


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

8 OCT -6 P3 '09

SENATE

RECEIVED BY: 

S. No. 2656

---

Introduced by Senator FRANCIS G. ESCUDERO

---

### EXPLANATORY NOTE

House Bill No. 2177 authored by the late Congressman Jose M. Alberto which eventually became Republic Act No. 6341, created the Catanduanes State Colleges (CSC) in June 19, 1971 by converting the then Virac Agricultural and Trade School into a State College.

Catanduanes, an island province, lies in the eastern most part of Region V. Separated from the Bicol mainland by the Maqueda Channel, travel to and from the province by sea would require at least four (4) hours of long and agonizing journey, and more, should sea turbulence gets in the way. Travel by air though convenient at least, is no less encouraging because airfare is expensive. These factors constitute prime stumbling blocks for students who wants to pursue or are already pursuing higher education in the Bicol mainland and in Metro Manila. The sheer distance and the attendant high cost of sending students to higher learning institutions outside of the province are simply beyond the means of the majority of Catanduanes' populace.

Though the province has a state college, CSC that is, students feel that to be competitive in finding jobs, it is still necessary that they should have a university-backed academic training. This is a reality revealed by prejudices in favor of university graduates. Hence, there is that persistent clamor among the studentry of Catanduanes to turn CSC into a University. This will moreover ease the burden of parents by lessening the costs of sending their school-age children to higher learning institutions.

The conversion of CSC into a university will greatly cater to the need of the student population in Catanduanes for advanced studies and progressive leadership trainings in their chosen field of specialization. Hence, this will answer adequately the need of the province for more skilled, trained and educated populace in response to global demands. And needless to stress, this will enrich the province's human resources that could thereafter provide economic security to the youth of Catanduanes after graduating from university.

Consistent with the mandate of the Constitution directing the State to establish and maintain a complete, adequate and integrated system of education relevant to the goals of national development, passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Francis G. Escudero', with a stylized, looped flourish at the end.

**FRANCIS G. ESCUDERO**

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

8 OCT -6 P3:09

**SENATE**

RECEIVED BY: 

S. No. 2656

---

Introduced by **Senator FRANCIS G. ESCUDERO**

---

**AN ACT CONVERTING THE CATANDUANES STATE COLLEGES IN THE PROVINCE OF CATANDUANES INTO A STATE UNIVERSITY TO BE KNOWN AS THE CATANDUANES STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR**

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

1       SECTION 1. *Conversion.* - The Catanduanes State Colleges (CSC) in the Province  
2 of Catanduanes, composed of CSC - Virac Campus in the Municipality of Virac and  
3 CSC - Panganiban Campus in the Municipality of Panganiban, both located in the  
4 Province of Catanduanes is hereby converted into a state university to be known as the  
5 Catanduanes State University, hereinafter referred to as the University. The main  
6 campus of the University shall be in Virac, Catanduanes.

7       SEC. 2. *General Mandate.* - The University shall primarily provide advanced  
8 education, higher technological, professional instruction and training in trade,  
9 commerce, fishery, agriculture, arts and sciences, industrial technology, nursing,  
10 midwifery, education, engineering, public administration, information technology, and  
11 other relevant fields of study. It shall also undertake research and extension services,  
12 and provide progressive leadership in its areas of specialization.

13       SEC. 3. *Curricular Offerings.* - The University shall offer undergraduate and  
14 graduate courses in the fields of trade, commerce, fishery, agriculture, arts and sciences,  
15 industrial technology, nursing, midwifery, education, engineering, public  
16 administration, information technology, and other degrees/courses within its areas of

1 specialization and according to its capabilities, as the Board of Regents may deem  
2 necessary to carry out its objectives, particularly to meet the needs of the Province of  
3 Catanduanes and Region V.

4 The existing high school shall be transferred to the jurisdiction and supervision of  
5 the Department of Education (DepEd): *Provided*, That the high school shall be allowed  
6 to remain and operate within the campus of the University until its students, who are  
7 currently enrolled, shall have completed their high school education: *Provided, further*,  
8 That the University may operate a reasonably-sized laboratory school, if it has a College  
9 of Education.

