatStateU and authorized by
52 the Board.
53

54 The administration of extension campuses shall be headed by the Campus Directors who
55 shall be designated by the Board of Regents, upon the recommendation of the President, subject

1 only to certain limitations and insofar as delegated by the President of the BatStateU and
2 authorized by the Board.

3
4 **SEC. 12. *The Board of Regents.*** - The governing body of the BatStateU shall be the Board
5 of Regents, hereinafter referred to as the Board, which shall be chaired and co-chaired by the
6 Chairperson of the Commission on Higher Education (CHED) and the BatStateU President,
7 respectively, and with the following as members:

- 8
9 (a) Chairperson of the Committee on Higher, Technical and Vocational Education of the
10 Philippine Senate;
11
12 (b) Chairperson of the Committee on Higher and Technical Education of the House of
13 Representatives;
14
15 (c) Director General of the National Economic and Development Authority (NEDA);
16
17 (d) Secretary of the Department of Science and Technology (DOST);
18
19 (e) President of the federation of faculty associations of the BatStateU;
20
21 (f) President of the federation of student councils of the BatStateU;
22
23 (g) President of the federation of alumni associations of the BatStateU; and
24
25 (h) Two (2) private sector representatives who have distinguished themselves in their professions
26 or fields of specialization, chosen from among a list of at least three (3) qualified persons as
27 recommended by the search committee constituted by the President of the BatStateU, in
28 consultation with the Chairperson of the CHED and other members of the board, based on the
29 standards and qualifications for the position set by the Board; *Provided*, That one of the private
30 sector representatives must have a distinctive contribution in the field of engineering and
31 technology, reputable practice of the profession, and advancement of engineering education
32 in the country.

33
34 The regents holding office as members of the Board at the time of the effectivity of this
35 Act shall continue to serve until the expiration of their appointments.

36
37 The terms of office of the President of the federation of faculty associations, the President
38 of the federation of student councils, and the President of the federation of alumni associations
39 shall be coterminous with their terms of office, as provided under their respective constitutions
40 and bylaws.

41
42 For the purpose of this section, the associations of faculty, alumni and student councils in
43 each Constituent Campus shall organize themselves to form their respective federations, which in
44 turn shall elect their federation officials; *Provided*, That the alumni representative to the Board
45 must not be a faculty or an employee of the BatStateU, regardless of status or rank, at the time of
46 representation.

47
48 The two (2) private sector representatives shall serve for a term of two (2) years, and may
49 be reappointed only for another term.

50
51 In case of vacancy in the office of the president, the officer-in-charge designated by the
52 Board shall serve for the unexpired term only or until such time that a new President is elected.

53
54 **SEC. 13. *Compensation.*** - Members of the Board shall serve without compensation but
55 shall be entitled to reimbursement of actual and necessary expenses incurred in attendance to

1 meetings of the Board and other official business authorized by the Board, subject to existing laws,
2 rules, and regulations.

3
4 **SEC. 14. Meetings; Quorum.** - The Board shall convene regularly. The Chairperson of the
5 Board may call a special meeting whenever necessary: *Provided*, That members are notified in
6 writing at least five (5) working days prior to the meeting; *Provided further*, That the notice shall
7 contain a brief description of the agenda items to be discussed.

8
9 A majority of all members of the Board holding office at the time the meeting is called
10 shall constitute a quorum for Board meetings: *Provided*, That the Chairperson of the CHED who
11 is the chairperson of the Board or the President of the BatStateU is among those present in the
12 meeting. In the absence of the Chairperson of the CHED, a CHED Commissioner duly designated
13 by the Chairperson of the CHED as representative to the meeting, shall have all the rights and
14 responsibilities of a regular member: *Provided*, That during the meeting, the President of the
15 BatStateU, as Vice Chairperson, shall be the presiding officer: *Provided, further*, That the
16 provision notwithstanding, the Chairperson of the CHED is hereby authorized to designate a
17 CHED Commissioner as the regular Chairperson to the Board, in which case, the said CHED
18 Commissioner shall act as the presiding officer.

19
20 In case the Chairpersons of the Senate Committee on Higher, Technical and Vocational
21 Education and the House Committee on Higher and Technical Education, as well as the Secretary
22 of the DOST, and the Director General of the NEDA shall not be able to attend a Board meeting,
23 they may designate in writing their representatives to the meeting: *Provided*, That the NEDA and
24 the DOST shall be represented by their respective Regional Directors in the CALABARZON. The
25 designees shall be entitled to voice and vote: *Provided further*, That the members of the Board
26 may exercise their right to vote through remote communication and in *absentia*, as provided for in
27 Section 49 of Republic Act No. 11232.

