



HOUSE OF REPRESENTATIVES

H. No. 5638

BY REPRESENTATIVES CHATTO, CAJES, JALA, VILLAR, CUA (J.), JAVIER,
REMULLA, DEL MAR, PADILLA, MADRONA, NICOLAS, AMATONG,
AQUINO, MITRA, DE GUZMAN, GARAY AND ANGPING, PER COMMITTEE
REPORT NO. 1584

AN ACT CONVERTING THE CENTRAL VISAYAS STATE COLLEGE
OF AGRICULTURE, FORESTRY AND TECHNOLOGY, ITS UNITS
AND SATELLITE CAMPUSES IN THE CITY OF TAGBILARAN
AND IN THE MUNICIPALITIES OF BILAR, CANDIJAY, CLARIN,
CALAPE AND BALILIHAN, ALL LOCATED IN THE PROVINCE
OF BOHOL TO BE KNOWN AS THE BOHOL ISLAND STATE
UNIVERSITY (BISU) 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 Central Visayas State College of
2 Agriculture, Forestry and Technology (CVSCAFT), its units and satellite
3 campuses in the City of Tagbilaran and in the municipalities of Bilar, Candijay,
4 Clarin, Calape and Balilihan, all located in the Province of Bohol, is hereby
5 converted into a state university to be known as the Bohol Island State
6 University (BISU), hereinafter referred to as the University. The main campus
7 of the University shall be in Tagbilaran City.

1 SEC. 2. *General Mandate.* – The University shall primarily provide
2 advanced education, professional and technological instruction in the fields of
3 allied medicine, education, engineering, agriculture, fisheries, environment,
4 arts and sciences, accountancy, cooperative, business and entrepreneurship,
5 technology and other relevant fields of study. It shall also undertake research
6 and extension services, and provide progressive leadership in its areas of
7 specialization.

8 SEC. 3. *Curricular Offerings.* – The University shall offer
9 undergraduate and graduate courses in the fields of allied medicine, education,
10 engineering, agriculture, fisheries, environment, arts and sciences,
11 accountancy, cooperative, business and entrepreneurship, technology, and
12 other degrees/courses within its areas of specialization and according to its
13 capabilities, as the Board of Regents may deem necessary to carry out its
14 objectives, in order to meet the needs of the Province of Bohol and Region
15 VII.

16 The existing high schools shall be transferred to the jurisdiction and
17 supervision of the Department of Education (DepEd): *Provided*, That the high
18 schools shall be allowed to remain and operate within the campus of the
19 University until the students, who are currently enrolled, shall have completed
20 their high school education: *Provided, further*, That the University may
21 operate a reasonably-sized laboratory school, if it has a College of Education.

22 SEC. 4. *Administration.* – The University shall have the general powers
23 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
24 known as “The Corporation Code of the Philippines”. The administration of
25 the University and the exercise of its corporate powers shall be vested
26 exclusively in the Board of Regents and the President of the University.

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

4 (a) The Chairperson of the Commission on Higher Education (CHED),
5 Chairperson;

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

7 (c) *The Chairperson of the Committee on Education, Arts and Culture*
8 *of the Senate, member;*

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

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

13 (f) The Regional Director of the Department of Agriculture (DA),
14 member;

15 (g) The President of the federation of faculty associations of the
16 University, member;

17 (h) *The President of the federation of student councils of the*
18 *University, member;*

19 (i) The President of the federation of alumni associations of the
20 University, member; and

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

24 The Board shall appoint the two (2) prominent citizens from among a
25 list of at least five (5) qualified persons in the City of Tagbilaran or in the
26 Province of Bohol, as recommended by the search committee constituted by
27 the University President, in consultation with the Chairperson of the CHED
28 and the other members of the Board, based on the normal standards and

1 qualifications for the position.

2 The term of office of the President of the federation of faculty
3 associations, the President of the federation of student councils and the
4 President of the federation of alumni associations shall be coterminous with
5 their terms of office, as set forth in their respective constitutions and bylaws.

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

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

14 SEC. 7. *Powers and Duties of the Board of Regents.* – The Board shall
15 have the following specific powers and duties, in addition to its general powers
16 of administration and the exercise of all the powers granted to the board of
17 directors of a corporation under existing laws:

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

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

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

1 (d) To receive in trust legacies, gifts and donations of real properties of
2 all kinds and to administer and dispose of the same when necessary for the
3 benefit of the University, subject to the limitations, directions and instructions
4 of the donor, if any.

