

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

SENATE
OFFICE OF THE SECRETARY

9 APR 28 P2 :20

SENATE
S. No. **3192**

RECEIVED BY: 

Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

The Bicol Region is to date, still primarily an agricultural economy. Agricultural land use accounts for more or less 57 percent of the region's total land area, and about 76 percent of its population depends on agricultural activities for income and employment.

However, the region's agricultural sector has seen a consistent downturn over the years. While a majority of the region's population relies on agriculture for their sustenance and living, the agricultural sector's contribution to the region's total economic output has declined sharply through the years from a high of 44% in 1985 to 32% in 2000. This laggard performance of Bicol's agriculture sector can ultimately be traced to a combination of factors, among them the low yield and productivity of farmers in the region and the lack of available value-adding activities which can maximize the productivity of the region's traditional agricultural products like pili nut, abaca. This poor performance in turn, can ultimately be traced to out-dated farming practices and the region's unfortunate geographical position which makes it a frequent victim of weather and other geophysical phenomena like typhoons and volcanic eruptions.

The need to modernize the agricultural sector in the Bicol region is therefore imperative. Towards this end, the establishment of a center of excellence in agricultural education, research and development in the Bicol region through the establishment of the proposed Central Bicol State University of Agriculture, which shall be based on the present Camarines Sur State Agricultural College may be seen as a necessary step to address and correct the continued decline in the performance of the region's agricultural sector.



FRANCIS G. ESCUDERO

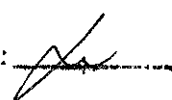
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AN ACT
CONVERTING THE CAMARINES SUR STATE AGRICULTURAL
COLLEGE IN THE MUNICIPALITY OF PILI, PROVINCE OF
CAMARINES SUR INTO A STATE UNIVERSITY TO BE KNOWN AS
THE CENTRAL BICOL STATE UNIVERSITY OF AGRICULTURE AND
APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Conversion.* - The Camarines Sur State Agricultural
2 College in the Municipality of Pili, Province of Camarines Sur is hereby
3 converted into a state university to be known as the Central Bicol State
4 University of Agriculture, hereinafter referred to as the University.

5 SEC. 2. *General Mandate.* - The University shall primarily provide both
6 advanced instruction and research in agriculture and allied technological
7 sciences including education, arts and related sciences. It shall also undertake
8 extension and development programs, and provide necessary instructional
9 and research leadership in agricultural, environmental and technological
10 development in the Bicol Region.

11 SEC. 3. *Curricular Offerings.* - The University shall offer undergraduate
12 and graduate courses in the fields of agriculture, environmental management,
13 engineering, education, arts and sciences, and other degree courses within its
14 areas of specialization and according to its capabilities, as the Board of

1 Regents may deem necessary to carry out its objectives and in order to meet
2 the needs of the Province of Camarines Sur and the Bicol Region.

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

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

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

17 (a) The Chairperson of the Committee on Higher Education
18 (CHED), Chairperson;

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

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

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

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

26 (f) The Regional Director of the Department of Agriculture
27 (DA), member;

- 1 (g) The President of the faculty association of the University,
2 member;
- 3 (h) The President of the student council of the University,
4 member;
- 5 (i) The President of the alumni association of the University,
6 member; and
- 7 (j) Two (2) prominent citizens from the private sector who have
8 distinguished themselves in their profession or fields of
9 specialization of the University, members.

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

16 *The term of office of the President of the faculty association, the*
17 *President of the student council and the President of the alumni association*
18 *shall be coterminous with their respective terms of office, as set forth in their*
19 *respective constitutions and bylaws.*

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

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

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

5 (a) To promulgate rules and regulations as may be necessary to
6 carry out the purposes and functions of the University;

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

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

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

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

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

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

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

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

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

25 (g) To authorize the construction or repair of its buildings,
26 machinery, equipment and other facilities, and the purchase

