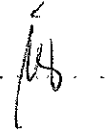


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

9 FEB 19 AIC :12

SENATE
S. No. 3079

RECEIVED BY



Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

Section 2 (1), Article XIV of the Constitution provides in part that *"The State shall establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society."*

Moreover, in the same above cited Article of the Constitution, specifically Section 1 thereof, there exists the mandate of promoting and protecting the right of every Filipino to quality education at all levels and ensuring its accessibility to all.

This bill seeks to convert the Romblon State College in the Municipality of Odiongan, Province of Romblon into a state university to be known as the Romblon State University.

The Romblon State College is the only tertiary educational institution in the province. This state college provides higher professional and technical instruction and training in the area. The local officials of the Province of Romblon in its review of the curriculum of the Romblon State College found it fitting to reform and refocus the educational thrusts of the Romblon State College in order to suit the prevailing clamor of the people in their pursuit for a quality higher education equal to the standards of a university.

The conversion of the Romblon State College in the Province of Romblon into a state university will provide an advanced education and professional training in the students' chosen fields of education. It will also promote research and extension services, advanced studies and progressive leadership in agriculture, education, forestry, engineering, arts and sciences and other relevant fields. The knowledge and skills derived therefrom will spur the development of Romblon and surrounding provinces and consequently generate employment that will promote and improve the standard of living of the people of Romblon.

Hence, the approval of this bill is earnestly recommended.

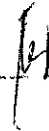


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SENATE

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Introduced by Senator FRANCIS G. ESCUDERO

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

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

1 SECTION 1. *Conversion.* - The Romblon State College in the
2 Municipality of Odiongan, Province of Romblon is hereby converted into a
3 state university to be known as the Romblon State University, hereinafter
4 referred to as the University.

5 SEC. 2. *General Mandate.* - The University shall primarily provide
6 advanced education and professional training in agriculture and fishery,
7 forestry, science and technology education and other related fields, undertake
8 research and extension services, and provide progressive leadership in these
9 areas.

10 SEC. 3. *Curriculum Offerings.* - The University shall offer
11 undergraduate, graduate and short-term technical courses as its Board of
12 Regents may deem necessary to carry out its objectives, particularly in order
13 to meet the needs of the province and the region.

1 The existing high school shall be transferred to the jurisdiction and
2 supervision of the Department of Education (DepEd): *Provided*, That the
3 secondary schools shall be allowed to remain and operate within the campus
4 of the University until the present students shall have graduated: *Provided*,
5 *further*, That the University shall operate a reasonably-sized school laboratory.

6 **SEC. 4. Administration.** - The University shall have the general powers
7 of a Corporation set forth in *Batas Pambansa Blg. 68* as amended, otherwise
8 known as the Corporation Code of the Philippines. The administration of the
9 University and the exercise of its corporate powers shall be vested exclusively
10 in the Board of Regents and the President of the University insofar as
11 authorized by the board.

12 **SEC. 5. The Governing Board.** - The governing body of the University
13 shall be the Board of Regents, herein referred to as the Board, which shall be
14 composed of the following:

- 15 a) Head of the Commission on Higher Education, as chairman;
- 16 b) President of the University, as vice-chairman;
- 17 c) Chairman of the Committee on Education of the Senate;
- 18 d) Chairman of the Committee on Higher and Technical Education of

19 the House of Representatives;

20 e) Regional Director of the National Economic and Development
21 Authority;

22 f) President of the federation of faculty associations of the University;

23 g) President of the federation of student councils of the University;

24 h) President of the federation of alumni associations of the University;

25 and

26 i) Two (2) prominent citizens from the private sector who have
27 distinguished themselves in their professions or fields of specialization of the

1 University, chosen from among a list of at least five (5) persons qualified in
2 the province of Romblon, as recommended by the search committee
3 constituted by the University President, in consultation with the Chairman of
4 the CHED, based on the normal standards and qualifications for the position,
5 as members.

6 The term of office of the president of the federation of faculty
7 associations, the president of the federation of student councils, and the
8 president of the federation of alumni associations shall be co-terminous with
9 their respective terms of office, as set forth in their respective constitutions
10 and by-laws.

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

13 In case of vacancy in the office of the president, the officer-in-charge of
14 the University designated by the Board shall serve for the unexpired term
15 only.

16 The president of the University, whose term may be terminated,
17 according to this Act, shall be entitled to full retirement benefits under
18 existing laws.