28
29 **SEC. 15. Powers and Duties of the Board.** - The administration of the BatStateU and the
30 exercise of its corporate powers are vested in the Board, which shall have the following specific
31 powers and duties in addition to its general powers of administration and the exercise of all the
32 powers granted to the Board of Directors of a Corporation under Section 35 of Republic Act No.
33 11232:

- 34
35 (a) Define in general terms the academic thrusts and institutional goals of the BatStateU and adopt
36 broad policy guidelines to ensure effective implementation;
- 37
38 (b) Preserve the integrity of the BatStateU;
- 39
40 (c) Approve the institution, merger or abolition of academic programs, upon recommendation of
41 the University's Academic Council through the President of the BatStateU;
- 42
43 (d) Create, organize, reorganize, merge or abolish constituent campuses, extension campuses,
44 colleges, institutes, and other academic and administrative units of the BatStateU;
- 45
46 (e) Approve the curricula, institutional programs, and rules on student discipline drawn by the
47 Administrative and Academic Councils as herein provided;
- 48
49 (f) Approve the rules on student discipline recommended by the Academic Council through the
50 President of the BatStateU, with the Board retaining the power to review and pass final
51 judgment on student disciplinary cases;
- 52
53 (g) Approve the graduation of students and grant of honors, as recommended by the Academic
54 Council through the President;

1 (h) Appoint, upon the recommendation of the President of the BatStateU, faculty members and
2 other officials and employees in accordance with the compensation and position classification
3 system; to draw up a position classification and compensation plan for its faculty and staff,
4 subject to the review and approval of the Department of Budget and Management (DBM); to
5 fix and adjust salaries and benefits of the faculty members and other employees in accordance
6 with the compensation and classification system; to determine the hours of service of faculty
7 and staff, and such other terms and conditions of employment as it may deem proper; to grant
8 leave of absence under such regulations as it may promulgate, any other provisions of law to
9 the contrary notwithstanding; and to remove them for cause as provided by law after due
10 investigation and proper hearing;
11

12 (i) Fix the tuition fees and other necessary school charges as the Board may deem proper to impose,
13 after due consultation with the students concerned.
14

15 Such fees and charges, including government support and other income generated by the
16 BatStateU, shall constitute its special trust funds, and shall be deposited in an any
17 authorized government depository bank. All interest that shall accrue therefrom shall form part
18 of the same funds for the use of BatStateU.
19

20 Any provision of existing law, rule or regulation to the contrary notwithstanding, any
21 income generated and collected by the BatStateU or by its subsidiaries, as well as from
22 operation of auxiliary services and land grants, shall be retained by the BatStateU and may be
23 disbursed by the Board for instruction, research, extension services or other programs or
24 projects of the BatStateU; for the professional growth and development, health, welfare, and
25 other benefits of the students, faculty members and administrative personnel; for the
26 acquisition, construction maintenance and repair of needed instructional and auxiliary facilities,
27 equipment, buildings and other infrastructure; development of economic assets, and for
28 expenses necessary for the attainment of its purposes under its approved program of
29 expenditures.
30

31 If the BatStateU, for reasons beyond its control, shall not be able to pursue any project or
32 purpose for which funds have been appropriated and allocated under its approved program of
33 expenditures, the Board may authorize the use of said funds for any reasonable purpose which,
34 in its discretion, may be necessary and urgent for the attainment of the objectives of the
35 BatStateU, including utilization for the professional growth, and other benefits of the students,
36 faculty members and administrative personnel: *Provided*, That trust funds created by law for a
37 specific purpose, other than special trust funds constituted herein shall not be reprogrammed
38 to other expenditures;
39

40 (j) Adopt and implement a socialized scheme of tuition and other school fees for greater access
41 of poor but deserving students in accordance with Republic Act No. 10931 or the "Universal
42 Access to Quality Tertiary Education Act";
43

44 (k) Receive and appropriate sums as may be provided by law for the support of the BatStateU, and
45 all other sums in the manner it may, in its discretion, determine to carry out the purposes and
46 functions of the BatStateU;
47

