

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

23 JUL 17 P4 :29

SENATE
S.B. No. 2319

RECEIVED BY: 

Introduced by **SENATOR IMEE R. MARCOS**

**AN ACT
CONVERTING THE SULU STATE COLLEGE IN THE MUNICIPALITY OF JOLO,
PROVINCE OF SULU INTO A STATE UNIVERSITY TO BE KNOWN AS THE
SULU STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Article XIV, Section 2 of the 1987 Constitution provides that "the State shall establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged;"¹ The government strives to continuously contribute and recognize the importance of our educational institutions, especially aiming to provide government-funded educational opportunities to socio-economically challenged families. Education is an indispensable aspect of life which allows us to acquire knowledge and skills in order to succeed and should be available to everyone.

Sulu State College has provided tertiary education to thousands of students over the years. However, as we strive for the continuous growth and development of the field of higher education, it is imperative to elevate the status of Sulu State College into a state university. This conversion will provide enhanced academic programs, expanded research opportunities, and a broader scope of services for the students and the community at large.

According to the Philippines Statistic Authority, as of 2015, Jolo held a population of 125,564.² However, the municipality as a whole currently only contains 1 state school (Mindanao State University - Sulu). The availability of government-funded education remains scarce in this region with many deserving students lacking educational opportunities given elsewhere. Furthermore, given the fact that Jolo is isolated from the mainland, their necessity for aid is far greater than universities in urban areas as they, simply put, do not share the same access to resources.

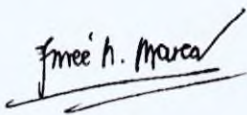
¹ The 1987 Constitution of the Republic of the Philippines. Accessed online on 10 July 2023 through the website <https://www.officialgazette.gov.ph/constitutions/the-1987-constitution-of-the-republic-of-the-philippines/the-1987-constitution-of-the-republic-of-the-philippines-article-xiv/>
² Philippine Statistics Authority, <https://rsoarmm.psa.gov.ph/release/54903/special-release/sulu-total-population-reached-824-731>

Higher level university education allows students to further pursue their studies in an environment which allows them to gain more in-depth and applicable knowledge. This, in turn, aims to support and benefit their future due to specialized education. For the citizens of Jolo, this means possibilities of achieving high-quality job opportunities as well as allowing them to study and research their own unique interests and passions.

Furthermore, Article XIV, Section 1 of the 1987 Constitution explains that "The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.". Accessibility to quality education is of most vital importance to the development and livelihood of Filipino citizens. It is the duty of the government to make sure that these crucial needs are fulfilled, more specifically, that the requests from the Representatives of Sulu, for a state university, take place.

This bill seeks to establish Sulu State College as a state university by converting the College into Sulu State University in order to support and uplift the hopeful youth of Jolo under their circumstances. It is with upmost importance that the sanctity of the constitutional promises made, with regard to education, are upheld and continue to be.

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


IMEE R. MARCOS

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

1 **Section 1. Conversion.** – The Sulu State College in the Municipality of Jolo,
2 Province of Sulu is hereby converted into a State University to be known as the Sulu
3 State University hereinafter referred to as the University.
4

5 **Sec. 2. General Mandate.** – The University shall primarily provide advanced
6 education, higher technological, professional instruction and training in the fields of
7 agriculture, education, engineering, forestry, arts and sciences and other related
8 fields. It shall also undertake research and extension services and provide
9 progressive leadership in its areas of specialization.
10

11 **Sec. 3. Curricular Offerings.** – The University shall offer undergraduate and
12 graduate courses in the fields of agriculture, education, engineering, forestry, arts
13 and sciences, and other degrees/courses within its areas of specialization and
14 according to its capabilities, as the Board of Regents may deem necessary to carry
15 out its objectives, in order to meet the needs of the Province of Sulu and the Region.
16

17 The existing high school shall be transferred to the jurisdiction and
18 supervision of the Department of Education: Provided, that the high school shall be
19 allowed to remain and operate within the campus of the University until the existing
20 students shall have completed their Senior year education: Provided, further, that
21 the University may operate reasonably-sized laboratory school if it has a College of
22 Education.
23

24 **Sec. 4. Administration.** – The University shall have the general powers of a
25 corporation as set forth in the Revised Corporation Code. The administration of the
26 University and the exercise of its corporate powers shall be vested exclusively in
27 the Board of Regents and the President of the University.

