

7 JUL 10 1995

SENATE

S. No. 1224

RECEIVED BY: 

Introduced by SENATOR AQUILINO Q. PIMENTEL Jr.

EXPLANATORY NOTE

The province of Ifugao, the gateway from Central Luzon to the Cordilleras, is home to the awe-inspiring rice terraces which, because of its engineering feat, is dubbed as the Eighth Wonder of the World. Built mainly in the municipalities of Banawe, Mayoyao, Hungduan and Kiangan, the rice terraces is as old as Christianity.

Ifugao is accessible to its neighboring provinces through narrow and winding roads. The province is relatively peaceful and its municipalities are linked together by barely passable roads. Infrastructure in the centers of population is largely wanting and transportation and communications facilities are obsolete, to say the least.

Based on income classification criteria, Ifugao is a fourth class province and has the second highest poverty incidence in the mountainous Cordillera region. Sad to say, the world-renowned Ifugao of the rice terraces fame has lain dormant for a couple thousand years.

Todate, there is only one institution of higher learning in the province which is the Ifugao State College of Agriculture and Forestry (ISCAF). Its main campus is in the Municipality of Lamut with branches in three other municipalities. This utter lack of higher learning institutions in Ifugao compared to other provinces translates to a lower literacy rate and ultimately to slow economic growth.

To break the two millennia-long economic stagnation of Ifugao and to jump-start progress in the Cordilleras, it is imperative that innovative measures be resorted to. For a starter, educational endeavors should be given impetus to enable native Cordillerans to adequately respond to the demands of modern global communication, international trade and commerce and socio-cultural developments, among other matters.

The establishment of a state university with extensive curricular offerings in the province of Ifugao by converting the state college into a university is the key to progress in the Cordilleras. Education can be a magnet to usher in socio-cultural and economic development in the region. Ifugao and its neighboring provinces then can, thru education, be world-class like the majestic rice terraces which is an enduring monument to the trailblazing ingenuity and engineering skills of the Cordillerans of old.


This bill is definitely overdue, hence the urgency for its unanimous approval.


AQUILINO Q. PIMENTEL Jr.

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AN ACT
TO ACCELERATE THE SOCIO-CULTURAL AND ECONOMIC
DEVELOPMENT OF THE CORDILLERA REGION BY
ESTABLISHING A STATE UNIVERSITY IN THE PROVINCE OF
IFUGAO TO BE KNOWN AS THE IFUGAO STATE UNIVERSITY
(IFSU), CONVERTING FOR THE PURPOSE THE IFUGAO STATE
COLLEGE OF AGRICULTURE AND FORESTRY INTO A
UNIVERSITY AND APPROPRIATING FUNDS THEREFOR.

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

SEC. 1. ESTABLISHMENT. – There shall be established in the Province of Ifugao a state university to be known as the Ifugao State University (IFSU). For that purpose, the Ifugao State College of Agriculture and Forestry, with main campus in the Municipality of Lamut and its branches, namely: the Potia Campus in the Municipality of Alfonso Lista; the Lagawe Campus in the capital town of Lagawe; and the Tinoc Campus in the Municipality of Tinoc, all in the Province of Ifugao, is converted into a university, hereinafter referred to as the University. The main campus of the University shall be at Lamut, Ifugao.

SEC. 2. GENERAL MANDATE. – The University shall primarily provide advanced instruction and professional training in the fields of education, law, medicine, arts and sciences, business and industry, agriculture and forestry, engineering and technology and other relevant fields of study. It shall also promote research and extension services and provide progressive leadership in its areas of specialization.

SEC. 3. CURRICULAR OFFERINGS. – In addition to the courses currently offered by the Ifugao State College of Agriculture and Forestry, the University shall offer graduate, undergraduate and non-degree courses within its mandated areas of specialization, according to its capabilities, as the Board of Regents may deem necessary to carry out its objectives, ultimately to address the needs and aspirations of the Cordillerans and adequately respond to the demands of the times.

The University shall establish and maintain laboratory schools for elementary and high school students in its campus, as may be required by its Education courses.

SEC. 4. ADMINISTRATION. – The University shall have the general powers of a corporation as set forth in Batas Pambansa Blg. 68, as amended, otherwise known as “The Corporation Code of the Philippines.”

The administration of the University and the exercise of its corporate powers shall be exclusively vested in the Board of Regents and the president of the University insofar as he is authorized by the Board of Regents.

SEC. 5. GOVERNING BOARD. – The governing board of the University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

1. Chairman – The chairman of the Commission on Higher Education (CHED);
2. Vice Chairman – The president of the University;
3. Members –
 - a. Chairman of the Senate Committee on Education, Arts and Culture;
 - b. Chairman of the Committee on Higher and Technical Education of the House of Representatives;

- c. Regional Director of the National Economic and Development Authority;
- d. Regional Director of the Department of Science and Technology;
- e. President of the federation of faculty associations of the University;
- f. President of the federation of student councils of the University;
- g. President of the federation of alumni associations of the University;
- h. Three prominent citizens of the province, preferably alumni of the University, to be appointed by the Board, who shall serve for a term of two years.