10 SEC. 4. *Administration.* - The University shall have the general powers of a  
11 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the  
12 "Corporation Code of the Philippines". The administration of the University and the  
13 exercise of its corporate powers shall be vested exclusively in the Board of Regents and  
14 the President of the University.

15 SEC. 5. *The Governing Board.* - The governing board of the University shall be the  
16 Board of Regents, hereinafter referred to as Board, which shall be composed of the  
17 following:

18 (a) The Chairperson of the Commission on Higher Education (CHED),  
19 Chairperson;

20 (b) The President of the University, Vice Chairperson;

21 (c) The Chairperson of the Committee on Education, Arts and Culture of the  
22 Senate, member;

23 (d) The Chairperson of the Committee on Higher and Technical Education of the  
24 House of Representatives, member;

25 (e) The Regional Director of the National Economic and Development Authority  
26 (NEDA), member;

1 (f) The Regional Director of the Department of Science and Technology (DOST),

2 member;

3 (g) The President of the federation of faculty associations of the University,

4 member;

5 (h) The President of the federation of student councils of the University, member;

6 (i) The President of the federation of alumni associations of the University,

7 member; and

8 (j) Two (2) prominent citizens from the private sector who have distinguished  
9 themselves in their profession or fields of specialization of the University, members.

10 The Board shall appoint the two (2) prominent citizens from among a list of at least  
11 five (5) qualified persons in the Province of Catanduanes, as recommended by the  
12 Search Committee constituted by the University President, in consultation with the  
13 Chairperson of the CHED and the other members of the Board, based on the normal  
14 standards and qualifications for the position.

15 The term of office of the President of the federation of faculty associations, the  
16 President of the federation of student councils, and the President of the federation of  
17 alumni associations shall be coterminous with their respective terms of office, as set  
18 forth in their respective constitutions and bylaws.

19 The two (2) prominent citizens shall serve for a term of two (2) years from the date  
20 of appointment.

21 SEC. 6. *Promulgation and Implementation of Policies.* – The Board shall promulgate  
22 and implement policies in accordance with the declared State policies on education and  
23 other pertinent provisions of the Philippine Constitution on education, agriculture,  
24 science and technology, as well as the policies, standards and thrusts of the CHED  
25 under Republic Act No. 7722, otherwise known as the “Higher Education Act of 1994”.

26 SEC. 7. *Powers and Duties of the Board of Regents.* – The Board shall have the  
27 following specific powers and duties, in addition to its general powers of

1 administration and the exercise of all the powers granted to the board of directors of a  
2 corporation under existing laws:

3 (a) To promulgate rules and regulations not contrary to law as may be necessary to  
4 carry out the purposes and functions of the University;

5 (b) To receive and appropriate all sums as may be provided for the support of the  
6 University in the manner it may determine in its discretion, in order to carry out the  
7 purposes and functions of the University;

8 (c) To import duty-free economic, technical and cultural books and/or  
9 publications, upon certification by the CHED that such imported books and/or  
10 publications are for economic, technical, vocational, scientific, philosophical, historical  
11 or cultural purposes, in accordance with the provisions of the Tariff and Customs Code  
12 of the Philippines, as amended;

13 (d) To receive in trust, legacies, gifts and donations of real and personal properties  
14 of all kinds and to administer and dispose of the same when necessary for the benefit of  
15 the University, and subject to the limitations, directions and instructions of the donor, if  
16 any.

17 Such donations shall be exempt from the donor's tax and the same shall be  
18 considered as allowable deductions from the gross income in the computation of the  
19 income tax of the donor, in accordance with the provisions of the National Internal  
20 Revenue Code (NIRC) of 1997, as amended: *Provided*, That such donations shall not be  
21 disposed of, transferred or sold;

22 (e) To fix the tuition fees and other necessary school charges, such as, but not  
23 limited to, matriculation fees, graduation fees and laboratory fees, as the Board may  
24 deem proper to impose, after due consultations with the involved sectors.

25 Such fees and charges, including government subsidies and other income  
26 generated by the University, shall constitute special trust funds and shall be deposited

1 in any authorized government depository bank, and all interests that shall accrue  
2 therefrom shall form part of the same funds for the use of the University.