48 (l) Set policies on admission and graduation of students;
49

50 (m) Award honorary degrees upon persons in recognition of learning, statesmanship, or eminence
51 in the field of engineering, science, technology, education, public service or in any field of
52 specialization within the academic competency of the BatStateU, upon recommendation of a
53 committee created by the President of the BatStateU: *Provided*, That such degrees shall not be
54 conferred in consideration of any payment, gift or other valuable consideration;

- 1 (n) Establish research and extension centers to promote the development of the BatStateU;
2
- 3 (o) Authorize its faculty and staff to travel abroad to study, deliver papers, attend conferences and
4 disseminate research: *Provided*, That the fellowship, scholarship or grant is authorized by the
5 Board: *Provided*, Further, That research and other activities funded by the BatStateU shall
6 likewise undertake research in fields or topics with promising commercial applications, and
7 that the faculty and staff involved in said research be allowed to participate in its financial or
8 economic benefits, subject to existing rules and regulations;
9
- 10 (p) Provide fellowships, scholarships and grants, including athletic grants and to award the same
11 to faculty, staff and students having special evidence of merit, especially those who are poor
12 and deserving individuals;
13
- 14 (q) Develop academic arrangements for institutional capability building with appropriate
15 institutions and agencies, whether public, private, local or foreign, and appoint experts or
16 specialists as consultants, part-time, visiting or exchange professors, scholars, and researchers,
17 as the case may be;
18
- 19 (r) Develop consortia and other economic forms of linkages with local government units, as well
20 as public, private, local or foreign institution and agencies for the furtherance of the purposes
21 and objectives of the BatStateU;
22
- 23 (s) Enter into joint ventures or public-private partnerships (PPPs) with business and industry for
24 the profitable development and management of the economic assets, the proceeds of which
25 shall be used for the development and strengthening of the BatStateU, and for the professional
26 growth and development, health, welfare, and other benefits of the students, faculty members
27 and administrative personnel;
28
- 29 (t) Receive in trust, legacies, gifts and donations of real and personal properties of all kinds and
30 administer and dispose the same, when necessary, for the benefit of the BatStateU and subject
31 to the limitations, discretions and instructions of the donor, if any;
32
- 33 (u) Extend the term of the President of the BatStateU beyond the age of retirement, but not beyond
34 the age of seventy (70), based on the guidelines, qualifications and standards set by the Board:
35 *Provided*, That the President's performance has been rated by the Board as outstanding and a
36 unanimous recommendation for such extension has been decided upon by the search
37 committee;
38
- 39 (v) Elect the President of the BatStateU following a process of democratic consultation with the
40 university community based on standards and guidelines set by the Board;
41
- 42 (w) Extend, with their consent, the tenure of faculty members of the BatStateU beyond the
43 compulsory retirement age, any other provision of law to the country notwithstanding, on
44 recommendation of the units and upon endorsement of the President of the BatStateU,
45 whenever their services are especially needed: *Provided*, however, that no extension of tenure
46 shall be made beyond the age of seventy (70);
47
- 48 (x) Authorize the construction or repair of its buildings, machinery, equipment and other facilities,
49 and the purchase and acquisition of real property, including the necessary supplies, materials
50 and equipment;

- 1 (y) Delegate any of its powers and duties provided to the President or other officials of the
2 BatStateU, as it may deem appropriate, so as to expedite the administration of the affairs of the
3 BatStateU;
4
- 5 (z) Prescribe rules for its own government and discipline of the faculty and other personnel and to
6 enact for the governance of the BatStateU such general policies, rules and regulations, not
7 contrary to law, as are consistent with its purposes;
8
- 9 (aa) Where most advantageous to the BatStateU, privatize the management of nonacademic
10 services such as health, food, building or grounds or property maintenance, and such other
11 similar activities;
12
- 13 (bb) Develop mechanisms for the efficient adoption of PPPs in the areas of research, instruction,
14 extension and in the acquisition of facilities and structures of the BatStateU; and
15
- 16 (cc) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions
17 of the BatStateU.
18

19 **SEC. 16. *The President of the BatStateU.*** - The President of the BatStateU shall be its
20 chief academic officer, head of the university, faculty and chief executive officer. As such, the
21 President shall exercise the powers specifically provided for in this Act, those determined by the
22 Board, those which pertain to the office of the President and those which are related or necessary
23 to its functions.
24

25 The President of the BatStateU, who shall be elected by the Board on recommendation of
26 a duly constituted search committee, shall render full-time service.
27