SEC. 6. POWERS AND DUTIES OF THE BOARD OF REGENTS. –

In addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws, the Board of Regents shall have the following specific powers and duties:

- a. To promulgate rules and regulations as may be necessary to carry out the purposes and functions of the University;
- b. To establish policy guidelines and procedures for participative decision-making and transparency within the University in accordance with existing laws and the Constitution;
- c. To receive and appropriate all sums of money as may be provided for the support of the University in the manner it may deem best, to carry out the purposes and functions of the University;
- d. To receive in trust legacies, gifts and donations of real and personal properties of all kinds from local or foreign donors, to administer and dispose of the same when necessary for the benefit of the University, subject to limitations, directions and instructions of the donors, if any.

Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;

- e. To import duty-free economic, technical and cultural books and/or publications, upon certification by the CHED that such imported books and/or publications are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes, in accordance with the provisions of the Tariff and Customs Code, as amended;
- f. To fix the tuition fees and other school fees and charges, such as, but not limited to, matriculation fees, graduation fees and laboratory fees, as it may deem proper and reasonable to impose after due consultation with the involved sectors.

Such fees and charges, including government subsidies and other incomes generated by the University, shall constitute a special trust fund and shall be deposited in an authorized government depository bank. All interests from the special fund shall form part of the same fund for use of the University.

Any income generated by the University from tuition fees and other charges, as well as from the operation of auxiliary services and land grants shall be retained by the University and may be disbursed by the Board for instruction, research, extension, or other programs or projects of the University. All fiduciary fees shall be disbursed for the specific purposes for which they are collected.

If, for reasons beyond its control, the University, cannot pursue any project for which funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for purposes which, in its discretion may be necessary and urgent for the attainment of the objectives and goals of the University;

- g. To adopt and implement a socialized scheme of tuition and school fees to allow poor but deserving students greater access to education;

- h. To authorize the construction or repair of its buildings, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, material and equipment.

Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;

- i. To appoint, upon recommendation of the president of the University, vice-presidents, deans, directors and heads of departments, faculty members and other officials and employees;
- j. To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, in accordance with existing law; and to remove them for cause in strict observance of due process of law;
- k. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- l. To set policies on admission and graduation of students;
- m. To confer honorary degrees upon persons in recognition of outstanding contributions in the field of education, public service, arts, science and technology or in any field of specialization within the academic competence of the University and to authorize the award of certificates of completion for non-degree and non-traditional courses;
- n. To establish and absorb tertiary institutions within the province of Ifugao as branches, centers or stations, in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses, to promote and carry

- out equal access to educational opportunities as mandated by the Constitution;
- o. To establish research and extension centers which will promote the development of the University;
 - p. To establish chairs in the University and to provide fellowships for qualified faculty members and scholarships for the staff and deserving students;
 - q. To delegate any of its aforementioned powers and duties to the President and/or other officials of the University as it may deem appropriate to expedite the administration of the affairs of the University;
 - r. To authorize an external management audit of the institution to be financed by CHED, and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;
 - s. Subject to financial and administrative requirements, to collaborate with other governing boards of state universities and colleges within the Cordillera Region, regarding the restructuring of said colleges and universities to make them more efficient, relevant, productive and competitive;
 - t. To enter into joint ventures with business and industry for the profitable development and management of its economic assets, the proceeds from which shall be used for the development and strengthening of the University;
 - u. To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the University;
 - v. To make academic arrangements for institutional capability-building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts or specialists as consultants, or visiting

or exchange professors, scholars and researchers, as the case may be;

- w. To adopt modern and innovative modes of transmitting knowledge, such as the use of information technology, the dual system, open-learning, community laboratory, and the like for the promotion of greater access to higher education; and
- x. To privatize management of non-academic services such as health, food, building, grounds or property maintenance and similar such other activities under conditions most advantageous to the University.

SEC. 7. MEETINGS OF THE BOARD. – The Board shall convene once every quarter on a date that it may previously set. Special meetings may be called by the chairman upon at least three days prior written notice to all the members.

A quorum of the Board shall consist of a majority of all its members present, including either the chairman or the vice chairman of the Board or both.

Representatives to the Board shall be limited only to those of members holding national offices – the chairman, by a commissioner of the CHED and the chairmen of the Congressional Committees, by a person of the respective Committee Chairman's choice. The representatives shall have the same rights and responsibilities as a regular member of the Board.

SEC. 8. COMPENSATION OF THE BOARD. – The members of the Board shall serve without compensation but they shall be reimbursed for actual and necessary expenses incurred for their attendance at Board meetings or in connection with official businesses as authorized by the Board.

SEC. 9. THE UNIVERSITY PRESIDENT. – The University shall be headed by a president, who shall be appointed by the Board upon recommendation of a duly constituted search committee.

The President shall have a term of four years and shall be eligible for appointment for another term.

For a smooth transition to a state university, the incumbent president of the Ifugao State College of Agriculture and Forestry shall be the first president of the University.

