


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

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SENATE

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BY: 

COMMITTEE REPORT NO. 137

Submitted jointly by the Committees on Education, Arts and Culture; and Finance
on MAR 20 2012

Re: House Bill No. 1814

Recommending its approval without amendment

Sponsors: Senators Angara and Drilon

MR. PRESIDENT:

The Committees on Education, Arts and Culture; and Finance to which was referred House Bill No. 1814, introduced by Representatives Alvarez M., Arroyo I., Benitez A., Angara and Colmenares N., entitled:

**“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”**


has considered the same and has the honor to report it back to the Senate with the recommendation that it be approved without amendment.

Respectfully Submitted:


FRANKLIN M. DRILON
Chair, Committee on Finance
Member, Committee on Education, Arts and Culture,



EDGARDO J. ANGARA
Chair, Committee on Education, Arts and Culture
Member, Committee on Finance


RALPH G. RECTO
Vice Chair, Committee on Finance


LOREN LEGARDA
Vice-Chair, Committee on Education, Arts and Culture
Member, Committee on Finance

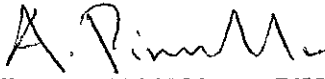

FRANCIS N. PANGILINAN
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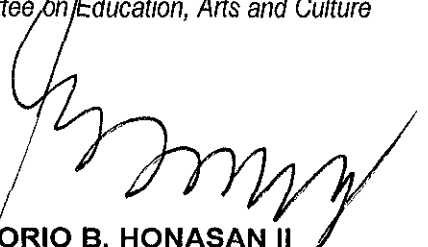

SERGIO R. OSMEÑA III
Committee on Education, Arts and Culture
Committee on Finance

*subject to
CHED order/
recommendation.*


MIRIAM DEFENSOR SANTIAGO
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Committee on Education, Arts and Culture


FRANCIS "CHIZ" G. ESCUDERO
Committee on Finance


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Committee on Finance

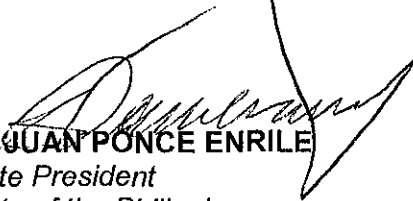

PANFILO M. LACSON
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Minority Leader


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JINGGOY EJERCITO-ESTRADA
President Pro-Tempore


Hon. JUAN PONCE ENRILE
Senate President
Senate of the Philippines
Pasay City



HOUSE OF REPRESENTATIVES

H. No. 1814

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

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 (15th) day of
27 the second (2nd) 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. *Suppletory 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,

O