1
2 **Sec. 5. *The Governing Board.*** – The governing board of the University shall
3 be the Board of Regents, hereinafter referred to as the Board, which shall be
4 composed of the following:

- 5
6 a. The Chairman of the Commission on Higher Education (CHED), as the
7 Chairman;
8 b. The President of the University, as Vice-Chairman;
9 c. The Chairperson of the Committee on Education, Arts and Culture of the
10 Senate, as Member;
11 d. The Chairperson of the Committee on Higher and Technical Education of the
12 House of Representatives, as Member;
13 e. The Chairperson of the Committee on Higher Education-BARMM, as Member;
14 f. The President of the Faculty Association of the University, as Member;
15 g. The President of the Student Council of the University, as Member;
16 h. The President of the Alumni Association of the University, as Member; and
17 i. Two (2) prominent citizens from the private sector who have distinguished
18 themselves in their profession or fields of specialization of the University, as
19 Members.

20
21 The Board shall appoint the two (2) prominent citizens from among the list
22 of at least five (5) persons qualified in the Province of Sulu as recommended by a
23 search committee constituted by the University President, in consultation with the
24 Board based on standards and qualifications for the position as determined by the
25 Board

26
27 The two (2) prominent citizens shall serve for a term of two (2) years from
28 the date of appointment.

29
30 The term of the President of the Faculty, Association, the President of the
31 Student Council, and the President of the Association shall be co-terminus with their
32 respective terms of office as set forth in their respective Constitution and By-laws.

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

40
41 **Sec. 7. *Power and Duties of the Board of Regents.*** – The Board shall have
42 the following specific powers and duties, in addition to its general powers of
43 administration and the exercise of all the powers granted to the Board of Directors
44 of a corporation under existing laws:
45

- 1 a. To promulgate rules and regulations as may be necessary to carry out the
- 2 purposes and functions of the University;
- 3 b. To receive and appropriate all sums as may be provided for the support of
- 4 the University in the manner it may determine in its discretion, in order to
- 5 carry out the purposes and functions of the University;
- 6 c. To import duty-free economic, technical and cultural books and/or
- 7 publications upon certification by the CHED that such imported books and/or
- 8 publications are for economic, technical, vocational, scientific, philosophical,
- 9 historical or cultural purposes in accordance with the provisions of the Tariff
- 10 and Customs Code, as amended;
- 11 d. To receive in trust legacies, gifts and donations of real and personal
- 12 properties of all kinds and to administer and dispose of the same when
- 13 necessary for the benefit of the University, and subject to the limitations,
- 14 directions and instructions of the donor, if any. Such Donations shall be
- 15 exempt from the donor's tax and the same shall be considered as allowable
- 16 deductions from the gross income of the donor in accordance with the
- 17 provisions of the National Internal Revenue Code (NIRC), as amended.
- 18 *Provided*, That such donations shall not be disposed of, transferred or sold;
- 19 e. To fix the tuition fees and other necessary school charges, such as but not
- 20 limited to matriculation fees, graduation fees, and laboratory fees, as the
- 21 Board may deem proper to impose, after due consultation with the involved
- 22 sectors. Such fees and charges, including government subsidies and other
- 23 income generated by the University, shall constitute special trust funds and
- 24 shall be deposited in any authorized government depository bank and all
- 25 interests that shall accrue therefrom shall form part of the same funds for
- 26 the use of the University. Any provision of existing laws, rules and regulations
- 27 to the contrary notwithstanding any income generated by the University from
- 28 tuition fees and other charges as well as from the operation of auxiliary
- 29 services and land grants shall be retained by the University and may be
- 30 disbursed b the Board for instruction, research, extension or other
- 31 programs/projects of the University: *Provided*, that all fiduciary fees shall be
- 32 disbursed for the specific purposes for which they are collected. If for reasons
- 33 beyond its control, the University shall not be able to pursue any project for
- 34 which the funds have been appropriated and allocated under its approved
- 35 program expenditures, the Board may authorize the use of said funds for any
- 36 reasonable purpose which in its discretion may be necessary and urgent for
- 37 the attainment of the objectives and goals of the University;
- 38 f. To adopt and implement a socialized scheme of tuition and school fees for
- 39 greater access to poor but deserving students;
- 40 g. To authorize the construction or repair of its buildings, machinery, equipment
- 41 and other facilities, and the purchase and acquisition of real property,
- 42 including necessary supplies, materials and equipment;
- 43 h. To appoint upon recommendation of the Presindet of the University, Vice
- 44 Presidents, Deans, Directors, and heads of campuses, faculty members and
- 45 other officials and employees of the University;