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

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

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

3 a. Promulgate rules and regulations not contrary to law as may be
4 necessary to carry out the purposes and functions of the University;

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

8 c. Import duty-free economic, technical and cultural books and
9 publications; upon certification by the CHED that such imported books and
10 publications are for economic, technical, vocational, scientific, philosophical,
11 historical or cultural purposes, in accordance with the provisions of the Tariff
12 and Customs Code, as amended and are essential commodities, materials and
13 equipment for educational or technological programs as an exception to
14 existing laws, provided such commodities, materials and equipment are not
15 available locally;

16 d. Receive in trust legacies, gifts and donations of real and personal
17 properties of all kinds and to administer and dispose of the same when
18 necessary for the benefit of the University and subject to limitations,
19 directions and instructions of the donor, if any.

20 Such donations shall be exempt from all taxes and shall be considered
21 as deductible items from the income tax of the donor in accordance with the
22 provisions of the National Internal Revenue Code (NIRC) of 1997, as
23 amended: *Provided*, That such donations shall not be disposed of, transferred
24 or sold;

25 e. Fix the tuition fees and other necessary school charges, such as but
26 not limited to matriculation fees, graduation fees and laboratory fees, as the

1 Board may deem proper to impose, after due consultations with the involved
2 sectors.

3 Such fees and charges, including government subsidies and other
4 income generated by the university, shall constitute special trust funds and
5 shall be deposited in any authorized government depository bank. Any and
6 all interests that shall accrue therefrom shall form part of the same funds for
7 the use of the University.

8 Any provision of existing laws, rules and regulations to the contrary
9 notwithstanding, any incomes generated by the University from tuition fees
10 and other charges, as well as from the operation of auxiliary services and land
11 grants, shall be retained by the University, and may be disbursed by the
12 Board for instruction, research, extension, or other programs and projects of
13 the University: *Provided*, That all fiduciary fees shall be disbursed for the
14 specific purpose for which they are collected.

15 If, for reason beyond its control, the University, shall not be able to
16 pursue any projects for which funds have been appropriated and, allocated
17 under its approved program of expenditures, the Board may authorize the
18 use of said funds for any reasonable purpose which, in its discretion, may be
19 necessary and urgent for the attainment of the objectives and goals of the
20 University;

21 f) Adopt and implement a socialized scheme of tuition and school fees
22 for greater access to poor but deserving students;

23 g) Authorize the construction or repair of buildings, machineries,
24 equipment and other facilities and the purchase and acquisition of real and
25 personal properties, including necessary supplies, materials and equipment.
26 Purchases and other transactions entered into by the University through the
27 Board shall be exempt from all taxes and duties;

1 h). Appoint, upon recommendation of the President of the University,
2 vice Presidents, deans, directors, heads of departments; faculty members and
3 other officials and employees of the University;

4 i) Fix and adjust salaries of faculty members and administrative
5 officials and employees subject to the provisions of the Revised
6 Compensation and Position Classification System and other pertinent budget
7 and compensation laws governing hours of service, and such other duties and
8 conditions as it may deem proper; approve leaves of absence under such
9 regulations as it may promulgate, any provisions of existing laws to the
10 contrary notwithstanding; and remove for cause in accordance with the
11 requirements of due process of law;

12 j. Approve the curricula, institutional programs and rules of
13 discipline drawn by the administrative and academic councils as herein
14 provided;

15 k. Set policies on admission and graduation of students;

16 l. Award honorary degrees upon persons in recognition of
17 outstanding contribution in the field of agriculture or any field of
18 specialization within the academic competence of the University and
19 authorize the award of certificate of completion of non-degree and non-
20 traditional courses;

21 m. Establish and absorb tertiary institutions within the Province of
22 Romblon as branches, centers, stations, etc., in coordination with the CHED
23 and in consultation with the Department of Budget and Management (DBM),
24 and to offer therein programs or courses to promote and carry out equal
25 access to educational opportunities mandated by the Constitution;

26 n. Establish research and extension centers of the University where
27 such will promote the development of the latter;

