



HOUSE OF REPRESENTATIVES

H. No. 4170

BY REPRESENTATIVES SARMIENTO (C.) AND ANGARA, PER COMMITTEE
REPORT NO. 629

AN ACT CONVERTING THE CATANDUANES STATE COLLEGES IN
THE PROVINCE OF CATANDUANES INTO A STATE
UNIVERSITY TO BE KNOWN AS THE CATANDUANES STATE
UNIVERSITY 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 Catanduanes State Colleges (CSC) in
2 the Province of Catanduanes, composed of CSC – Virac Campus in the
3 Municipality of Virac and CSC – Panganiban Campus in the Municipality of
4 Panganiban, both located in the Province of Catanduanes, is hereby converted
5 into a state university to be known as the Catanduanes State University,
6 hereinafter referred to as the University. The main campus of the University
7 shall be in Virac, Catanduanes.

8 SEC. 2. *General Mandate.* – The University shall primarily provide
9 advanced education, higher technological, professional instruction and training
10 in trade, commerce, fishery, agriculture, arts and sciences, industrial
11 technology, nursing, midwifery, education, engineering, public administration,
12 information technology, 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.

1 SEC. 3. *Academic Freedom and Institutional Autonomy.* – The
2 University shall enjoy academic freedom and institutional autonomy, pursuant
3 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
4 the Philippines.

5 SEC. 4. *Curricular Offerings.* – The University shall offer
6 undergraduate and graduate courses in the fields of trade, commerce, fishery,
7 agriculture, arts and sciences, industrial technology, nursing, midwifery,
8 education, engineering, public administration, information technology, and
9 other degrees/courses within its areas of specialization and according to its
10 capabilities as the Board of Regents may deem necessary to carry out its
11 objectives, particularly in meeting the needs of the Province of Catanduanes
12 and Region V.

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

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

25 SEC. 6. *The Governing Board.* – The governing board of the
26 University shall be the Board of Regents, hereinafter referred to as the Board,
27 which shall be composed of the following:

1 (a) The Chairperson of the Commission on Higher Education (CHED),
2 Chairperson;

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

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

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

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

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

12 (g) The President of the federation of faculty associations of the
13 University, member;

14 (h) The President of the federation of student councils of the
15 University, member;

16 (i) The President of the federation of alumni associations of the
17 University, member; and

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

21 The Board shall appoint the two (2) prominent citizens from among a
22 list of at least five (5) qualified persons in the Province of Catanduanes, as
23 recommended by the search committee constituted by the University President,
24 in consultation with the Chairperson of the CHED and the other members of
25 the Board, based on the normal standards and qualifications for the position.

26 The term of office of the President of the federation of faculty
27 associations, the President of the federation of student councils, and the
28 President of the federation of alumni associations shall be coterminous with

1 their respective terms of office, as set forth in their respective constitutions and
2 bylaws.

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

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

9 (a) To promulgate and implement policies in accordance with the
10 declared State policies and the provisions of the Philippine Constitution on
11 education, agriculture, science and technology, as well as the policies,
12 standards and thrusts of the CHED under Republic Act No. 7722, otherwise
13 known as the "Higher Education Act of 1994";

14 (b) To promulgate rules and regulations not contrary to law as may be
15 necessary to carry out the purposes and functions of the University;

16 (c) To receive and appropriate all sums as may be provided for the
17 support of the University in the manner it may determine in its discretion, in
18 order to carry out the purposes and functions of the University;

19 (d) To import economic, technical and cultural books and/or
20 publications;

21 (e) To receive in trust legacies, gifts and donations of real and personal
22 properties of all kinds and to administer and dispose of the same when
23 necessary for the benefit of the University, and subject to the limitations,
24 directions and instructions of the donor, if any;

25 (f) To fix the tuition fees and other necessary school charges such as,
26 but not limited to, matriculation fees, graduation fees and laboratory fees, as
27 the Board may deem proper to impose, after due consultations with the
28 involved sectors.

