



HOUSE OF REPRESENTATIVES

H. No. 5913

BY REPRESENTATIVES MATUGAS, ROMARATE AND ANGARA, PER COMMITTEE
REPORT NO. 1900

AN ACT ESTABLISHING THE SURIGAO DEL NORTE STATE UNIVERSITY IN THE PROVINCE OF SURIGAO DEL NORTE BY INTEGRATING THE SURIGAO STATE COLLEGE OF TECHNOLOGY IN SURIGAO CITY, THE SIARGAO NATIONAL COLLEGE OF SCIENCE AND TECHNOLOGY IN THE MUNICIPALITY OF DEL CARMEN AND THE SURIGAO DEL NORTE COLLEGE OF AGRICULTURE AND TECHNOLOGY IN THE MUNICIPALITY OF MAINIT, ALL LOCATED IN THE PROVINCE OF SURIGAO DEL NORTE, AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Establishment/Integration.* – There is hereby established
2 a state university in the Province of Surigao del Norte to be known as the
3 Surigao del Norte State University (SNSU), hereinafter referred to as the
4 University, by integrating the Surigao State College of Technology (SSCT) in
5 Surigao City, the Siargao National College of Science and Technology
6 (SNCST) in the Municipality of Del Carmen and the Surigao del Norte College
7 of Agriculture and Technology (SNCAT) in the Municipality of Mainit, all
8 located in the Province of Surigao del Norte. The main campus of the
9 University shall be in Surigao City with extension campuses in the

1 municipalities of Del Carmen, Mainit and Malimono, Province of Surigao del
2 Norte.

3 SEC. 2. *General Mandate.* – The University shall primarily provide
4 advanced education, higher technological, professional instruction and training
5 in the fields of agriculture and environmental studies, fishery, engineering,
6 forestry, industrial technology, education, law, medicine and other
7 health-related programs, information technology, arts and sciences and other
8 related courses. It shall undertake research and extension services, and provide
9 progressive leadership in its areas of specialization.

10 SEC. 3. *Academic Freedom and Institutional Autonomy.* – The
11 University shall enjoy academic freedom and institutional autonomy, pursuant
12 to paragraph 2, Section 5 of Article XIV of the 1987 Constitution of the
13 Republic of the Philippines.

14 SEC. 4. *Curricular Offerings.* – The University shall offer
15 undergraduate and graduate courses within its areas of specialization,
16 specifically, but not limited to, the fields of agriculture and environmental
17 studies, fishery, engineering, forestry, industrial technology, education, law,
18 medicine and other health-related programs, information technology, arts and
19 science and other fields as the Board of Regents may deem necessary,
20 particularly to meet the needs of the Province of Surigao del Norte and
21 neighboring provinces.

22 The existing high schools shall be transferred to the jurisdiction and
23 supervision of the Department of Education (DepED): *Provided*, That the high
24 schools shall be allowed to remain and operate within the campus of the
25 University until the students, who are currently enrolled, shall have completed
26 their high school education: *Provided, further*, That the University may
27 operate a reasonably-sized laboratory school under its College of Education.

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

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

10 (a) The Chairperson of the Commission on Higher Education (CHED),
11 Chairperson;

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

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

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

17 (e) *The Regional Director of the National Economic and Development*
18 *Authority (NEDA), member;*

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

21 (g) The Regional Director of the Department of Agriculture (DA),
22 member;

23 (h) The President of the federation of faculty associations of the
24 University, member;

25 (i) The President of the federation of student councils of the
26 University, member;

27 (j) The President of the federation of alumni associations of the
28 University, member; and

1 (k) Three (3) prominent citizens from the private sector who have
2 distinguished themselves in their profession or fields of specialization of the
3 University, members.

4 The Board shall appoint the three (3) prominent citizens from among a
5 list of at least five (5) qualified persons in the Province of Surigao del Norte,
6 as recommended by the search committee constituted by the University
7 President, in consultation with the Chairperson of the CHED and the other
8 members of the Board, based on the normal standards and qualifications for
9 the position.

10 The term of office of the *President of the federation of faculty*
11 *associations*, the *President of the federation of student councils* and the
12 *President of the federation of alumni associations* shall be coterminous with
13 their respective terms of office, as set forth in their respective constitutions and
14 bylaws.

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

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

21 (a) To promulgate and implement policies in accordance with the
22 declared State policies and the provisions of the 1987 Philippine Constitution
23 on education, agriculture, science and technology, as well as the policies,
24 standards and thrusts of the CHED under Republic Act No. 7722, otherwise
25 known as the “Higher Education Act of 1994”;

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

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

4 (d) To import economic, technical and cultural books and/or
5 publications;

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

10 (f) To fix the tuition fees and other necessary school charges such as,
11 but not limited to, matriculation fees, graduation fees and laboratory fees, as
12 the Board may deem proper to impose, after due consultations with the
13 involved sectors. Such fees and charges, including government subsidies and
14 other income generated by the University, shall constitute special trust funds
15 and shall be deposited in any authorized government depository bank, and all
16 interests that shall accrue therefrom shall form part of the same funds for the
17 use of the University.

