

15 MAY -4 P4:37

SENATE **2744**
S.B. No. _____

RECEIVED BY: _____

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT CONVERTING THE TARLAC COLLEGE OF AGRICULTURE (TCA) IN THE MUNICIPALITY OF CAMILING, PROVINCE OF TARLAC INTO A STATE UNIVERSITY TO BE KNOWN AS THE TARLAC AGRICULTURAL UNIVERSITY AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

As we move forward into the future, the challenge for all humanity is how to feed over seven billion people in the world. It is a local and global issue for the Philippines, as an agricultural country with rich and fertile land, and apt climate for farming.

It is no wonder that advancements in agriculture and farming technology have modernized the industry and resulted in new ways to increase production, maximize yield, and efficiently and sustainably utilize land and other resources.

Equipment and other tools are constantly being fine-tuned and improved while strategies in efficient farming are also being studied and developed in research facilities and universities around the world.

The country still has immense room for growth and development in the agricultural sector. There is still a long way for us to go in terms of modernizing and streamlining our agricultural sector.

Taking into account that Filipino farmers have an average age of 57 years, just 3 years shy of retirement, there is a pressing need to involve the youth in improving farming and agriculture in the Philippines.

The Tarlac Agricultural University Bill of 2015 seeks to do just that through advanced, technology-driven education, innovative training, and useful & practical research.

The proposed measure aims to transform the Tarlac College of Agriculture into a state university to cater to the region's needs and potential for agricultural growth.

The University will seek to offer advanced education, higher technological, professional instruction and training in the fields of agriculture, science & technology, teacher education, engineering, agribusiness management, nontraditional courses and other relevant fields of study.

It will strive to also undertake research, extension services and production activities in support of the development of the Province of Tarlac, and of Central Luzon, an agricultural region, and provide progressive leadership in its areas of specialization.

Considering the unprecedented and growing demands of the community and the labor market for more specialized and expanded services in agricultural education and other related fields, it is high time to have an agricultural university in the region.

Once converted, the institution will become a potential avenue for intensified collaborative researches as well as technology promotion and commercialization, thereby attracting more young Filipinos, and probably other Southeast Asian students as well, to take on agro-development courses to advance our food security efforts in the region.

In view of the foregoing, the approval of this bill is earnestly sought.


Senator Paolo Benigno "Bam" A. Aquino IV

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

1 **Section 1. Conversion.** – The Tarlac College of Agriculture (TCA) in the Municipality of
2 Camiling, Province of Tarlac is hereby converted into a state university to be known as the
3 Tarlac Agricultural University, hereinafter referred to as the University.

4 **SEC. 2. General Mandate.** – The University shall primarily provide advanced education,
5 higher technological, professional instruction and training in the fields of agriculture, science &
6 technology, teacher education, engineering, agribusiness management, nontraditional courses
7 and other relevant fields of study. It shall also undertake research, extension services and
8 production activities in support of the development of the Province of Tarlac and provide
9 progressive leadership in its areas of specialization.

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

13 **SEC. 4. Curricular Offerings.** – The University shall offer undergraduate and graduate
14 courses in the fields of agriculture, science & technology, teacher education, engineering,
15 agribusiness management, and other courses within its areas of specialization and according to
16 its capabilities as the Board of Regents may deem necessary to carry out its objectives,
17 particularly in meeting the needs of the Province of Tarlac and Region III.

18 The University may operate a reasonably-sized laboratory school under its College of
19 Education.

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

24 **SEC. 6. The Governing Board.** – The governing board of the University shall be the Board
25 of Regents, hereinafter referred to as the Board, which shall be composed of the following:
26 (a) The Chairperson of the Commission on Higher Education (CHED), Chairperson;

- 1 (b) The President of the University, Vice Chairperson;
- 2 (c) The Chairperson of the Committee on Education, Arts and Culture of the Senate,
3 member;
- 4 (d) The Chairperson of the Committee on Higher and Technical Education of the House
5 of Representatives, member;
- 6 (e) The Regional Director of the National Economic and Development Authority (NEDA),
7 member;
- 8 (f) The Regional Director of the Department of Agriculture (DA), member;
- 9 (g) The President of the faculty association of the University, member;
- 10 (h) The President of the student council of the University, member;
- 11 (i) The President of the alumni association of the University, member; and
- 12 (j) Two (2) prominent citizens from the private sector who have distinguished
13 themselves in their profession or fields of specialization of the University, members.