3 Any provision of existing laws, rules and regulations to the contrary  
4 notwithstanding, any income generated by the University from tuition fees and other  
5 charges, as well as from the operation of auxiliary services and land grants, shall be  
6 retained by the University, and may be disbursed by the Board for instruction, research,  
7 extension or other programs/projects of the University: *Provided*, That all fiduciary fees  
8 shall be disbursed for the specific purposes for which these are collected.

9 If, for reasons beyond its control, the University shall not be able to pursue any  
10 project for which the funds have been appropriated and allocated under its approved  
11 program of expenditures, the Board may authorize the use of said funds for any  
12 reasonable purpose which, in its discretion, may be necessary and urgent for the  
13 attainment of the objectives and goals of the University;

14 (f) To adopt and implement a socialized scheme of tuition and school fees for  
15 greater access to poor but deserving students;

16 (g) To authorize the construction or repair of its buildings, machinery, equipment  
17 and other facilities, and the purchase and acquisition of real property, including  
18 necessary supplies, materials and equipment;

19 (h) To appoint upon recommendation of the President of the University, Vice  
20 Presidents, deans, directors, heads of campuses, faculty members, and other officials  
21 and employees of the University;

22 (i) To fix and adjust salaries of faculty members and administrative officials and  
23 employees, subject to the provisions of the Revised Compensation and Position  
24 Classification System and other pertinent budget and compensation laws governing  
25 hours of service and such other duties and conditions as it may deem proper; to grant  
26 them, at its discretion, leaves of absence under such regulations as it may promulgate,

1 any provision of existing law to the contrary notwithstanding; and to remove them for  
2 cause in accordance with the requirements of due process of law;

3 (j) To approve the curricula, instructional programs and rules of discipline drawn  
4 by the Administrative and the Academic Councils herein provided;

5 (k) To set policies on admission and graduation of students;

6 (l) To award honorary degrees upon persons in recognition of their outstanding  
7 contribution in the fields of education, public service, arts, science and technology,  
8 agriculture or in any field of specialization within the academic competence of the  
9 University; and to authorize the awarding of certificates of completion of nondegree  
10 and nontraditional courses;

11 (m) To establish and absorb nonchartered tertiary institutions within the Province  
12 of Catanduanes as branches and centers in coordination with the CHED, and in  
13 consultation with the Department of Budget and Management (DBM), and to offer  
14 therein programs or courses, to promote and carry out equal access to educational  
15 opportunities as mandated by the Constitution;

16 (n) To establish research and extension centers of the University where such will  
17 promote the development of the latter;

18 (o) To establish professorial chairs in the University and to provide fellowships for  
19 qualified faculty members and scholarships to deserving students;

20 (p) To delegate any of its powers and duties provided for hereinabove to the  
21 president and/or other officials of the University as it may deem appropriate, so as to  
22 expedite the administration of the affairs of the University;

23 (q) To authorize an external management audit of the University, to be financed by  
24 the CHED, subject to the rules and regulations of the Commission on Audit (COA); and  
25 to institute reforms, including academic and structural changes, on the basis of the audit  
26 results and recommendations;



1 (r) To collaborate with other governing boards of the state colleges and  
2 universities within the Province of Catanduanes or Region V, under the supervision of  
3 the CHED and in consultation with the DBM, and work towards the restructuring of the  
4 University to become more efficient, relevant, productive and competitive;

5 (s) To enter into joint ventures with business and industry for the profitable  
6 development and management of the economic assets of the University, the proceeds  
7 from which shall be used for the development and strengthening of the University;

8 (t) To develop consortia and other economic forms of linkages with local  
9 government units (LGUs), institutions and agencies, both public and private, local and  
10 foreign, in the furtherance of the purposes and objectives of the University;

11 (u) To develop academic arrangements for institutional capability building with  
12 appropriate institutions and agencies, public and private, local and foreign, and to  
13 appoint experts/specialists as consultants, part-time or visiting or exchange professors,  
14 scholars, researchers, as the case may be;

15 (v) To set up the adoption of modern and innovative modes of transmitting  
16 knowledge such as the use of information technology, the dual learning system, open or  
17 distance education and community laboratory for the promotion of greater access to  
18 education;

19 (w) To establish policy guidelines and procedures for participative decision-  
20 making and transparency within the University;

21 (x) To privatize, where most advantageous to the University, management of  
22 nonacademic services such as health, food, building or grounds or property  
23 maintenance and such other similar activities; and

24 (y) To extend the term of the President of the University beyond the age of  
25 retirement but not beyond the age of seventy (70), whose performance has been  
26 unanimously rated by the Board as outstanding based on the guidelines, qualifications

1 and/or standards set by the Board, after unanimous recommendation by the search  
2 committee.