- 1 o. Establish chairs in the University and to provide fellowships for
2 qualified faculty members and scholarships to deserving students;
- 3 p. Delegate any of its powers and duties provided for hereinabove to
4 the President and other officials of the University as it may deem appropriate,
5 so as to expedite the administration of the affairs of the University;
- 6 q. Authorize an external management audit of the University to be
7 financed by the CHED subject to the Commission on Audit (COA) rules and
8 regulations and to institute reforms, including academic and structural
9 changes, on the basis of audit results and recommendations;
- 10 r. Enter into joint ventures with business and industry for the
11 profitable development and management of the economic assets of the
12 University, the proceeds from which shall be used for the development and
13 strengthening of the University;
- 14 s. Develop consortia and other forms of linkages with local
15 government unit (LGU), institutions and agencies, both public and private,
16 local and foreign, in furtherance of the purposes and objectives of the
17 University;
- 18 t. Enter into academic agreements for institutional capability
19 building with appropriate institutions and agencies, public and private, local
20 and foreign, appoint experts and specialists as consultants, parttime or
21 visiting or exchange professors, scholars, researchers, as the case may be;
- 22 u. Set up the adoption of modern and innovative modes of
23 transmitting knowledge such as the use of information technology, the dual
24 system, open or distance education and community laboratory for the
25 promotion of greater access to higher education;
- 26 v. Establish policy guidelines and procedures for participative
27 decision-making and transparency within the University;

1 w. Privatize, where most advantageous to the University,
2 management of non-academic services such as health, food, building or
3 grounds or property maintenance and such other similar activities; and

4 x. Extend the term of the president of the University beyond the age
5 of retirement but not beyond the age of seventy (70), whose performance has
6 been unanimously rated as outstanding and upon unanimous
7 recommendation by the search committee.

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

12 A quorum of the Board shall consist of a majority of all its members
13 holding office at the time of the meeting: *Provided*, That the Chairperson of the
14 Board or the President of the University is among those present in the
15 meeting.

16 In the absence of the chairperson of the CHED, a Commissioner of the
17 CHED, duly designated by him, shall represent him in the meeting with all
18 the rights and responsibilities of a regular member: *Provided, however*, That
19 during this meeting the president of the University as vice chairperson shall
20 be the presiding officer: *Provided, further*, That this proviso notwithstanding,
21 the chairperson of the CHED is hereby authorized to designate a CHED
22 Commissioner as the regular chairperson of the Board, in which case said
23 CHED commissioner shall act as the presiding officer.

24 In case the chairpersons of the Congressional Committees on
25 Education shall not be able to attend the Board Meeting, they may duly
26 designate to attend the said meeting, their respective representatives who

1 shall have the same rights and responsibilities as a regular member of the
2 Board.

3 The members of the Board shall not receive salary but shall be entitled
4 for reimbursement for actual and necessary expenses incurred, either in their
5 attendance to meetings of the Board or in connection with other official
6 business authorized by resolution of the Board, subject to pertinent existing
7 laws and regulations.

8 SEC. 9. *University President.* – The University shall be headed by a
9 president, who shall render full-time service. He shall be appointed by the
10 Board, subject to the guidelines, qualifications and standards set by the Board,
11 upon the recommendation of a duly constituted search committee.

12 The president shall have a term of four years and shall be eligible for
13 reappointment for another term: *Provided*, That in order to effect a smooth
14 transition to a state university, the incumbent president of the Romblon State
15 College (RSC), if qualified, shall serve as the first president of the University.

16 Within six (6) months before the expiration of the term of office of the
17 incumbent president of the Romblon State College, the Board shall constitute
18 the Search Committee for the Presidency (SCP).

19 In case of vacancy in the office of the president by reason of death,
20 compulsory retirement, resignation, removal for cause or incapacity of the
21 president to perform the functions of his or her office, the Board shall have the
22 authority to designate an officer-in-charge of the University pending the
23 appointment of a new president.

24 In case of vacancy in the office of the president as mentioned in the
25 immediately preceding paragraph, the successor or the officer-in-charge shall
26 serve only the unexpired portion of the term.

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

5 The salary of the president of the University shall be in accordance
6 with the Revised Compensation and Position Classification System and shall
7 be comparable to that being received by the presidents of similar educational
8 institutions.

9 The president of the University shall be assisted by a vice president for
10 academic affairs, a vice president for administration, a vice president for
11 research and development, and a vice president for external affairs, all of
12 whom shall be appointed by the Board upon the recommendation of the
13 president.

14 **SEC. 10. *Heads of University Campuses.*** - Campus directors shall head
15 the University campuses and they shall render full-time service. They shall be
16 appointed by the Board upon the recommendation of the search committee
17 and the University president, subject to the guidelines, qualifications. The
18 President of the University, whose term may be terminated according to this
19 Act, shall be entitled to full retirement benefits under existing laws.

20 **SEC. 11. *Administrative Council.*** - There shall be an Administrative
21 Council consisting of the president of the University, as chairman, the vice-
22 presidents, deans, directors and other officials of equal rank, as members,
23 whose duty is to review and recommend to the Board policies governing the
24 administration, management and development planning of the University.

25 **SEC. 12. *Academic Council.*** - There shall be an Academic Council with
26 the President of the University as Chairman and all members of the academic
27 staff with the rank not lower than assistant professor as members.