- 1 i. To fix and adjust the salaries of faculty members and administrative officials
2 and employees, subject to the provisions of the revised compensation and
3 Position Classification System and other pertinent budget and compensation
4 laws governing hours of services and such other duties and conditions as it
5 may deem proper, to grant them at its discretion, leaves of absence under
6 such regulations as it may promulgate any provision of existing law to the
7 contrary notwithstanding, and to remove them for causes in accordance with
8 the requirements of due process of law;
- 9 j. To approve the curricula, instructional programs and rules of discipline drawn
10 by the administrative and academic councils herein provided;
- 11 k. To set policies on admission and graduation of students;
- 12 l. To award honorary degrees upon persons in recognition of their outstanding
13 contribution in the fields of education, public service, arts, science and
14 technology, agriculture or any field of specialization within the academic
15 competence of the University, and to authorize the awarding of certificates
16 of completion of non-degree and non-traditional course;
- 17 m. To establish and absorb non-chartered tertiary institutions within the
18 Province of Sulu as branches and centers in coordination with the CHED, and
19 in consultation with the Department of Budget and Management (DBM), and
20 to offer therein programs or courses to promote and carry out equal access
21 to educational opportunities as mandated by the Constitution
- 22 n. To establish research and extension centers of the University where such will
23 promote the development of the latter;
- 24 o. To establish chairs in the University and to provide fellowships for qualified
25 faculty members and scholarships to deserving students;
- 26 p. To delegate any of its powers and duties provided hereinabove to the
27 President and/or other officials of the University as it may deem appropriate
28 so as to expedite the administration of the affairs of the University; To
29 establish chairs in the University and to provide fellowships for qualified
30 faculty members and scholarships to deserving students;
- 31 q. To authorize an external management audit of the University to be financed
32 by the CHED subject to the COA rules and regulations, and to institute
33 reforms, including academic and structural changes on the basis of the audit
34 results and recommendations
- 35 r. To collaborate with other governing boards of the state colleges and
36 universities within the Province of Sulu or the Region under the supervision
37 of the CHED and in consultations with the DBM and work towards the
38 restructuring of the University to become more efficient, relevant, productive
39 and competitive;
- 40 s. To enter into joint ventures with business and industry for the profitable
41 development and management of the economic assets of the University, the
42 proceeds from which shall be used for the development and strengthening of
43 the University;
- 44 t. To develop consortia and other economic forms of linkages with local
45 government units, institutions and agencies, both public and private, local or
46 foreign in the furtherance of the purposes and objectives of the University;

- 1 u. To develop academic arrangements for institution capability building with
2 appropriate institutions and agencies, public and private, local and foreign,
3 and to appoint experts/specialists as consultants, part-time or visiting or
4 exchange professors, scholars, or researchers, as the case may be;
- 5 v. To set up the adoption of modern and innovative modes of transmitting
6 knowledge such as the use of information technology, the dual system open
7 learning, or distance education and community laboratory for the promotion
8 of greater access to education;
- 9 w. To establish policy guidelines and procedures for participative decision
10 making and transparency within the University;
- 11 x. To privatize, where most advantageous to the University, the management
12 of non-academic services such as health, food building or ground or property
13 maintenance and such other similar activities; and
- 14 y. To extend the term of the President of the University beyond the age of
15 retirement but not later than the age of seventy (70), whose performance has
16 been unanimously rated by the Board as Outstanding based on the
17 guidelines, qualifications and/or standards set by the Board, after unanimous
18 recommendation by the search committee.

19
20 **Sec. 8. Meeting of the Board.** – The Board shall regularly convene at least
21 once every quarter. However, the Chairman of the Board may upon three (3) days
22 prior written notice, call a maximum of two (2) special meetings wherever
23 necessary.