28 The President of the BatStateU shall have a term of four (4) years, and may be reappointed
29 to another term, upon recommendation of a duly constituted search committee.
30

31 In case of vacancy in the Office of the President by reason of death, resignation, removal
32 for cause or incapacity of the President to perform the functions of the office, the Board shall
33 designate an Officer-in-Charge of the BatStateU, pending the appointment of a new President. In
34 no case shall the search and appointment of the next President be longer than ninety (90) calendar
35 days from the date when the vacancy occurs. The newly appointed President shall serve a full term.
36 *Provided,* That the designated officer-in-charge shall not be allowed to join as candidate in the
37 search process.
38

39 The powers and duties of the President of the BatStateU, in addition to those specifically
40 provided in this Act, shall be those usually pertaining to the office of the president of a similar
41 educational institution, and those delegated by the Board.
42

43 The salary of the President of the BatStateU shall be in accordance with Republic Act No.
44 11466 or the "Salary Standardization Law of 2019", and by such other laws amendatory thereto
45 which may hereinafter be enacted, and on the joint circular for state universities and colleges
46 leveling instrument and guidelines of the CHED and the DBM.
47

48 **SEC. 17. *The Secretary of the BatStateU and of the Board.*** - There shall be a Secretary
49 of the BatStateU designated by the Board, who shall also be the Secretary of the Board, and who
50 shall keep such records of the BatStateU.
51

52 **SEC. 18. *The Academic Council.*** - There shall be an academic council consisting of the
53 President of the BatStateU as chairperson, the Vice President for Academic Affairs as vice

1 chairperson, and all faculty members of the BatStateU holding the rank of assistant professor and
2 higher as members.

3
4 **SEC. 19. Powers of the Academic Council.** - The academic council shall be the highest
5 academic body of the BatStateU and shall exercise the following powers:

- 6
7 (a) Review and propose academic policies and standards, curricular offerings, instructional
8 evaluation and assessment systems;
9
10 (b) Recommend to the Board, through the President of the BatStateU, the award of all honorary
11 degrees;
12
13 (c) Fix the requirements for admission to any college or unit, graduation, and the grant of honors,
14 subject to the prescribed university policies and guidelines;
15
16 (d) Recommend to the Board, through the President of the BatStateU, matters pertaining to the
17 conduct and welfare of the BatStateU, such as the preparation of the academic calendar,
18 student life, standards of conduct and discipline, living conditions, organizations, sports,
19 culture and the arts, and participation in extracurricular activities;
20
21 (e) Prescribe the academic programs including their institution, revision, abolition and merger,
22 subject to the approval of the Board;
23
24 (f) Recommend to the Board, through the President of the BatStateU, the graduation of students
25 and the grant of honors; and
26
27 (g) Adopt internal rules of procedure, not contrary to law, and consistent with the provisions of
28 this Act.
29

30 **SEC. 20. Administrative Council.** - There shall be created in the BatStateU a university
31 administrative council consisting of the President of the BatStateU as Chairperson, and the vice
32 presidents, chancellors, vice chancellors, deans, associate deans, directors, assistant directors, and
33 other officials of equal rank, as members. The President of the BatStateU as Chairperson thereof,
34 shall constitute the university administrative council.
35

36 **SEC. 21. Duty of the Administrative Council.** - The Administrative Council so formed
37 and constituted shall review and recommend, in accordance with the direction of the Board,
38 appropriate policies governing the administration, management and development planning of the
39 BatStateU.
40

41 **SEC. 22. Research Council.** - There shall be created in the BatStateU a Research Council,
42 which shall be composed of the President, as Chairperson; the Vice President for Research,
43 Development and Extension Services, as Vice Chairperson; and with the Vice President for
44 Academic Affairs, Vice President for Administration and Finance, Vice President for
45 Development and External Affairs, Chancellors, Vice Chancellors for Research, Development and
46 Extension Services, Director for Research, Director for Research Management Services, Director
47 STEER Hub, Director for Finance, Assistant Director for Research, Assistant Director for
48 Research Management Services, and Head of established Research Centers, as members.
49

50 **SEC. 23. Duty of the Research Council.** - The Research Council so formed and
51 constituted shall act as an advisory body to the President on matters relating to the setting of
52 research directions, planning, fund sourcing and allocation, and the formulation and review of
53 policies and guidelines pertaining to the Research Program of the BatStateU.
54