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

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

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

19 (g) To adopt and implement a socialized scheme of tuition and school
20 fees for greater access to poor but deserving students;

21 (h) To authorize the construction or repair of its buildings, machinery,
22 equipment and other facilities, and the purchase and acquisition of real
23 property, including necessary supplies, materials and equipment;

24 (i) To appoint, upon recommendation of the President of the
25 University, Vice Presidents, deans, directors, heads of campuses, faculty
26 members and other officials and employees of the University;

27 (j) To fix and adjust salaries of faculty members and administrative
28 officials and employees, subject to the provisions of the Revised Compensation

1 and Position Classification System and other pertinent budget and
2 compensation laws governing hours of service, and such other duties and
3 conditions as it may deem proper; to grant them, at its discretion, leaves of
4 absence under such regulations as it may promulgate, any provision of existing
5 law to the contrary notwithstanding; and to remove them for cause in
6 accordance with the requirements of due process of law;

7 (k) To approve the curricula, instructional programs and rules of
8 discipline drawn by the Administrative and the Academic Councils herein
9 provided;

10 (1) To set policies on admission and graduation of students;

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

16 (n) To establish and absorb nonchartered tertiary institutions within the
17 Province of Catanduanes as branches and centers in coordination with the
18 CHED, and in consultation with the Department of Budget and Management
19 (DBM), and to offer therein programs or courses, to promote and carry out
20 equal access to educational opportunities as mandated by the Constitution;

21 (o) To establish research and extension centers of the University where
22 such will promote the development of the latter;

23 (p) To establish professorial chairs in the University and to provide
24 fellowships for qualified faculty members and scholarships to deserving
25 students;

26 (q) To delegate any of its powers and duties provided for hereinabove
27 to the President and/or other officials of the University as it may deem

1 appropriate, so as to expedite the administration of the affairs of the
2 University;

3 (r) To authorize an external management audit of the University, to be
4 financed by the CHED, subject to the rules and regulations of the Commission
5 on Audit (COA); and to institute reforms, including academic and structural
6 changes, on the basis of the audit results and recommendations;

7 (s) To collaborate with other governing boards of the state colleges and
8 universities within the Province of Catanduanes or Region V, under the
9 supervision of the CHED and in consultation with the DBM, and work towards
10 the restructuring of the University to become more efficient, relevant,
11 productive and competitive;

12 (t) To enter into joint ventures with business and industry for the
13 profitable development and management of the economic assets of the
14 University, the proceeds from which shall be used for the development and
15 strengthening of the University;

16 (u) To develop consortia and other economic forms of linkages with
17 local government units (LGUs), institutions and agencies, both public and
18 private, local and foreign, in the furtherance of the purposes and objectives of
19 the University;

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

24 (w) To set up the adoption of modern and innovative modes of
25 transmitting knowledge such as the use of information technology, the dual
26 learning system, open or distance education and community laboratory for the
27 promotion of greater access to education;

1 (x) To establish policy guidelines and procedures for participative
2 decision-making and transparency within the University;

3 (y) To privatize, where most advantageous to the University, the
4 management of nonacademic services such as health, food, building or grounds
5 or property maintenance and such other similar activities; and

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

11 SEC. 8. *Meetings of the Board* – The Board shall regularly convene
12 once every three (3) months. Whenever necessary, the Chairperson of the
13 Board may call, upon three (3) days' prior written notice, a maximum of two
14 (2) special meetings within the same period.

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

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

27 In case the Chairpersons of the Congressional Committees on Education
28 shall not be able to attend the Board meeting, they may duly designate their

1 respective representatives to attend the said meeting, who shall have the same
2 rights and responsibilities as a regular member of the 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 in
5 their attendance to meetings of the Board or in connection with other official
6 business authorized by resolution of the Board, subject to existing laws and
7 regulations.

8 SEC. 9. *The University President.* – The University shall be headed by
9 a 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 recommendation of a duly constituted search committee. He/She
12 shall have a term of four (4) years and shall be eligible for reappointment for
13 another term: *Provided*, That in order to effect a smooth transition to a state
14 university, the CHED shall designate an *Officer-in-Charge of the University*,
15 pending the appointment of 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 University, the Board shall constitute the Search
18 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/her office, the Board shall designate
22 an Officer-in-Charge of the University within six (6) months from the date of
23 vacancy, pending the appointment of a new President.