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

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

14 Such fees and charges, including government subsidies and other
15 income generated by the University, shall constitute special trust funds and
16 shall be deposited in any authorized government depository bank, and all
17 interests that shall accrue therefrom shall form part of the same funds for the
18 use of the University.

19 Any provision of existing laws, rules and regulations to the contrary
20 notwithstanding, any income generated by the University from tuition fees and
21 other charges, as well as from the operation of auxiliary services and land
22 grants shall be retained by the University, and may be disbursed by the Board
23 for instruction, research, extension or other programs/projects of the
24 University: *Provided,* That all fiduciary fees shall be disbursed for the specific
25 purpose for which these are collected.

26 If, for reasons beyond its control, the University shall not be able to
27 pursue any project for which funds have been appropriated and allocated under
28 its approved program of expenditures, the Board may authorize the use of said

1 funds for any reasonable purpose which, in its discretion, may be necessary
2 and urgent for the attainment of the objectives and goals of the University;

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

5 (g) To authorize the construction or repair of its buildings, machinery,
6 equipment and other facilities, and the purchase and acquisition of real and
7 personal properties, including necessary supplies, materials and equipment;

8 (h) To appoint, upon recommendation of the President of the
9 University, Vice Presidents, deans, directors, heads of departments, faculty
10 members and other officials and employees of the University;

11 (i) To fix and adjust salaries of faculty members and administrative
12 officials and employees, subject to the provisions of the Revised Compensation
13 and Position Classification System and other pertinent budget and
14 compensation laws governing hours of service and such other duties and
15 conditions as it may deem proper; to grant them, at its discretion, leaves of
16 absence under such regulations as it may promulgate, any provision of existing
17 laws to the contrary notwithstanding; and to remove them for cause in
18 accordance with the requirements of due process of law;

19 (j) To approve the curricula, instructional programs and rules of
20 discipline drawn by the Administrative and Academic Councils as herein
21 provided;

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

23 (l) To award *honorary degrees upon persons in recognition of their*
24 *outstanding contribution in the fields of agriculture, public service, arts,*
25 *science and technology, education or in any field of specialization within the*
26 *academic competence of the University; and to authorize the awarding of*
27 *certificates of completion of nondegree and nontraditional courses;*

1 (m) To establish and absorb nonchartered tertiary institutions within
2 the Province of Bohol as branches and extension centers in coordination with
3 the CHED and in consultation with the Department of Budget and
4 Management (DBM), and to offer therein programs or courses to promote and
5 carry out equal and greater access to educational opportunities as mandated by
6 the Constitution;

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

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

12 (p) To delegate any of its powers and duties provided for hereinabove
13 to the President or Officer-in-Charge and/or other officials of the University as
14 it may deem appropriate, so as to expedite the administration of the affairs of
15 the University;

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

20 (r) To collaborate with other governing boards of state universities and
21 colleges within the Province of Bohol or Region VII, under the supervision of
22 the CHED and in consultation with the DBM, and work towards the
23 restructuring of the University to become more efficient, relevant, productive
24 and competitive;

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

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

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

9 (v) To set up the adoption of modern and innovative modes of
10 transmitting knowledge such as the use of information technology, the dual
11 learning system, open learning or distance education and community
12 laboratory for the promotion of greater access to higher education and graduate
13 studies, as the case may be;

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

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

19 (y) To extend the term of the President of the University beyond the
20 age of retirement, but not beyond the age of seventy (70), whose performance
21 has been unanimously rated by the Board as outstanding, based on the
22 guidelines, qualifications and/or standards set by the Board, after unanimous
23 recommendation by the search committee.

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

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

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

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

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

22 SEC. 9. *The University President.* -- The University shall be headed by
23 a President, who shall render full-time service. He/She shall be appointed by
24 the Board, subject to the guidelines, qualifications and/or standards set by the
25 Board, upon recommendation of a duly constituted search committee. He/She
26 shall have a term of four (4) years and shall be eligible for reappointment for
27 another term: *Provided,* That in order to effect a smooth transition to a state

1 university, the incumbent President of the CVSCAFT, if qualified, shall serve
2 as the first President of the University.

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

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

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

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

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

22 The President of the University shall be assisted by a Vice President for
23 Academic Affairs and a Vice President for Administration, who shall be
24 appointed by the Board upon recommendation of the President, without
25 prejudice to the appointment of more than two (2) Vice Presidents, when so
26 warranted. The term of office of the Vice Presidents shall be coterminous with
27 that of the President.