- 1 and acquisition of real property, including necessary
2 supplies, materials and equipment;
- 3 (h) To appoint upon recommendation of the President of the
4 University, Vice Presidents, deans, heads, directors, heads of
5 campuses, faculty members, and other officials and
6 employees of the University;
- 7 (i) To fix and adjust salaries of faculty members and
8 administrative officials and employees, subject to the
9 provisions of the Revised Compensation and Position
10 Classification System and other pertinent budget and
11 compensation laws governing hours of service and such
12 other duties and conditions as it may deem proper; to grant
13 them, at its discretion, leaves of absence under such
14 regulations as it may promulgate, any provision of existing
15 law to the country notwithstanding; and to remove them for
16 cause in accordance with the requirements of due process of
17 law.
- 18 (j) To approve the curricula, instructional programs and rules of
19 discipline drawn by the Administrative and Academic
20 Councils herein provided;
- 21 (k) To set policies on admission and graduation of students;
- 22 (l) To award honorary degrees upon persons in recognition of
23 their outstanding contribution in the fields of education,
24 public service, arts, science and technology, agriculture or in
25 any field of specialization within the academic competence
26 of the University; and to authorize the awarding of

- 1 certificates of completion of nondegree and non-traditional
2 courses;
- 3 (m) To establish and absorb nonchartered tertiary institutions
4 within the Province of Camarines Sur as branches and
5 centers in coordination with the CHED, and in consultation
6 with the Department of Budget and Management (DBM),
7 and to offer therein programs or courses, to promote and
8 carry out equal access to educational opportunities as
9 mandated by the Constitution;
- 10 (n) To establish research and extension centers of the University
11 where such will promote the development of the latter;
- 12 (o) To establish professorial chairs in the University and to
13 provide fellowships for qualified faculty members and
14 scholarships to deserving students;
- 15 (p) To delegate any of its powers and duties provided
16 hereinabove to the President and/or other officials of the
17 University as it may deem appropriate, so as to expedite the
18 administration of the affairs of the University;
- 19 (q) To authorize an external management audit of the
20 University, to be financed by the CHED, subject to the rules
21 and regulations of the Commission on Audit (COA); and to
22 institute reforms, including academic and structural changes,
23 on the basis of the audit results and recommendations;
- 24 (r) To collaborate with other governing boards of the state
25 colleges and universities within the Province of Camarines
26 Sur or the Bicol Region, under the supervision of the CHED
27 and in consultation with the DBM, and work towards the

- 1 restructuring of the University to become more efficient,
2 relevant, productive and competitive;
- 3 (s) To enter into joint ventures with business and industry for
4 the profitable development and management of the
5 economic assets of the University, the proceeds from which
6 shall be used for the development and strengthening of the
7 University;
- 8 (t) To develop consortia and other economic forms of linkages
9 with local government units, institutions and agencies, both
10 public and private, local and foreign, in the furtherance of
11 the purposes and objectives of the University;
- 12 (u) To develop economic arrangements for institutional
13 capability building with appropriate institutions and
14 agencies, public and private, local and foreign, and to
15 appoint experts/specialists as consultants, part-time or
16 visiting or exchange professors, scholars or researchers, as
17 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
20 technology, the dual learning system, open or distance
21 education and community laboratory for the promotion of
22 greater access to education;
- 23 (w) To establish policy guidelines and procedures for
24 participative decision-making and transparency within the
25 University;
- 26 (x) To privatize, where most advantageous to the University,
27 management of nonacademic services such as health, food,

1 building or grounds or property maintenance and such other
2 similar activities; and

3 (y) To extend the term of the President of the University beyond
4 the age of retirement but not beyond the age of seventy (70),
5 whose performance has been unanimously rated by the
6 Board as outstanding based on the guidelines, qualifications
7 and/or standards set by the Board, after unanimous
8 recommendation by the search committee.

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

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

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

25 In case the Chairpersons of the Congressional Committees on
26 Education shall not be able to attend the Board meeting, they may duly
27 designate their respective representatives to attend the said meeting, 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 any salary but shall be
4 entitled to reimbursements for actual and necessary expenses incurred, either
5 in their attendance to meetings of the Board or in connection with other
6 official business authorized by resolution of the Board, subject to existing laws
7 and regulations.