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

19 The term of office of the President of the faculty association, the President of the
20 student council and the President of the alumni association shall be coterminous with their
21 respective terms of office, as set forth in their respective constitutions and by-laws.

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

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

27 (a) To promulgate and implement policies in accordance with the declared State policies
28 and the provisions of the Philippine Constitution on education, agriculture, science and
29 technology, as well as the policies, standards and thrusts of the CHED under Republic Act No.
30 7722, otherwise known as the "Higher Education Act of 1994";

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

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

36 (d) To import duty-free economic, technical and cultural books and/or publications,
37 upon certification by the CHED that such imported books and/or publications are for economic,

1 technical, vocational, scientific, philosophical, historical or cultural purposes, in accordance with
2 the provisions of the Tariff and Customs Code, as amended;

3 (e) To receive in trust legacies, gifts and donations of real and personal properties of all
4 kinds and to administer and dispose of the same when necessary for the benefit of the
5 University, and subject to the limitations, directions and instructions of the donor, if any.

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

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

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

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

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

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

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

32 (j) To fix and adjust salaries of faculty members and administrative officials and
33 employees, subject to the provisions of the Revised Compensation and Position Classification
34 System and other pertinent budget and compensation laws governing hours of service and such
35 other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of
36 absence under such regulations as it may promulgate, any provision of existing law to the
37 contrary notwithstanding; and to remove them for cause in accordance with the requirements
38 of due process of law;

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

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

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

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

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

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

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

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

21 (s) To collaborate with other governing boards of the state colleges and universities
22 within the Province of Tarlac or Region III, under the supervision of the CHED and in
23 consultation 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 profitable
26 development and management of the economic assets of the University, the proceeds from
27 which shall be used for the development and strengthening of the University;

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

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

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

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

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

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

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

8 A quorum of the Board shall consist of majority of all its members holding office at the
9 time of the meeting: Provided, however, that the Chairperson of the Board or the President of
10 the University is among those present in the meeting.

11 In one's absence, the Chairperson of the CHED shall designate a Commissioner of the
12 CHED as representative in the meeting with all the rights and responsibilities of a regular
13 member: Provided, however, That during this meeting, the President of the University as Vice
14 Chairperson shall be the Presiding Officer: Provided, further, that this proviso notwithstanding,
15 the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the
16 regular Chair of the Board, in which case said CHED Commissioner shall act as the Presiding
17 Officer.

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

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

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

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

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

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

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

4 The President of the University shall be assisted by a Vice President for Academic
5 Affairs, a Vice President for Finance and Administration, and a Vice President for Research,
6 Extension and Training who shall be appointed by the Board upon recommendation of the
7 President.

8 **SEC. 10. *The Secretary of the University.*** – The Board shall appoint a Secretary, who
9 shall serve as such for both the Board and the University and shall keep all records and
10 proceedings of the Board. The Secretary of the University shall serve upon each member of the
11 Board the appropriate notice of the Board meetings.

12 **SEC. 11. *The Treasurer of the University.*** – The Treasurer of the Philippines shall be the
13 ex officio Treasurer of the University.

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

19 **SEC. 13. *The Academic Council.*** – There shall be an Academic Council to be composed of
20 the President of the University, who shall act as Chairperson, and all academic staff with the
21 rank of at least an assistant professor, as members.

