



HOUSE OF REPRESENTATIVES

H. No. 5642

BY REPRESENTATIVES JALOSJOS-CARREON, JALOSJOS, VILLAR, CUA (J.),
JAVIER, REMULLA, CHATTO, PADILLA, MADRONA, NICOLAS, DEL MAR,
AMATONG, AQUINO, MITRA, DE GUZMAN, GARAY AND ANGPING, PER
COMMITTEE REPORT NO. 1588

AN ACT CONVERTING THE JOSE RIZAL MEMORIAL STATE COLLEGE (JRMSC) IN THE CITY OF DAPITAN, PROVINCE OF ZAMBOANGA DEL NORTE INTO A STATE UNIVERSITY TO BE KNOWN AS THE JOSE RIZAL MEMORIAL STATE UNIVERSITY (JRMSU), INTEGRATING THEREWITH THE KATIPUNAN NATIONAL AGRICULTURAL SCHOOL (KNAS) IN THE MUNICIPALITY OF KATIPUNAN AND THE ZAMBOANGA DEL NORTE AGRICULTURAL COLLEGE (ZNAC) IN THE MUNICIPALITY OF TAMPILISAN, BOTH MUNICIPALITIES LOCATED IN THE PROVINCE OF ZAMBOANGA DEL NORTE AND APPROPRIATING FUNDS THEREFOR.

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

1 SECTION 1. *Conversion/Integration.* – The Jose Rizal Memorial State
2 College (JRMSC) in the City of Dapitan, Province of Zamboanga del Norte is
3 hereby converted into a state university to be known as the Jose Rizal
4 Memorial State University (JRMSU), hereinafter referred to as the University,
5 integrating therewith the Katipunan National Agricultural School (KNAS) in

1 the Municipality of Katipunan and the Zamboanga del Norte Agricultural
2 College (ZNAC) in the Municipality of Tampilisan, both municipalities located
3 in the Province of Zamboanga del Norte. The main campus of the University
4 shall be in the City of Dapitan.

5 SEC. 2. *General Mandate.* – The University shall primarily provide
6 advanced education, higher technological, professional instruction and training
7 in arts and sciences, philosophy, literature, mass communication, teacher
8 education, agriculture and forestry, fishery, engineering and architecture,
9 maritime education, industrial and information technology, hotel and restaurant
10 management, tourism, medicine, nursing and allied health sciences,
11 criminology, geology, public administration, business and accountancy, law,
12 nontraditional courses and other relevant fields of study. It shall also
13 undertake research and extension services, and provide progressive leadership
14 in its areas of specialization.

15 SEC. 3. *Curricular Offerings.* – The University shall offer
16 undergraduate and graduate courses in arts and sciences, philosophy, literature,
17 mass communication, teacher education, agriculture and forestry, fishery,
18 engineering and architecture, maritime education, industrial and information
19 technology, hotel and restaurant management, tourism, medicine, nursing and
20 allied health sciences, criminology, geology, public administration, business
21 and accountancy, law, nontraditional courses and other degrees/courses within
22 its areas of specialization and according to its capabilities, as the Board of
23 Regents may deem necessary to carry out its objectives, particularly to meet
24 the needs of the Province of Zamboanga del Norte and Region IX.

25 The existing high schools shall be transferred to the jurisdiction and
26 supervision of the Department of Education (DepEd): *Provided*, That the high
27 schools shall be allowed to remain and operate within the campus of the
28 University until the students, who are currently enrolled, shall have completed

1 their high school education: *Provided, further,* That the University may
2 operate a reasonably-sized laboratory school, if it has a College of Education.

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

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

11 (a) The Chairperson of the Commission on Higher Education (CHED),
12 Chairperson;

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

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

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

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

20 (f) The Regional Director of the Department of Science and
21 Technology (DOST), member;

22 (g) The President of the federation of faculty associations of the
23 University, member;

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

26 (i) The President of the federation of alumni associations of the
27 University, member; and

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

4 The Board shall appoint the two (2) prominent citizens from among a
5 list of at least five (5) qualified persons in the Province of Zamboanga del
6 Norte, as recommended by the search committee constituted by the University
7 President, in consultation with the Chairperson of the CHED and the other
8 members of the Board, based on the normal standards and qualifications for
9 the position.