1 The Academic Council shall have the power to prescribe curricular
2 offerings subject to the approval of the Board. It shall fix the requirements for
3 admission of the students to the University as well as for their graduation and
4 the conferment of degrees subject to review and approval by the Board
5 through the President of the University. It shall also have disciplinary power
6 over the students and shall formulate academic policies and rules and
7 regulations on discipline. Such policies, rules and regulations shall be
8 approved by the Board.

9 SEC. 13. *Secretary of the University.* – The Board shall appoint a
10 secretary, who shall serve as such for both the Board and the University and
11 shall keep all records and proceedings of the meetings of the Board. He shall
12 serve upon each member of the Board the appropriate notices of the Board’s
13 meetings.

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

16 SEC. 15. *Faculty.* – No political beliefs, gender preference, cultural or
17 community affiliation or other ethnic origin and religious opinion or
18 affiliation shall be a matter of inquiry in the appointment of faculty members
19 of the University: *Provided*, That said appointment shall be subject to the
20 guidelines, qualifications and standards set for by the Board: *Provided, further*,
21 That no member of the faculty shall teach for or against any particular church
22 or religious sect.

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

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

1 SEC. 17. *Authority to Loan or Transfer Apparatus, Equipment,*
2 *Supplies and Detail of Personnel.* - The heads of bureaus and offices of the
3 national government are hereby authorized to loan or transfer, upon request
4 of the president of the University, such apparatus, equipment or supplies as
5 may be needed by the University, and detail employees for duty therein
6 when, in the judgment of the bureau or office, such apparatus, equipment,
7 supplies or services of such employees can be spared without serious
8 detriment to the public service. Employees so detailed shall perform such
9 duties as required of them by the president of the University, and the time so
10 employed shall be counted as part of their regular services.

11 SEC. 18. *Assets, Liabilities and Personnel.* - All assets, real and
12 personnel records of the Romblon State University and except those
13 belonging to or to be used by the high schools, as well as liabilities or
14 obligations, are hereby transferred to the University. The positions, rights,
15 and security of tenure of personnel therein employed under existing laws
16 prior to absorption by the University are to be respected: *Provided, further,*
17 That the incumbents of the positions shall remain in the same status until
18 otherwise provided for by the Board.

19 All parcels of land belonging to the government occupied by the
20 Romblon State College are hereby declared to be the property of Romblon
21 State University and shall be registered under its name: *Provided,* That should
22 the University cease to exist or be abolished or should such parcels of land
23 aforementioned be no longer needed, by the University, the same shall revert
24 to the Municipality of Odiongan, Province of Romblon.

25 SEC. 19. *Academic Freedom and Institutional Autonomy.*- The
26 University shall enjoy academic freedom and institutional autonomy

1 pursuant to paragraph 2, Section 5 of Article XIV of the Constitution of the
2 Republic of the Philippines.

3 **SEC. 20. Appropriations.** – The appropriations for the Romblon State
4 College except the sum necessary to continue the operations of the existing
5 high school, are hereby transferred to the University. Such additional amount
6 as may be necessary for the effective implementation of this Act shall be
7 funded from the appropriations for the Commission on Higher Education
8 under the current General Appropriations Act. Thereafter, such amount as
9 may be necessary for the continued operation and maintenance of the
10 University shall be included in the annual General Appropriations Act.

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

15 (a) Submit a five-year development plan, including its corresponding
16 program budget to the CHED, for corresponding recommendation to the
17 DBM;

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

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

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

26 **SEC. 23. Suppletory Application.** – The provisions of Republic Act No.
27 8292, otherwise known as the “Higher Education Modernization Act of 1997,”

1 shall be an integral part of this Act and shall serve as part of the governing
2 charter of the University.

3 SEC. 24. *Parity Clause.* - All other powers, functions and privileges,
4 responsibilities and limitations to state universities and their officials under
5 existing laws shall be deemed granted to or imposed upon the University and
6 its officials whenever appropriate.

7 SEC. 25. *Implementing Rules and Regulations.* - The Board, in
8 consultations with the CHED, shall formulate the guidelines to fully
9 implement the provisions of this Act.

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

13 SEC. 27. *Repealing Clause.* - All laws, presidential decrees, executive
14 orders, rules and regulations or parts thereof inconsistent with the provisions
15 of this Act are hereby repealed, amended or modified accordingly.

16 SEC. 28. *Effectivity.* - This Act shall take effect fifteen (15) days after its
17 publication in two local (2) newspapers of general circulation.

18 Approved,