In case of vacancy in the office of the president of the University by reason of the death, compulsory retirement, resignation, removal for cause or incapacity of the president to perform the functions of his office, the Board shall, pending the appointment of a new president, designate an officer-in-charge of the University who shall hold office only for the unexpired term of the president.

The powers and duties of the president of the University shall, in addition to those specifically provided under this Act, be those usually pertaining to the office of the presidents of similar state universities and those delegated by the Board.

The salary of the president of the University shall be in accordance with the Revised Compensation and Position Classification system and shall be comparable to that of presidents of similar educational institutions.

SEC. 10. UNIVERSITY VICE PRESIDENTS. – The University president shall be assisted by vice presidents, not to exceed three, who shall be appointed by the Board upon recommendation of the president.

SEC. 11. THE ADMINISTRATIVE COUNCIL. – There shall be an administrative council consisting of the president of the University as chairman, the vice presidents, deans, directors and other officials of equal rank as members, whose duty is to review and recommend to the Board policies governing the administration, management and development planning of the University.

SEC. 12. THE ACADEMIC COUNCIL. – There shall be an academic council with the president of the *University* as chairman and all members of the instructional staff with ranks of not lower than assistant professors as members.

The academic council shall have the power to review and recommend the curricular offerings and rules of discipline of the *University* to the Board. It shall fix the requirements for admission of students as well as for graduation and the conferment of degrees subject to review and appropriate action by the Board.

The academic council shall formulate academic policies, rules and regulations on discipline which shall be approved by the Board. It shall exercise disciplinary power over the students.

SEC. 13. THE SECRETARY OF THE UNIVERSITY. – The Board shall appoint a secretary who shall serve as such for both the Board and the *University*.

SEC. 14. THE TREASURER OF THE UNIVERSITY. – The Treasurer of the Philippines shall be the *ex officio* treasurer of the *University*.

SEC. 15. FACULTY. – No political beliefs, gender preference, cultural or community affiliation or ethnic origin, and religious opinion of affiliation shall be a matter of inquiry in the appointment of faculty members of the *University*: *Provided*, That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 16. SCHOLARSHIP PROGRAM/ADMISSION. – The *University* shall provide a scholarship program and other affirmative action programs to assist poor but deserving students to qualify for admission to the *University*.

Subject to rules and regulations as the Board of Regents may promulgate, children and dependents of the academic and administrative staff of the

University shall have first access to the scholarship and other affirmative action programs of the University.

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

SEC. 17. ACADEMIC FREEDOM AND INSTITUTIONAL AUTONOMY. – The University shall enjoy academic freedom and institutional autonomy, pursuant to Paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the Philippines.

SEC. 18. AUTHORITY TO LOAN OR TRANSFER. – Heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the president of the University, such apparatus, equipment or supplies as may be needed by the University, and to detail employees for duty therein when, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without detriment to the public service. The employees so detailed shall perform such duties as required of them by the president of the University, and the time they are so employed shall be counted as part of their official service.

SEC. 19. ASSETS, LIABILITIES AND PERSONNEL. – All assets, real and personal, personnel and records of the Ifugao State College of Agriculture and Forestry consisting of the main campus and its branches, as well as its liabilities or obligations, are hereby transferred to the University. The positions, rights and security of tenure of the faculty members and personnel currently employed in the Ifugao State College of Agriculture and Forestry shall be respected.

All parcels of land belonging to the Government and occupied by the Ifugao State College of Agriculture and Forestry including its branches, are hereby declared to be the property of the Ifugao State University and shall be titled under that name: *Provided*, that should the University cease to exist or be abolished or when such aforementioned parcels of land are no longer needed by the University, the same shall revert to the Province of Ifugao.

SEC. 20. FILING OF REPORT. – On or before the fifteenth day of the second month after the opening of the regular classes each year, the Board shall file with each House of Congress a detailed report on the progress, conditions and needs of the University.

SEC. 21. APPROPRIATIONS. – The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Ifugao State College of Agriculture and Forestry. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Ifugao State University (IFSU) shall be included in the Annual General Appropriations Act.

SEC. 22. DEVELOPMENT PLAN, MANAGEMENT AUDIT, ORGANIZATION/ADMINISTRATIVE/ACADEMIC STRUCTURE. – Within one hundred twenty days after the approval of this Act, the University shall accomplish the following:

- a. Submit a five year development plan, including its corresponding program budget, to the CHED, for appropriate recommendation to the DBM;
- b. Undergo a management audit in cooperation with the CHED;
- c. Set up its organizational, administrative as well as academic, structure, including the appointment/designation of key University officials.

SEC. 23. ELIGIBILITY. – Members of the faculty of the University at the tertiary level shall be exempt from any civil service examination as a requisite for appointment, without prejudice to the right of the Board to impose other professional examination requirements intended to maintain high academic standards.

SEC. 24. SUPPLEMENTARY APPLICATION. – The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997" shall form an integral part of this Act.

SEC. 25. REPEALING CLAUSE. – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 26. EFFECTIVITY. – This Act shall take effect fifteen days after its publication in two national newspapers of general circulation.

Approved,