24
25 A quorum of the Board shall consist of a majority of all its members holding
26 office at the time of the meeting: *Provided*, however, that the Chairman of the
27 Board or President of the University is among those present in the meeting. In the
28 absence of the Chairman of the CHED, a Commissioner of the CHED duly designated
29 by him shall represent him in the meeting with all the rights and responsibilities of
30 a regular member: *Provided*, however, that during the meeting, the president of the
31 University a Vice-Chairman shall be the Presiding Officer.

32
33 In case of the respective Chairpersons of the Congressional Committees on
34 Education and that of the BARMM, shall not be able to attend the said meeting, they
35 may duly designate their respective representatives to attend the meeting. Such
36 representatives shall have the same rights and responsibilities as a regular member
37 of the Board.

38
39 The member of the Board shall not receive any salary but shall be entitled to
40 reimbursements for actual and necessary expenses incurred, either in their
41 attendance to meetings of the Board or in connection with other official business
42 authorized by the resolution of the Board subject to existing laws and regulations.

43
44 **Sec. 9. The University President.** – The University shall be headed by a
45 President who shall render full time service. He or she shall be appointed by the
46 Board, subject to the guidelines, qualifications and/or standards set by the Board

1 upon recommendation of a duly constituted search committee. He or she shall have
2 a term of four (4) years and shall be eligible for reappointment for another term:
3 *Provided*, that in order to effect a smooth transition to a State University, the
4 President of the Sulu State College, if qualified shall serve as the first President of
5 the University. Within six (6) months before the expiration of the term of office of
6 the incumbent President of the Sulu State College, the Board shall constitute the
7 Search Committee for the Presidency (SCP).

8
9 The President of the University shall be assisted by a Vice-President for
10 Academic Affairs and a Vice-President for Administration who shall be appointed by
11 the Board upon the recommendation by the President of the University.

12
13 In case of vacancy in the office of the President as mentioned in the
14 immediately preceding paragraph, his successor or officer-in-charge shall hold office
15 for the unexpired term only.

16
17 The powers and duties of the President of the University shall be in
18 accordance with Republic Act No. 6758 or the Revised Compensation and Position
19 Classification Act of 1989, as modified by Joint Resolution No. 4 dated June 17,
20 2009, and by such other laws amendatory thereto, which may hereinafter be
21 enacted, and shall be comparable to the being received by the Presidents of similar
22 educational institutions.

23
24 **Sec. 10.** *The Secretary of the University.* – The Board shall appoint a
25 Secretary who shall serve as such for both the Board and the University and shall
26 keep all records and proceedings of the Board in addition to other duties and
27 responsibilities. The Secretary of the University shall serve upon each member of
28 the Board the appropriate notice of Board meetings.

29
30 **Sec. 11.** *The Treasure of the University.* – The Treasure of the Philippines
31 shall be the ex officio treasurer of the University.

32
33 **Sec. 12.** *Administrative Council.* – There shall be an Administrative Council
34 consisting of the President of the University, as Chairperson, and the vice-
35 presidents, deans, directors, and other officials of equal rank, as members, whose
36 duty is to review and recommend to the Board such policies governing the
37 administration, management and development planning of the University.

38
39 **Sec. 13.** *The Academic Council.* – There shall be an Academic Council to be
40 composed of the President of the University, who shall act as its Chairperson, and
41 all academic staff with the rank of at least an assistant professor, as members.

42
43 The Academic Council shall have the power to review and recommend the
44 curricular offerings and rules of discipline of the University, subject to the approval
45 of the Board. It shall fix the requirements for the admission of students, as well for

1 their graduation and conferment of degrees, subject to review and approval of the
2 board thru the President of the University.

3
4 It shall have disciplinary power over the students of the University and shall
5 formulate academic policies and rules and regulations of disciplinE, subject to the
6 approval of the Board.

7
8 **Sec. 14. *Academic Freedom and Institutional Autonomy.*** – The University
9 shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2,
10 Section 5 of Article XIV of the Constitution.

11
12 **Sec. 15. *The Faculty.*** – No political belief, gender preference, cultural or
13 community affiliation, ethnic origin, nor religious opinion or affiliation shall be a
14 matter of inquiry in the appointment of faculty members of the University: *Provided,*
15 That the appointment shall be subject to the guidelines, qualifications and standards
16 set by the Board: provided, further, That a member of the faculty shall not criticize,
17 vouch for, recruit members in behalf of, or preach about any particular church or
18 religious sect.