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

25 If, for reasons beyond its control, the University shall not be able to
26 pursue any project for which the funds have been appropriated and allocated
27 under its approved program of expenditures, the Board may authorize the use
28 of said funds for any reasonable purpose which, in its discretion, may be

1 necessary and urgent for the attainment of the objectives and goals of the
2 University;

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

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

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

11 (j) To fix and adjust salaries of faculty members and administrative
12 officials and employees, subject to the provisions of the Revised Compensation
13 and Position Classification System and other pertinent budget and
14 compensation laws including those governing hours of service and such other
15 duties and conditions as it may deem proper; to grant them at its discretion,
16 leaves of absence under such regulations as it may promulgate, any provision
17 of existing law to the contrary notwithstanding; and to remove them for cause
18 in accordance with the requirements of due process of law;

19 (k) To approve the curricula, instructional programs and rules of
20 discipline drawn by the Administrative and Academic Councils herein
21 provided;

22 (l) To set policies on admission and graduation of students;

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

1 (n) To establish and absorb nonchartered tertiary institutions within
2 the Province of Surigao del Norte as branches and centers in coordination with
3 the CHED, and in consultation with the Department of Budget and
4 Management (DBM), and to offer therein programs or courses, to promote and
5 carry out equal access to educational opportunities as mandated by the
6 Constitution;

7 (o) To establish research and extension centers for the development of
8 the University;

9 (p) To establish professorial chairs in the University and to provide
10 fellowships for qualified faculty members and scholarships to deserving
11 students;

12 (q) To delegate any of its powers and duties provided for hereinabove
13 to the President and/or other officials of the University as it may deem
14 appropriate, so as to expedite the administration of the affairs of the
15 University;

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

20 (s) To collaborate with other governing boards of state colleges and
21 universities within the Province of Surigao del Norte or Region XIII
22 (CARAGA Region), under the supervision of the CHED and in consultation
23 with the DBM, and work towards the restructuring of the University to become
24 more efficient, relevant, productive and competitive;

25 (t) To enter into joint ventures with business and industry for the
26 profitable development and management of the economic assets of the
27 University, the proceeds from which shall be used for the development and
28 strengthening of the University;

1 (u) To develop consortia and other economic forms of linkages with
2 local government units (LGUs), institutions and agencies, both public and
3 private, local and foreign, in the furtherance of the purposes and objectives of
4 the University;

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

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

13 (x) To establish policy guidelines and procedures for participative
14 decision making and transparency within the University;

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

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

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

1 A quorum of the Board shall consist of majority of all its members
2 holding office at the time of the meeting: *Provided, however,* That the
3 Chairperson of the Board or the President of the University is among those
4 present in the meeting. In one's absence, the Chairperson of the CHED shall
5 designate a Commissioner of the CHED as representative in the meeting with
6 all the rights and responsibilities of a regular member: *Provided, however,*
7 That during this meeting, the President of the University as Vice Chairperson
8 shall be the Presiding Officer: *Provided, further,* That this *proviso*
9 notwithstanding, the Chairperson of the CHED is hereby authorized to
10 designate a CHED Commissioner as the regular Chair of the Board, in which
11 case said CHED Commissioner shall act as the Presiding Officer.

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

16 The members of the Board shall not receive any salary but shall be
17 entitled to reimbursements for actual and necessary expenses incurred, either in
18 their attendance to meetings of the Board or in connection with other official
19 business authorized by resolution of the Board, subject to existing laws and
20 regulations.

21 SEC. 9. *The University President.* -- The University shall be headed
22 by a *President, who shall render full-time service and who shall be appointed*
23 by the Board, subject to the guidelines, qualifications and standards set by the
24 Board, upon recommendation of a duly constituted search committee. The
25 University President shall have a term of four (4) years and shall be eligible for
26 reappointment for another term: *Provided,* That in order to effect a smooth
27 transition to a state university, the incumbent President of the SSCT shall serve

1 as the Officer-in-Charge of the University, pending the appointment of the first
2 President of the University.

3 Within six (6) months from the approval of the law establishing the
4 University, the Board shall constitute the Search Committee for the Presidency
5 (SCP).