55 **SEC. 24. Extension Services Council.** - There shall be created in the BatStateU an
56 Extension Services Council, which shall be composed of the President, as Chairperson; the Vice

1 President for Research, Development and Extension Services, as Vice Chairperson; and with the
2 Vice President for Academic Affairs, Vice President for Administration and Finance, Vice
3 President for Development and External Affairs, Chancellors, Vice Chancellors for Research,
4 Development and Extension Services, Director for Extension Services, Director for Finance, and
5 Assistant Director for Extension Services, as members.
6

7 **SEC. 25. Duty of the Extension Services Council.** - The Extension Services Council so
8 formed and constituted shall act as an advisory body to the President on matters of setting extension
9 services direction, planning, fund sourcing and allocation, and in reviewing and recommending
10 policies and guidelines pertaining to the Extension Services Program of the BatStateU.
11

12 **SEC. 26. The Chancellor of the Constituent Campus.** - The Administration of each
13 constituent campus is vested in the Chancellor insofar as delegated by the President of the
14 BatStateU and authorized by the Board. The Chancellor of the constituent campus shall be
15 designated by the Board upon recommendation of the President of the BatStateU. The Chancellor
16 shall report to the President of the BatStateU, and shall perform the duties and functions elsewhere
17 stated in this Act, and all the usual, necessary, and related functions of the Office of the Chancellor
18 subject to the policies and rules prescribed by the Board.
19

20 **SEC. 27. The Faculty.** - The teaching staff of each college shall constitute its faculty. The
21 College Faculty shall be presided over by a Dean, who shall be designated by the Board upon
22 recommendation of the President of the BatStateU.
23

24 No political belief, gender preference, cultural or community affiliation or ethnic origin,
25 nor religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty
26 members of the BatStateU: *Provided*, That said appointment shall be subject to the guidelines,
27 qualifications and standards set by the Board: *Provided, further*, That no member of the faculty
28 shall teach for or against any particular church or religious sect.
29

30 **SEC. 28. Student Affairs.** - There shall be established in the BatStateU the following
31 student councils: for every college, a college student council; and for every constituent campus, a
32 campus student council; and for the BatStateU, a federation of all student councils.
33

34 The university student council shall be composed of students from constituent campuses
35 and their extension campuses elected to represent the studentry thereat. The student council shall
36 serve as the primary student body that shall advance the interests, welfare, and aspirations of the
37 students of the BatStateU. It shall have the power to adopt internal rules of procedure consistent
38 with the provisions of this Act.
39

40 Subject to due and comprehensive consultation with the students, there shall be a student
41 publication established in every constituent campus to be funded by student fees. Freedom of
42 expression and autonomy in all matters of editorial and fiscal policy shall be guaranteed especially
43 in the selection of its editors and staff.
44

45 **SEC. 29. Land Grants and Other Real Properties of the BatStateU.** - The State may
46 support the BatStateU as the national engineering university in the form of a lump sum amount in
47 the annual General Appropriations Act and other financial benefits, and in kind, through land
48 grants and donations and use of other real properties. To carry out the intent of these grants, income
49 derived from the development of all land grants and real properties shall be used to further the
50 ends of the university, as may be determined and decided by the Board.
51

52 Such parcels of land ceded by law, decree or presidential issuance to the BatStateU are
53 hereby declared to be reversed for the purposes intended. The absolute ownership of the BatStateU
54 over these landholdings, including those covered by original and transfer certificates of title in the
55 name of the BatStateU and their future derivatives, is hereby confirmed. Where the issuance of
56 proper certificates of title for these landholdings is yet pending, the appropriate government office
57 may expedite the issuance thereof within six (6) months from the date of effectivity of this Act:

1 *Provided*, That all registration requirements necessary for the issuance of the said titles have been
2 submitted and complied with.

3
4 The Board may plan, design, approve and cause the implementation of land leases:
5 *Provided*, That such mechanisms and arrangements shall sustain and protect the environment in
6 accordance with law, and be exclusive of the academic core zone of the campuses of the BatStateU:
7 *Provided further*, That such mechanisms and arrangements shall not conflict with the academic
8 mission of the BatStateU.

9
10 The Board may allow the use of the income coming from real properties of the BatStateU
11 as security for transactions to generate additional revenues when needed for educational purposes.