8 SEC. 9. *The University President.* – The University shall be headed by a
9 President, who shall render full-time service. He/she shall be appointed by
10 the Board, subject to the guidelines, qualifications and/or standards set by the
11 Board, upon the recommendation of a duly constituted search committee.
12 He/she shall serve for a term of four (4) 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 Camarines Sur
15 State Agricultural College shall *ipso facto* become the first president of the
16 University.

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

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

25 In case of a vacancy in the Office of the President as mentioned in the
26 immediately preceding paragraph, his/her successor or the officer-in-Charge
27 shall 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 and a Vice President for Administration who shall be
11 appointed by the Board upon recommendation of the President.

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

18 SEC. 11. *The Academic Council.* – There shall be an Academic Council to
19 be composed of the President of the University, who shall act as Chairperson,
20 and all the academic staff with the rank of at least an assistant professor, as
21 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 the conferment of degrees, subject
26 to review and/or approval by the Board through the President of the
27 University. It shall have the disciplinary power over students of the

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

3 SEC. 12. *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. 13. *The Treasurer of the University.* - The Treasurer of the
8 Philippines shall be the *ex officio* treasurer of the University.

9 SEC. 14. *The Faculty.* - No political beliefs, gender preference, cultural
10 or community affiliation or ethnic origin, and religious opinion or affiliation
11 shall be a matter of inquiry in the appointment of faculty members of the
12 University: *Provided, however,* 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. 15. *Scholarship Program/Admission.* - The University shall provide
17 a scholarship program and other affirmative action programs to assist poor
18 but deserving students who qualify for admission to the University.

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

21 SEC. 16. *Academic Freedom and Institutional Autonomy.* - The University
22 shall enjoy academic freedom and institutional autonomy, pursuant to
23 paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the
24 Philippines.

25 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and*
26 *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

1 President of the University, such apparatus, equipment or supplies as may be
2 needed by the university, and to detail employees for duty therein when, in
3 the judgment of the head of bureau or office, such apparatus, equipment,
4 supplies or services of such employees can be spared without serious
5 detriment to the public service. The employees so detailed shall perform such
6 duties as required of them by the President of the University, and the time so
7 employed shall be counted as part of their regular services.

8 SEC. 18. *Assets, Liabilities and Personnel.* - All assets, real and personal,
9 personnel and records of the Camarines Sur State Agricultural 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
13 University shall be respected.

14 All parcels of land belonging to the government occupied by the
15 Camarines Sur State Agricultural College are hereby declared to be property
16 of the University and shall be titled under that name: *Provided,* That should
17 the University cease to exist or be abolished or should such parcels of land
18 aforementioned be no longer needed by the University, the same shall revert
19 to the national government.

20 SEC. 19. *Appropriations.* - The amount necessary to carry out the
21 provisions of this Act shall be charged against the current year's
22 appropriations of the Camarines Sur State Agricultural College, except the
23 sums needed to continue the operations of the existing high school.
24 Thereafter, such sums as may be necessary for the continued operation and
25 maintenance of the Central Bicol State University of Agriculture shall be
26 included in the annual General Appropriations Act.

1 SEC. 20. *Development Plan, Management Audit, Organizational/*
2 *Administrative/Academic Structure.* – Within the period of one hundred twenty
3 (120) days after the approval of this Act, the University shall accomplish the
4 following:

- 5 (a) Submit a five (5)-year development plan, including its
6 corresponding program budget to the CHED, for
7 corresponding recommendation to the DBM.
- 8 (b) Undergo a management audit in cooperation with the
9 CHED; and
- 10 (c) Accordingly set up its organizational, administrative as
11 well as academic structure, including the appointment of
12 the University key officials.

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

18 SEC. 22. *Suppletory Application.* – The provisions of Republic Act No.
19 8292, otherwise known as the “Higher Education Modernization Act of 1997”,
20 shall be an integral part of this Act and shall serve as part of the Governing
21 Charter of the University.

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

1 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
2 consultation with the CHED, shall formulate the guidelines to fully
3 implement the provisions of this Act.

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

7 SEC. 26. *Repealing Clause.* – All laws, presidential decrees, executive
8 orders, rules and regulations contrary to or inconsistent with the provisions of
9 this Act are hereby repealed or modified accordingly.

10 SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after its
11 publication in two (2) newspapers of general circulation.

12 Approved,