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

27 The powers and duties of the President of the University, in addition to
28 those specifically provided in this Act, shall be those usually pertaining to the

1 Office of the President of similar universities, and those delegated by the
2 Board.

3 *The salary of the President of the University shall be in accordance with*
4 *the Revised Compensation and Position Classification System and shall be*
5 *comparable to that being received by the Presidents of similar educational*
6 *institutions.*

7 The President of the University shall be assisted by a Vice President for
8 Academic Affairs and a Vice President for Administration, who shall be
9 appointed by the Board upon recommendation of the President.

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

17 SEC. 11. *The Secretary of the University.* – The Board shall appoint a
18 secretary, who shall serve as such for both the Board and the University and
19 shall keep all records and proceedings of the Board. He/She shall serve upon
20 each member of the Board the appropriate notice of the Board meetings.

21 SEC. 12. *The Treasurer of the University.* – The Treasurer of the
22 Philippines shall be the *ex officio* treasurer of the University.

23 SEC. 13. *The Administrative Council.* – There shall be an
24 Administrative Council consisting of the President of the University as
25 Chairperson, Vice Presidents, deans, directors and other officials of equal rank
26 as members, whose duty is to review and recommend to the Board the policies
27 governing the administration, management and development planning of the
28 University.

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

5 The Academic Council shall have the power to review and recommend
6 the curricular offerings and rules of discipline of the University, subject to the
7 approval of the Board. It shall fix the requirements for the admission of
8 students, as well as for their graduation and conferment of degrees, subject to
9 review and/or approval by the Board through the President of the University.
10 It shall have the disciplinary power over students of the University and shall
11 formulate academic policies and rules and regulations on discipline, subject to
12 the approval of the Board.

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

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

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

25 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
26 *and Detail of Personnel.* – The heads of the bureaus and offices of the
27 national government are hereby authorized to loan or transfer, upon the request
28 of the President of the University, such apparatus, equipment or supplies as

1 may be needed by the University, and to detail employees for duty therein
2 when, in the judgment of the head of bureau or office, such apparatus,
3 equipment, supplies or services of such employees can be spared without
4 *serious detriment to 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. 18. *Assets, Liabilities and Personnel* – All assets, real and
9 personal, personnel and records of the Catanduanes State Colleges, as well as
10 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
15 Catanduanes State Colleges are hereby declared to be property of the
16 University, and shall be titled under that name: *Provided*, That should the
17 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 to
19 the LGUs concerned.

20 SEC. 19. *Tax Exemption on Importation and Donations.* – The
21 *importation* of economic, technical and cultural books and/or publications,
22 which are for economic, technical, vocational, scientific, philosophical,
23 historical or cultural purposes made by the Catanduanes State University upon
24 certification by the CHED shall be exempt from customs duties in accordance
25 with the provisions of the Tariff and Customs Code of the Philippines, as
26 amended.

27 Donations in any form to the Catanduanes State University shall be
28 exempt from the donor's tax and the same shall be considered as allowable

1 deduction from the gross income in the computation of the income tax of the
2 donor, in accordance with the provisions of the National Internal Revenue
3 Code of 1997, as amended.

4 SEC. 20. *Appropriations.* – The amount necessary to carry out the
5 provisions of this Act shall be charged against the current year’s appropriations
6 of the Catanduanes State Colleges, except the sums needed to continue the
7 operations of the existing high school. Thereafter, such sums as may be
8 necessary for the continued operation and maintenance of the Catanduanes
9 State University shall be included in the annual General Appropriations Act.

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

14 (a) Submit a five (5)-year development plan, including its
15 corresponding program budget to the CHED, for corresponding
16 recommendation to the DEM;

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

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

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

25 SEC. 23. *Suppletory Application.* – The provisions of Republic Act
26 No. 8292, otherwise known as the “Higher Education Modernization Act of
27 1997”, shall be an integral part of this Act and shall serve as part of the
28 Governing Charter of the University.

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

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

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

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

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

Approved,

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