



## HOUSE OF REPRESENTATIVES

H. No. 1814

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BY REPRESENTATIVES ALVAREZ (M.), ARROYO (I.), BENITEZ, ANGARA AND  
COLMENARES

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AN ACT CONVERTING THE NEGROS STATE COLLEGE OF  
AGRICULTURE (NSCA) IN THE CITY OF KABANKALAN,  
PROVINCE OF NEGROS OCCIDENTAL INTO A STATE  
UNIVERSITY TO BE KNOWN AS THE CENTRAL PHILIPPINES  
STATE UNIVERSITY (CPSU) 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 Negros State College of Agriculture in  
2   the City of Kabankalan, including its extension campuses in the municipalities  
3   of Hinobaan, Cauayan, Ilog, Candoni, Moises Padilla, Hinigaran and in the  
4   cities of San Carlos, Sipalay, Himamaylan and Victorias, all located in the  
5   Province of Negros Occidental, is hereby converted into a state university to be  
6   known as the Central Philippines State University (CPSU), hereinafter referred  
7   to as the University. The main campus of the University shall be in the City of  
8   Kabankalan.

9           SEC. 2. *General Mandate.* – The University shall primarily provide  
10   advanced education, higher technological, professional instruction and training  
11   in agriculture/fisheries, animal science, forestry, education, computer studies,  
12   engineering, arts and sciences and other relevant fields of study. It shall also  
13   promote and undertake research, extension services and provide progressive  
14   leadership in its areas of specialization.

15          SEC. 3. *Curricular Offerings.* – The University shall offer  
16   undergraduate and graduate studies in the fields of agriculture/fisheries, animal

1 science, forestry, education, computer studies, engineering, arts and sciences,  
2 short-term technical or diploma courses in agricultural technology and other  
3 degrees within its areas of specialization and according to its capabilities, as  
4 the Board of Regents may deem necessary to carry out its objectives and in  
5 order to meet the needs of the Province of Negros Occidental and Region VI.

6 The University shall maintain and operate a reasonably-sized laboratory  
7 school, under its College of Education in the main campus.

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

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

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

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

20 (c) The Chairperson of the Committee on Education, Arts and Culture  
21 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 Development  
25 Authority (NEDA), member;

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

1 (g) The President of the federation of faculty associations of the  
2 University, member;

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

5 (i) The President of the federation of alumni associations of the  
6 University, member; and

7 (j) Two (2) prominent citizens from the private sector who have  
8 distinguished themselves in their profession or fields of specialization,  
9 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 Negros Occidental,  
12 as recommended by the search committee constituted by the University  
13 President, in consultation with the Chairperson of the CHED and the other  
14 members of the Board, based on the normal standards and qualifications for  
15 the position set by the Board.

16 The President of the federation of faculty associations, the President of  
17 the federation of student councils and the President of the federation of alumni  
18 associations shall serve in the Board only for the duration of their terms of  
19 office, as set forth in their respective constitutions and bylaws.

20 The two (2) 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  
23 shall 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

1 policies, standards and thrusts of the CHED under Republic Act No. 7722,  
2 otherwise known as the "Higher Education Act of 1994".

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

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

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

12 (c) To import economic, technical and cultural books and/or  
13 publications;

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

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 departments/heads of  
19 campuses, faculty members, and other officials and employees of the  
20 University;

21 (i) To fix and adjust salaries of faculty members and administrative  
22 officials and employees, subject to the provisions of the Revised Compensation  
23 and Position Classification System as modified by Joint Resolution No. 4 dated  
24 June 17, 2009 and by such other law amendatory thereto which may hereinafter  
25 be enacted, and other pertinent budget and compensation laws governing hours  
26 of service and such other duties and conditions as it may deem proper; to grant  
27 them, at its discretion, leaves of absence under such regulations as it may  
28 promulgate, any provision of existing law to the contrary notwithstanding; and

1 to remove them for cause in accordance with the requirements of due process  
2 of law;

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

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

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

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

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

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

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

27 (q) To authorize an external management audit of the University,  
28 subject to the rules and regulations of the Commission on Audit (COA); and to

1 institute reforms, including academic and structural changes, on the basis of the  
2 audit results and recommendations;

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

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

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

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

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

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

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

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

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

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

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

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

26 The members of the Board shall not receive any salary but shall be  
27 entitled to reimbursements for actual and necessary expenses incurred, either in  
28 their attendance to meetings of the Board or in connection with other official

1 business authorized by resolution of the Board, subject to existing laws and  
2 regulations.

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

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

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

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

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

26 The salary of the President of the University shall be in accordance with  
27 the Revised Compensation and Position Classification System as modified by  
28 Joint Resolution No. 4 dated June 17, 2009 and by such other law amendatory

1 thereto which may hereinafter be enacted and shall be comparable to that being  
2 received by the Presidents of similar educational institutions.