3 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at least once  
4 every quarter. However, the Chairperson of the Board may, upon three (3) days' prior  
5 written notice, call a maximum of two (2) special meetings whenever necessary.

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

9 In the absence of the Chairperson of the CHED, a Commissioner of the CHED,  
10 duly designated by him/her, shall represent him/her in the meeting with all the rights  
11 and responsibilities of a regular member: *Provided, however,* That during this meeting,  
12 the President of the University as Vice Chairperson shall be the Presiding Officer:  
13 *Provided, further,* That this *proviso* notwithstanding, the Chairperson of the CHED is  
14 hereby authorized to designate a CHED Commissioner as the regular Chair of the  
15 Board, in which case said CHED Commissioner shall act as the Presiding Officer.

16 In case the Chairpersons of the Congressional Committees on Education shall not  
17 be able to attend the Board meeting, they may duly designate their respective  
18 representatives to attend the said meeting, who shall have the same rights and  
19 responsibilities as a regular member of the Board.

20 The members of the Board shall not receive any salary but shall be entitled to  
21 reimbursements for actual and necessary expenses incurred, either in their attendance  
22 to meetings of the Board or in connection with other official business authorized by  
23 resolution of the Board, subject to existing laws and regulations.

24 SEC. 9. *The University President.* – The University shall be headed by a President,  
25 who shall render full-time service. He/She shall be appointed by the Board, subject to  
26 the guidelines, qualifications and/or standards set by the Board, upon recommendation  
27 of a duly constituted search committee. He/She shall have a term of four (4) years and

1 shall be eligible for reappointment for another term: *Provided*, That in order to effect a  
2 smooth transition to a state university, the CHED shall designate an Officer-in-Charge  
3 of the University, pending the appointment of the first President of the University.

4 Within six (6) months before the expiration of the term of office of the incumbent  
5 President of the University, the Board shall constitute the Search Committee for the  
6 Presidency (SCP).

7 In case of vacancy in the Office of the President by reason of death, compulsory  
8 retirement, resignation, removal for cause or incapacity of the President to perform the  
9 functions of his/her office, the Board shall designate an Officer-in-Charge of the  
10 University within six (6) months from date of vacancy, pending the appointment of a  
11 new President.

12 In case of vacancy in the Office of the President as mentioned in the immediately  
13 preceding paragraph, his/her successor or the Officer-in-Charge shall serve only the  
14 unexpired portion of the term.

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

18 The salary of the President of the University shall be in accordance with the  
19 Revised Compensation and Position Classification System and shall be comparable to  
20 that being received by the Presidents of similar educational institutions.

21 The President of the University shall be assisted by a Vice President for Academic  
22 Affairs and a Vice President for Administration, who shall be appointed by the Board  
23 upon recommendation of the President.

24 SEC. 10. *Heads of University Campuses.* – Campus Directors shall head the  
25 University campuses and they shall render full-time service. They shall be appointed by  
26 the Board upon recommendation of the search committee and the University President,  
27 subject to the guidelines, qualifications and/or standards set by the Board: *Provided*,

1 That the incumbent college administrators of the extension campuses shall serve as  
2 Campus Directors of their respective campuses.

3 SEC. 11. *The Administrative Council.* – There shall be an Administrative Council  
4 consisting of the President of the University as Chairperson, Vice Presidents, deans,  
5 directors and other officials of equal rank as members, whose duty is to review and  
6 recommend to the Board policies governing the administration, management and  
7 development planning of the University.

8 SEC. 12. *The Academic Council.* – There shall be an Academic Council to be  
9 composed of the President of the University, who shall act as Chairperson, and all  
10 academic staff with the rank of at least an assistant professor, as members.