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

25
26 **Sec. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and***
27 ***Detail of Personnel.*** – The heads of the bureaus and offices of the national
28 government are hereby authorized to loan or transfer, upon the request of the
29 President of the University, such apparatus, equipment or supplies as may be
30 needed by the University, and to detail employees for duty therein when, in the
31 judgment of the head of bureau or office, such apparatus, equipment, supplies or
32 services of such employees can be spared without serious detriment to public
33 service. The employees so detailed shall perform such duties as required of the by
34 the President of the University, and the time so employed shall be counted as part
35 of their regular service.

36
37 **Sec. 18. *Assets, Liabilities and Personnel.*** – All assets, real and personal,
38 personnel and records of the Sulu State College as well as liabilities or obligations,
39 are hereby transferred to the University: *Provided,* that the positions, rights and
40 security of tenure of the faculty members and personnel therein employed under
41 existing laws prior to the conversion into a University shall be respected: *Provided,*
42 further, That the positions of the incumbent shall remain in the same status until
43 otherwise provided for by the Board: *Provided,* finally, That should the University
44 cease to exist or be abolished or should aforementioned parcels of land be no longer
45 needed by the University, the same shall revert to the concerned LGY or to the
46 Republic of the Philippines, as the case may be

1
2 **Sec. 19. Tax Exemption.** – The importation of economic, technical and
3 cultural books and publications, which are for economic, technical-vocational,
4 scientific, philosophical, historical or cultural purposes made by the University, upon
5 certification by the CHED, shall be exempt from customs duties in accordance with
6 the provisions of Republic Act No.10863 otherwise known as the "Customs
7 Modernization and Tariff Act (CMTA)". All grants, bequests, endowments donations
8 and contributions, made to the University to be used actually, exclusively and
9 directly by it, shall be exempt from donor's tax and the same shall be considered as
10 allowable deduction from the gross income in the computation of the income tax of
11 the donor, in accordance with provisions of the National Internal Revenue Code of
12 1997, as amended.

13
14 **Sec. 20. Appropriations.** – The amount necessary to carry out the provisions
15 of this Act shall be charged against the current year's appropriations of the Sulu
16 State College. Thereafter, such sums as may be necessary for the continued
17 operation and maintenance of the University shall be included in the annual General
18 Appropriations Act.

19
20 **Sec. 21. Development Plan, Management Audit, and**
21 *Organization/Administrative/Academic Structure.* – Within the period of one
22 hundred twenty (120) days after the approval of this Act, the University shall
23 accomplish the following:

- 24
25 a. Submit a five (5) year development plan, including corresponding program
26 budget, to the CHED for corresponding recommendation to the DBM;
27 b. Undergo a management audit in cooperation with the CHED; and
28 c. Accordingly set up its organizational, administrative, and academic structure,
29 including the appointment of key officials of the University

30
31 **Sec. 22. Filing of Annual Report.** – On or before the fifteenth (15th) day of
32 the second (2nd) month after the opening of the regular classes each year, the
33 Board shall file with the office of the President of the Philippines and both Houses
34 of Congress, through the CHED Chairperson, a detailed report on the progress,
35 conditions and needs of the University.

36
37 **Sec. 23. Supplementary Application.** – The provisions of Republic Act No.
38 8292 otherwise known as the "Higher Education Modernization Act of 1997" shall
39 serve as part of the Governing Charter of the University.

40
41 **Sec. 24. Parity Clause.** – All other powers, functions and privileges,
42 responsibilities and limitations to state universities and their officials under existing
43 laws shall be deemed granted to or imposed upon the University or its official,
44 whenever appropriate.

45

1 **Sec. 25. *Implementing Rules and Regulations.*** – Within sixty (60) days from
2 the effectivity of this Act, the Board, in consultation with the CHED, shall formulate
3 the rules and regulations to fully implement the provisions of this Act.

4
5 **Sec. 26. *Separability Clause.*** – If, for any reason, any part or provision of
6 this Act is declared invalid or unconstitutional, the remaining parts or provisions not
7 affected shall remain in full force and effect.

8
9 **Sec. 27. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
10 publication in the Official Gazette or in a newspaper of general circulation.

Approved,