12
13 The Board may approve the implementation of joint ventures: *Provided*, That in the event
14 real properties of the BatStateU are involved, only the income derived by the BatStateU from the
15 use of the real properties shall be the subject of its participation or obligation in the joint ventures:
16 *Provided*, further, That no joint venture shall result in the alienation of the real properties of the
17 BatStateU.

18
19 Any plan to generate revenues and other sources from land grants and other real properties
20 entrusted to the BatStateU shall be consistent with the academic mission and orientation of the
21 university as well as protect it from undue influence and control of commercial interests: *Provided*,
22 That such programs, projects or mechanisms shall be approved by the Board subject to a
23 transparent and democratic process of consultation with the constituents of the BatStateU:
24 *Provided*, further, That funds generated from such programs, projects or mechanisms shall not be
25 meant to replace, in part or in whole, the annual appropriations provided by the national
26 government to the BatStateU.

27
28 **SEC. 30. Safeguards on Assets Disposition.** - The preservation of the value of the assets
29 of the BatStateU shall be of primordial consideration.

30
31 The sale of any existing real property of the BatStateU shall be prohibited: *Provided*, That
32 the Board may alienate real property donated after the effectivity of this Act if the terms of the
33 donation specifically allow it.

34
35 Notwithstanding the provision of this Act or any other law to the contrary, the lease of
36 more than five (5) years of the assets of the BatStateU and any transaction referred to in this
37 Section shall be subject to the following conditions and procedures:

38
39 (a) The transactions shall be:

- 40
41 1) Discussed with the members of the Board in any of its formally convened regular or
42 special meeting;
43
44 2) Based on a multi-year comprehensive development plan, crafted, and developed by
45 qualified urban planning professionals having at least five (5) years experience, with prior
46 consultations with and concurrence of third-party experts and duly approved by a majority
47 vote of all the members of the Board; and,
48
49 3) Subject to competitive and public bidding as provided for under Republic Act No. 9184,
50 otherwise known as the "Government Procurement Reform Act";
51

52 (b) In the case of two (2) failed biddings and negotiated transactions, the Board, when considering
53 the approval of any such transaction, shall secure a fairness opinion report from an independent
54 third-party body. The body shall have five (5) members, three (3) of which shall be nominated
55 by the Bankers Association of the Philippines (BAP), Investment Houses Association of the
56 Philippines (IHAP), Trust Officers Association of the Philippines (TOAP), or the Financial

1 Executive Institute of the Philippines (FINEX). The members shall be entitled to a reasonable
2 per diem as the Board may specify;
3

4 (c) The fairness opinion report shall contain a statement expressing the opinion of the body on the
5 terms of the proposed transaction, particularly its financial terms. The report shall include a
6 review and analysis of the proposed transaction, financial statements, industry information,
7 economic conditions assumptions using management projections and the assumptions used
8 therein and a comparison of similar transactions: *Provided*, That if the Board differs with the
9 fairness opinion report they shall justify their decision in writing and make this available to the
10 community of BatStateU. This provision shall not apply to leases granted to faculty and staff
11 as part of their benefit and those for academic purposes; and
12

13 (d) If the contract or transaction involves an amount more than Fifty million pesos
14 (P50,000,000.00), it shall be approved by at least three-fourths of all the members of the Board:
15 *Provided*, That the splitting of contracts, which is by breaking up a contract into smaller
16 quantities or amounts or dividing contract implementation into artificial or arbitrary phases or
17 subcontracts for the purpose of circumventing this provision, shall not be allowed.
18

19 **SEC. 31. Management of Funds.** – There shall be an independent trust committee to be
20 composed of the President of the BatStateU, as Chairperson, and with representatives from the
21 BAP, IHAP, TOAP, and FINEX, as representatives, and who shall be entitled to a reasonable per
22 diem, as the Board may specify.
23

24 The independent trust committee shall recommend to the Board five (5) universal banks
25 selected on a prudent basis. Trust departments shall manage the corporate and other funds through
26 trust agreements of the BatStateU in a non-directed basis: *Provided*, That any such agreement shall
27 be for a period of not more than two (2) years;
28

29 The independent trust committee shall provide the Board with direction on appropriate
30 investments with the view of preserving the value of funds while allowing the BatStateU to earn a
31 reasonable return thereon.
32

33 **SEC. 32. Tax Exemptions.** - The provisions of any general or special law to the contrary
34 notwithstanding:
35