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

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

34 **SEC. 15. *Scholarship Program /Admission.*** – The University shall provide a scholarship
35 program and other affirmative action programs to assist poor but deserving students who
36 qualify for admission to the University.

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

39 **SEC. 16. *Authority to Loan or Transfer Apparatus / Equipment / Supplies and Detail of***
40 ***Personnel.*** – The heads of the bureaus and offices of the national government are hereby
41 authorized to loan or transfer, upon the request of the President of the University, such
42 apparatus, equipment or supplies as may be needed by the University, and to detail employees
43 for duty therein when, in the judgment of the head of the bureau or office, such apparatus,

1 equipment, supplies or services of such employees can be spared without serious detriment to
2 public service.

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

6 **SEC. 17. Assets, Liabilities and Personnel.** – All assets, real and personal, personnel and
7 records of the TCA, as well as liabilities or obligations, are hereby transferred to the University.
8 The positions, rights and security of tenure of faculty members and personnel therein
9 employed under existing laws prior to the conversion into a University shall be respected.

10 All parcels of land belonging to the government occupied by the TCA are hereby
11 declared to be property of the University and shall be titled under that name: Provided, That
12 should the University cease to exist or be abolished or should such parcels of land
13 aforementioned be no longer needed by the University, the same shall revert to the LGU
14 concerned or the Republic of the Philippines, as the case may be.

15 **SEC. 18. Tax Exemption on Importation and Donations.** – The importation of economic,
16 technical and cultural books and/or publications, which is for economic, technical, vocational,
17 scientific, philosophical, historical or cultural purposes made by the University upon
18 certification by the CHED shall be exempt from customs duties in accordance with the
19 provisions of the Tariff and Customs Code of the Philippines, as amended.

20 Donations in any form to the University shall be exempt from the donor's tax and the
21 same shall be considered as allowable deduction from the gross income in the computation of
22 the income tax of the donor, in accordance with the provisions of the National Internal Revenue
23 Code of 1997, as amended.

24 **SEC. 19. Appropriations.** – The amount necessary to carry out the provisions of this Act
25 shall be charged against the current year's appropriations of the TCA except the sums needed
26 for the continued operation of the existing high school. Thereafter, such sums as may be
27 necessary for the continued operation and maintenance of the University shall be included in
28 the annual General Appropriations Act.

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

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

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

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

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

1 **SEC. 22. *Supplementary Application.*** – The provisions of Republic Act No. 8292, otherwise
2 known as the "Higher Education Modernization Act of 1997", shall be an integral part of this Act
3 and shall serve as part of the Governing Charter of the University.

4 **SEC. 23. *Compliance with CHED Requirements.*** – The provisions of this Act
5 notwithstanding, the establishment or conversion of the institution into a state university shall
6 become effective only upon the determination and declaration by the CHED, based on the
7 recommendation of a panel of experts, that the institution has complied with the requirements
8 for a university status. The CHED, through its regional office, shall regularly provide technical
9 assistance to the institution and monitor compliance with the requirements of the Commission.

10 The CHED shall designate a panel of experts who shall prepare a recommendation to the
11 Chairperson of the CHED, on whether the institution has substantially complied with the
12 requirements for the grant of university status.

13 The following are the operational requirements for a university:

14 (a) Level III accreditation or equivalent under CHED policies for at least four (4) of its
15 undergraduate programs, one (1) in liberal arts and one (1) in the sciences, and two (2) of its
16 graduate programs;

17 (b) Ratio of qualified full-time faculty with requisite degrees to number of students;

18 (c) Adequate library and laboratories;

19 (d) Research and development output of practical and commercial application to the
20 community;

21 (e) Relevant linkages and outreach programs that are of service to the community; and

22 (f) Relevant academic policies, systems and processes.

23 The institution shall retain its status prior to the effectivity of this Act, unless in the
24 meantime it is able to comply with the requirements provided herein, within a period not
25 exceeding January 1, 2016.

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

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

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

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

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

39 Approved,