10 The term of office of the President of the federation of faculty
11 associations, the President of the federation of student councils and the
12 President of the federation of alumni associations shall be coterminous with
13 their terms of office, as set forth in their respective constitutions and bylaws.

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

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

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

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

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

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

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

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

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

22 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 the
26 use of the University.

27 Any provision of existing laws, rules and regulations to the contrary
28 notwithstanding, any income generated by the University from tuition fees and

1 other charges, as well as from the operation of auxiliary services and land
2 grants, shall be retained by the University, and may be disbursed by the Board
3 for instruction, research, extension or other programs/projects of the
4 University: *Provided*, That all fiduciary fees shall be disbursed for the specific
5 purposes for which these are collected.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (y) To extend the term of the President of the University beyond the
28 age of retirement, but not beyond the age of seventy (70), whose performance

1 has been unanimously rated by the Board as outstanding, based on the
2 guidelines, qualifications and/or standards set by the Board, after unanimous
3 recommendation by the search committee.

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

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

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

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

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

1 SEC. 9. *The University President.* – The University shall be headed by
2 a President, who shall render full-time service. He/She shall be appointed by
3 the Board, subject to the guidelines, qualifications and/or standards set by the
4 Board, upon recommendation of a duly constituted search committee. He/She
5 shall have a term of four (4) years and shall be eligible for reappointment for
6 another term: *Provided, That in order to effect a smooth transition to a state*
7 *university, the incumbent President of the JRMSC, if qualified, shall serve as*
8 *the first President of the University.*

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

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

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

20 The powers and duties of the President of the University, in addition to
21 those specifically provided in this Act, shall be those usually pertaining to the
22 Office of the President of similar universities, and those delegated by the
23 Board.

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

1 The President of the University shall be assisted by a Vice President for
2 Academic Affairs, a Vice President for Administration and a Vice President
3 for Research, Extension and Development, who shall be appointed by the
4 Board upon recommendation of the President.

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

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

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

22 The Academic Council shall have the power to review and recommend
23 the curricular offerings and rules of discipline of the University, subject to the
24 approval of the Board. It shall fix the requirements for the admission of
25 students, as well as for their graduation and conferment of degrees, subject to
26 review and/or approval by the Board through the President of the University.
27 It shall have the disciplinary power over students of the University and shall

1 formulate academic policies and rules and regulations on discipline, subject to
2 the approval of the Board.

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

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

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

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

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

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

25 SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
26 *and Detail of Personnel.* – The heads of the bureaus and offices of the national
27 government are hereby authorized to loan or transfer, upon the request of the
28 President of the University, such apparatus, equipment or supplies as may be

1 needed by the University, and to detail employees for duty therein when, in the
2 judgment of the head of the bureau or office, such apparatus, equipment,
3 supplies or services of such employees can be spared without serious detriment
4 to the public service.

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

8 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and
9 personal, personnel and records of the Jose Rizal Memorial State College, as
10 well as liabilities or obligations, are hereby transferred to the University. The
11 positions, rights and security of tenure of faculty members and personnel
12 therein employed under existing laws prior to the conversion into a University
13 shall be respected.

14 All parcels of land belonging to the government occupied by the Jose
15 Rizal Memorial State College, the Katipunan National Agricultural School and
16 the Zamboanga del Norte Agricultural College are hereby declared to be
17 property of the University, and shall be titled under that name: *Provided,* That
18 should the University cease to exist or be abolished or should such parcels of
19 land aforementioned be no longer needed by the University, the same shall
20 revert to the LGUs concerned.

21 SEC. 20. *Appropriations.* – The amount necessary to carry out the
22 provisions of this Act shall be charged against the current year's appropriations
23 of the Jose Rizal Memorial State College, the Katipunan National Agricultural
24 School and the Zamboanga del Norte Agricultural College, except the sums
25 needed to continue the operations of the existing high school/s. Thereafter,
26 such sums as may be necessary for the continued operation and maintenance of
27 the Jose Rizal Memorial State University shall be included in the annual
28 General Appropriations Act.

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

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

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

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

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

17 SEC. 23. *Suppletory Application.* – The provisions of Republic Act No.
18 8292, otherwise known as the “Higher Education Modernization Act of 1997”,
19 shall be an integral part of this Act and shall serve as part of the Governing
20 Charter of the University.

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

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

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

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

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

Approved,

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