11 The Academic Council shall have the power to review and recommend the  
12 curricular offerings and rules of discipline of the University, subject to the approval of  
13 the Board. It shall fix the requirements for the admission of students, as well as for their  
14 graduation and conferment of degrees, subject to review and/or approval by the Board  
15 through the President of the University. It shall have the disciplinary power over  
16 students of the University and shall formulate academic policies and rules and  
17 regulations on discipline, subject to the approval of the Board.

18 SEC. 13. *The Secretary of the University.* – The Board shall appoint a secretary, who  
19 shall serve as such for both the Board and the University and shall keep all records and  
20 proceedings of the Board. He/She shall serve upon each member of the Board the  
21 appropriate notice of the Board meetings.

22 SEC. 14. *The Treasurer of the University.* – The Treasurer of the Philippines shall be  
23 the *ex officio* treasurer of the University.

24 SEC. 15. *The Faculty.* – No political beliefs, gender preference, cultural or  
25 community affiliation or ethnic origin, and religious opinion or affiliation shall be a  
26 matter of inquiry in the appointment of faculty members of the University: *Provided,*  
27 That said appointment shall be subject to the guidelines, qualifications and/or

1 standards set by the Board: *Provided, further,* That no member of the faculty shall teach  
2 for or against any particular church or religious sect.

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

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

8 SEC. 17. *Academic Freedom and Institutional Autonomy.* – The University shall enjoy  
9 academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of  
10 Article XIV of the Constitution of the Republic of the Philippines.

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

20 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and personal, personnel  
21 and records of the Catanduanes State Colleges, as well as liabilities or obligations, are  
22 hereby transferred to the University. The positions, rights and security of tenure of  
23 faculty members and personnel therein employed under existing laws prior to the  
24 conversion into a University shall be respected.

25 All parcels of land belonging to the government occupied by the Catanduanes  
26 State Colleges are hereby declared to be property of the University, and shall be titled  
27 under that name: *Provided,* That should the University cease to exist or be abolished or

1 should such parcels of land aforementioned be no longer needed by the University, the  
2 same shall revert to the LGUs concerned.

3       SEC. 20. *Appropriations.* – The amount necessary to carry out the provisions of this  
4 Act shall be charged against the current year’s appropriations of the Catanduanes State  
5 Colleges, except the sums needed to continue the operations of the existing high school.  
6 Thereafter, such sums as may be necessary for the continued operation and  
7 maintenance of the Catanduanes State University shall be included in the annual  
8 General Appropriations Act.

9       SEC. 21. *Development Plan, Management Audit, Organizational/  
10 Administrative/Academic Structure.* – Within the period of one hundred twenty (120) days  
11 after the approval of this Act, the University shall accomplish the following:

12       (a) Submit a five (5)-year development plan, including its corresponding program  
13 budget to the CHED, for corresponding recommendation to the DBM;

14       (b) Undergo a management audit in cooperation with the CHED; and

15       (c) Accordingly set up its organizational, administrative as well as academic  
16 structure, including the appointment of the key officials of the University.

17       SEC. 22. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of the second (2<sup>nd</sup>)  
18 month after the opening of the regular classes each year, the Board shall file with the  
19 Office of the President of the Philippines through the Chairperson of the CHED, and  
20 with both Houses of Congress a detailed report on the progress, conditions and needs  
21 of the University.

22       SEC. 23. *Supplementary Application.* – The provisions of Republic Act No. 8292,  
23 otherwise known as the “Higher Education Modernization Act of 1997”, shall be an  
24 integral part of this Act and shall serve as part of the Governing Charter of the  
25 University.

26       SEC. 24. *Parity Clause.* – All other powers, functions and privileges, responsibilities  
27 and limitations to state universities and/or their officials under existing laws shall be

1 deemed granted to or imposed upon the University and/or its officials whenever  
2 appropriate.

3       SEC. 25. *Implementing Rules and Regulations.* – The Board, in consultation with the  
4 CHED, shall formulate the guidelines to fully implement the provisions of this Act.

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

8       SEC. 27. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules  
9 and regulations contrary to or inconsistent with the provisions of this Act are hereby  
10 repealed or modified accordingly.

11       SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication  
12 in two (2) newspapers of general circulation.

13       Approved,