6 In case of vacancy in the Office of the President by reason of death,
7 *compulsory retirement, resignation, removal for cause or incapacity* of the
8 President to perform the functions of the office, the Board shall designate an
9 Officer-in-Charge of the University within six (6) months from the date of
10 vacancy, pending the appointment of a new President. The successor or the
11 Officer-in-Charge shall serve only the unexpired portion of the term.

12 The powers and duties of the President of the University, in addition to
13 those specifically provided in this Act, shall be those usually pertaining to the
14 Office of the President of similar universities, and those *delegated* by the
15 Board.

16 The salary of the President of the University shall be in accordance with
17 the Revised Compensation and Position Classification System and other
18 pertinent budget and compensation laws, and shall be comparable to that being
19 received by the Presidents of similar educational institutions.

20 The President of the University shall be assisted by a Vice President for
21 Academic Affairs and a Vice President for Administration who shall be
22 appointed by the Board upon recommendation of the President.

23 SEC. 10. *Heads of University Campuses.* – Campus Directors shall
24 head the University campuses and they shall render full-time service.
25 They shall be appointed by the Board upon recommendation of the search
26 committee and the University President, subject to the guidelines,
27 qualifications and standards set by the Board: *Provided, That* the incumbent

1 College Administrators of the extension campuses shall serve as the campus
2 Directors of their respective campuses.

3 SEC. 11. *The Secretary of the University.* – The Board shall appoint
4 a Secretary, who shall serve as such for both the Board and the University and
5 shall keep all records and proceedings of the Board. The Secretary shall serve
6 upon each member of the Board the appropriate notice of the Board meetings.

7 SEC. 12. *The Treasurer of the University.* – The Treasurer of the
8 Philippines shall be the *ex officio* Treasurer of the University.

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

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

19 The Academic Council shall have the power to review and recommend
20 the curricular offerings and rules of discipline of the University, subject to the
21 approval of the Board. It shall fix the requirements for the admission of
22 students, as well as for their graduation and conferment of degrees, subject to
23 review and approval by the Board through the President of the University. It
24 shall have the disciplinary power over students of the University and shall
25 formulate academic policies and rules and regulations on discipline, subject to
26 the approval of the Board.

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

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

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

13 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/
14 Supplies and Detail of Personnel.* – The heads of the bureaus and offices of
15 the national government are hereby authorized to loan or transfer, upon the
16 request of the President of the University, such apparatus, equipment or
17 supplies as may be needed by the University, and to detail employees for duty
18 therein when, in the judgment of the head of the bureau or office, such
19 apparatus, equipment, supplies or services of such employees can be spared
20 without serious detriment to public service.

21 The employees so detailed shall perform such duties as required of them
22 by the President of the University, and the time so employed shall be counted
23 as part of their regular services.

24 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
25 personal, personnel and records of the SSCT, the SNCST and the SNCAT, as
26 well as liabilities or obligations, are hereby transferred to the University.
27 The positions, rights and security of tenure of faculty members and personnel

1 therein employed under existing laws prior to the conversion into a University
2 shall be respected.

3 All parcels of land belonging to the government occupied by the SSCT,
4 the SNCST and the SNCAT are hereby declared to be property of the
5 University and shall be titled under the SNSU: *Provided, That should the*
6 University cease to exist or be abolished or should such parcels of land
7 aforementioned be no longer needed by the University, the same shall revert to
8 the national government.

9 SEC. 19. *Tax Exemption on Importation and Donations.* – The
10 importation of economic, technical and cultural books or publications, which is
11 for economic, technical, vocational, scientific, philosophical, historical or
12 cultural purposes made by the University, upon certification by the CHED,
13 shall be exempt from customs duties in accordance with the provisions of the
14 Tariff and Customs Code of the Philippines.

15 Donations in any form to the University shall be exempt from the
16 donor's tax and the same shall be considered as allowable deduction from the
17 gross income in the computation of the income tax of the donor, in accordance
18 with the provisions of the National Internal Revenue Code of 1997.

19 SEC. 20. *Appropriations.* – The amount necessary to carry out the
20 provisions of this Act shall be charged against the current year's appropriations
21 of the SSCT, the SNCST and the SNCAT except the sums needed to continue
22 the operations of the existing high schools. Thereafter, such sums as may be
23 necessary for the continued operation and maintenance of the University and
24 its external campuses shall be included in the annual General Appropriations
25 Act.

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

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

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

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

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

16 SEC. 23. *Suppletory Application.* – The provisions of Republic Act
17 No. 8292, otherwise known as the “Higher Education Modernization Act of
18 1997”, shall be an integral part of this Act and shall serve as part of the
19 Governing Charter of the University.

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

24 SEC. 25. *Implementing Rules and Regulations.* – The Board, in
25 consultation with the CHED, shall formulate the rules and regulations to fully
26 implement the provisions of this Act.

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

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

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

Approved,

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