1 SEC. 10. *Heads of University Campuses.* – Campus Directors shall
2 head the University campuses and they shall render full-time service. They
3 shall be appointed by the Board upon recommendation of the search committee
4 and the University President, subject to the guidelines, qualifications and/or
5 standards set by the Board: *Provided,* That the incumbent college
6 administrators of the extension/satellite campuses shall serve as Campus
7 Directors of their respective campuses.

8 SEC. 11. *The Administrative Council.* – There shall be an
9 Administrative Council consisting of the President of the University as
10 Chairperson, Vice President/s, deans, directors and other officials of equal rank
11 as members, whose duty is to review and recommend to the Board policies
12 governing the administration, management and development planning of the
13 University.

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

18 The Academic Council shall have the power to review and recommend
19 the curricular offerings and rules of discipline of the University, subject to the
20 approval of the Board. *It shall fix the requirements for the admission of*
21 *students, as well as for their graduation and conferment of degrees, subject to*
22 *review and/or approval by the Board through the President of the University.*
23 *It shall have the disciplinary power over students of the University and shall*
24 *formulate academic policies and rules and regulations on discipline, subject to*
25 *the approval of the Board.*

26 SEC. 13. *The Secretary of the University.* – The Board shall appoint a
27 secretary, who shall serve as such for both the Board and the University and

1 shall keep all records and proceedings of the Board. He/She shall serve upon
2 each member of the Board the appropriate notice of the Board meetings.

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

5 SEC. 15. *The Faculty.* – No political beliefs, gender preference,
6 cultural or community affiliation or ethnic origin, and religious opinion or
7 affiliation shall be a matter of inquiry in the appointment of faculty members of
8 the University: *Provided*, That said appointment shall be subject to the
9 guidelines, qualifications and/or standards set by the Board:
10 *Provided, further*, That no member of the faculty shall teach for or against any
11 particular church or religious sect.

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

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

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

21 SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
22 *and Detail of Personnel.* – The heads of the bureaus and offices of the national
23 government are hereby authorized to loan or transfer, upon the request of the
24 President of the University, such apparatus, equipment or supplies as may be
25 needed by the University, and to detail employees for duty therein when, in the
26 judgment of the head of the bureau or office, such apparatus, equipment,
27 supplies or services of such employees can be spared without serious detriment
28 to the public service.

1 The employees so detailed shall perform such duties as required of them
2 by the President of the University, and the time so employed shall be counted
3 as part of their regular services.

4 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and
5 personal, personnel and records of the CVSCAFT, its units and satellite
6 campuses in the City of Tagbilaran and in the municipalities of Bilar, Candijay,
7 Clarin, Calape and Balilihan, all located in the Province of Bohol, as well as
8 liabilities or obligations, are hereby transferred to the University. The
9 positions, rights and security of tenure of faculty members and personnel
10 therein employed under existing laws prior to the conversion into a University
11 shall be respected.

12 All parcels of land belonging to the government occupied by the
13 CVSCAFT, its units and satellite campuses are hereby declared to be property
14 of the University, and shall be titled under that name: *Provided*, That should
15 the University cease to exist or be abolished or should such parcels of land
16 aforementioned be no longer needed by the University, the same shall revert to
17 the LGUs concerned.

18 SEC. 20. *Appropriations.* – The amount necessary to carry out the
19 provisions of this Act shall be charged against the current year's appropriations
20 of the Central Visayas State College of Agriculture, Forestry and Technology,
21 including its units and satellite campuses, except the sums needed to continue
22 the operations of the existing high schools. Thereafter, such sums as may be
23 necessary for the continued operation and maintenance of the Bohol Island
24 State University shall be included in the annual General Appropriations Act.

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

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

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

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

8 SEC. 22. *Filing of Report.* – On or before the fifteenth (15th) day of the
9 second (2nd) month after the opening of the regular classes each year, the
10 Board shall file with the Office of the President of the Philippines, through the
11 Chairperson of the CHED, and with both Houses of Congress a detailed report
12 on the progress, conditions and needs of the University.

13 SEC. 23 *Supplementary Application.* – The provisions of Republic Act No.
14 8292, otherwise known as the “Higher Education Modernization Act of 1997”,
15 shall be an integral part of this Act and shall serve as part of the Governing
16 *Charter of the University.*

17 SEC. 24. *Parity Clause.* – All other powers, functions and privileges,
18 responsibilities and limitations to state universities and/or their officials under
19 existing laws shall be deemed granted to or imposed upon the University
20 and/or its officials, whenever appropriate.

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

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

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

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

Approved,

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