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

6 SEC. 10. *Heads of University Campuses.* – Each extension campus in  
7 the municipalities of Hinobaan, Cauayan, Ilog, Candoni, Moises Padilla,  
8 Hinigaran and in the cities of San Carlos, Sipalay, Himamaylan and Victorias  
9 shall be referred to as the University campus.

10 A Campus Administrator shall head each University campus and he/she  
11 shall render full-time service. He/She shall be appointed by the Board upon  
12 recommendation of the search committee and the President of the University,  
13 subject to the guidelines, qualifications and/or standards set by the Board:  
14 *Provided,* That the incumbent College Administrator of an extension campus  
15 shall serve as its Campus Administrator.

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

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

26 The Academic Council shall have the power to review and recommend  
27 the curricular offerings and rules of discipline of the University, subject to the  
28 approval of the Board. It shall fix the requirements for the admission of

1 students, as well as for their graduation and conferment of degrees, subject to  
2 review and/or approval by the Board through the President of the University.  
3 It shall have the disciplinary power over students of the University and shall  
4 formulate academic policies and rules and regulations on discipline, subject to  
5 the approval of the Board.

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

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

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

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

22 No student shall be denied admission to the University by reason of  
23 gender, religion, cultural or community affiliation or ethnic origin.

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

1           SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
2   *and Detail of Personnel.* – The heads of the bureaus and offices of the  
3   national government are hereby authorized to loan or transfer, upon the request  
4   of the President of the University, such apparatus, equipment or supplies as  
5   may be needed by the University, and to detail employees for duty therein  
6   when, in the judgment of the head of the bureau or office, such apparatus,  
7   equipment, supplies or services of such employees can be spared without  
8   serious detriment to public service.

9           *The employees so detailed shall perform such duties as required of them*  
10   by the President of the University, and the time so employed shall be counted  
11   as part of their regular services.

12          SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and  
13   personal, personnel and records of the Negros State College of Agriculture, as  
14   well as liabilities or obligations, are hereby transferred to the University. The  
15   positions, rights and security of tenure of faculty members and personnel  
16   therein employed under existing laws prior to the conversion into a University  
17   shall be respected.

18          All parcels of land belonging to the government and occupied by the  
19   Negros State College of Agriculture are hereby declared to be property of the  
20   University, and shall be titled under that name: *Provided*, That should the  
21   University cease to exist or be abolished or should such parcels of land  
22   aforementioned be no longer needed by the University, the same shall revert to  
23   the LGUs concerned.

24          SEC. 20. *Tax Exemption on Importation and Donations* – The  
25   importation of economic, technical and cultural books and/or publications,  
26   which are for economic, technical-vocational, scientific, philosophical,  
27   historical or cultural purposes made by the Central Philippines State  
28   University, upon certification by the CHED, shall be exempt from customs

1 duties in accordance with the provisions of the Tariff and Customs Code of the  
2 Philippines, as amended.

3 All donations of any form to the Central Philippines State University  
4 shall be exempt from the donor's tax and the same shall be considered as  
5 allowable deduction from the gross income in the computation of the income  
6 tax of the donor, in accordance with the provisions of the National Internal  
7 Revenue Code of 1997, as amended

8 SEC. 21. *Appropriations* – The amount necessary to carry out the  
9 provisions of this Act shall be charged against the current year's appropriations  
10 of the Negros State College of Agriculture, except the sums needed to continue  
11 the operation of the existing high school. Thereafter, such sums as may be  
12 necessary for the continued operation and maintenance of the Central  
13 Philippines State University shall be included in the annual General  
14 Appropriations Act.

15 SEC. 22. *Development Plan, Management Audit, Organizational/*  
16 *Administrative/Academic Structure* – Within the period of one hundred twenty  
17 (120) days after the approval of this Act, the University shall accomplish the  
18 following:

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

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

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

26 SEC. 23. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of  
27 the second (2<sup>nd</sup>) month after the opening of the regular classes each year, the  
28 Board shall file with the Office of the President of the Philippines, through the

1 Chairperson of the CHED, and with both Houses of Congress a detailed report  
2 on the progress, conditions and needs of the University.

3 SEC. 24. *Supplementary Application* – The provisions of Republic Act  
4 No. 8292, otherwise known as the “Higher Education Modernization Act of  
5 1997”, shall be an integral part of this Act and shall serve as part of the  
6 Governing Charter of the University.

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

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

14 SEC. 27. *Separability Clause* – If, for any reason, any part or  
15 provision of this Act is declared invalid or unconstitutional, the remaining  
16 parts or provisions not affected thereby shall remain in full force and effect.

17 SEC. 28. *Repealing Clause* – All laws, presidential decrees, executive  
18 orders, rules and regulations contrary to or inconsistent with the provisions of  
19 this Act are hereby repealed or modified accordingly.

20 SEC. 29. *Effectivity Clause*. – This Act shall take effect fifteen (15)  
21 days after its publication in two (2) newspapers of general circulation.

Approved,

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