36 (a) All revenues and assets of the BatStateU used for educational purposes or in support thereof
37 shall be exempt from all taxes;
38

39 (b) All grants, bequests, endowments, donations and contributions made to and used actually,
40 directly and exclusively for educational purposes by the BatStateU shall be exempt from
41 donor's tax and the same shall be considered as allowable deductions from gross income for
42 purposes of computing the taxable income of the donor in accordance with the provisions of
43 the National Internal Revenue Code of 1997, as amended;
44

45 (c) Importation by the BatStateU of economic, technical, vocational, scientific, philosophical,
46 historical and cultural books, supplies and materials duly certified by the Board and the
47 CHED, including scientific and educational computer and software equipment, shall be
48 exempt from customs duties in accordance with the provisions of Republic Act No. 10863,
49 otherwise known as the "Customs Modernization and Tariff Act (CMTA); and
50

51 (d) All academic awards shall be exempt from taxes.
52

53 **SEC. 33. Reportorial Requirements and Auditing of Accounts.** The BatStateU shall
54 submit an annual report to Congress containing the financial statements, statement of assets and
55 liabilities, statement of income from tuition fees and other revenue sources. All accounts and
56 disbursements of the BatStateU shall be audited by the Commission on Audit.

1
2 **SEC. 34. Rules of Construction.** No statutory or other issuances shall diminish the
3 powers, rights, privileges and benefits accorded to the BatStateU under this Act, or those enjoyed
4 at present by virtue of other issuances not otherwise modified or repealed under this Act, unless
5 subsequent legislation expressly provides for their repeal, amendment or modification. Any case
6 of doubt in the interpretation of any of the provisions of this Charter shall be resolved in favor of
7 the academic freedom and fiscal autonomy of the BatStateU.
8

9 **SEC. 35. Appropriations.** - The amount needed to carry out the implementation of this
10 Act shall be charged against the current year's appropriations of the BatStateU and its other
11 internal funds. Thereafter, the amount necessary to strengthen its capacity as the national
12 engineering university shall be included in the annual General Appropriations Act.
13

14 **SEC. 36. Development Plan and Organizational Structure.** - Within one hundred twenty
15 (120) days after the approval of this Act, the BatStateU shall accomplish the following:
16

- 17 (a) Submit a five (5)-year development plan, including its corresponding program budget to the
18 CHED and DBM;
19
20 (b) Set up its organization, as well as its academic structure, and designate the key officials and
21 administrative personnel of the BatStateU;
22
23 (c) Secure additional plantilla positions, including technical, support to technical, and key
24 administrative positions for the existing constituent campuses and extension campuses, and
25 augmentation of personnel services allocation from the DBM, in order to enhance the efficiency
26 and effectiveness of the administration and management of the BatStateU, towards the
27 attainment of its mandate as the national engineering university.
28

29 **SEC. 37. Transitory Provision.** - To provide strategic direction and leadership as the
30 BatStateU transitions to its pioneer status as the national engineering university, and to ensure the
31 attainment of its distinctive and purposeful mandate as such, as declared and provided for in this
32 Act, the incumbent President of the BatStateU shall continue to serve as the first President of the
33 BatStateU as the national engineering university for one full term of four (4) years without
34 reappointment.
35

36 **SEC. 38. Separability Clause.** - Should any provision herein be declared unconstitutional,
37 the same shall not affect the validity of the other provisions of this Act.
38

39 **SEC. 39. Repealing Clause.** - Republic Act No. 9045 entitled "An Act Creating The
40 Batangas State University (BSU) by Integrating the (1) Pablo Borbon Memorial Institute of
41 Technology, Including its Branches in Barangay Alangilan, Batangas City, in the Municipalities
42 of Balayan, Bauan, Lobo, San Pascual, Rosario, Taysan, Padre Garcia, Lemery, Calaca, Taal,
43 Tanauan, San Juan and Lipa City, (2) Jose P. Laurel Polytechnic College in Malvar, (3) Apolinario
44 R. Apacible School of Fisheries in Nasugbu, and (4) Polytechnic University of the Philippines
45 Campus in Sto. Tomas, Appropriating Funds Therefor, and For Other Purposes, as Amended," and
46 all laws, decrees, orders, rules and regulations or other issuances or parts inconsistent with the
47 provisions of this Act are amended, repealed, or modified accordingly.
48

49 **SEC. 40. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
50 the *Official Gazette* or in a newspaper of general circulation.

Approved.