

COMMITTEE REPORT NO. 224

Submitted jointly by the Committees on Education, Arts and Culture; Ways and Means; and Finance on JAN 18 2018 REC. 

Re: Senate Bill No. 1617

Recommending its approval with amendments.

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committees on Education, Arts and Culture, Ways and Means and Finance to which was referred Senate Bill No. 1617, introduced by Sen. Villanueva, J., entitled:

“AN ACT CONVERTING THE DAVAO ORIENTAL STATE COLLEGE OF SCIENCE AND TECHNOLOGY IN THE CITY OF MATI AND ALL ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF DAVAO ORIENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE DAVAO ORIENTAL STATE UNIVERSITY, INTEGRATING THEREWITH THE GOVERNOR GENEROSO COLLEGE OF ARTS, SCIENCE AND TECHNOLOGY IN THE MUNICIPALITY OF GOVERNOR GENEROSO, PROVINCE OF DAVAO ORIENTAL AND APPROPRIATING FUNDS THEREFOR”

have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. ON PAGE 3, LINE 3, SECTION 6, AFTER PARAGRAPH F, INSERT THE FOLLOWING:

“G. THE REGIONAL DIRECTOR OF THE DEPARTMENT OF AGRICULTURE (DA) IN REGION XI;”

2. RELETTER THE SUCCEEDING PARAGRAPHS;
3. ON PAGE 10, SECTION 23, DELETE LINES 12 TO 44;
4. ON THE SAME PAGE AND SECTION, LINE 11, PLACE A PERIOD (.) AFTER “2012”;
5. ON THE SAME PAGE AND SECTION, LINE 46, DELETE THE COMMA (,) FOLLOWING THE WORD “ACT”.

6. ON THE SAME PAGE AND PARAGRAPH, LINES 46-47, DELETE THE PHRASE "UNLESS IN THE MEANTIME" AND IN LIEU THEREOF, INSERT THE WORD "UNTIL".
7. ON THE SAME PAGE AND PARAGRAPH, LINE 47, DELETE THE COMMA (,) AND THE SUCCEEDING PHRASE ""WITHIN A PERIOD NOT LATER THAN JANUARY 1, 2021" AFTER THE WORD "HEREIN".

THE SECTION SHALL NOW READ AS FOLLOWS:

"SEC. 23. COMPLIANCE WITH CHED REQUIREMENTS. - THE PROVISIONS NOTWITHSTANDING, THE CONVERSION OF THE INSTITUTION INTO A STATE UNIVERSITY, SHALL BECOME EFFECTIVE ONLY UPON THE DETERMINATION AND DECLARATION BY THE CHED, BASED ON THE RECOMMENDATION OF A PANEL OF EXPERTS IT SHALL CONSTITUTE FOR THE PURPOSE, THAT THE INSTITUTION HAS COMPLIED WITH THE REQUIREMENTS FOR A UNIVERSITY STATUS BASED ON CHED MEMORANDUM ORDER NO. 46, SERIES OF 2012.

THE INSTITUTION SHALL RETAIN ITS STATUS PRIOR TO THE EFFECTIVITY OF THIS ACT UNTIL IT IS ABLE TO COMPLY WITH THE REQUIREMENTS PROVIDED HEREIN."

Respectfully submitted:



SEN. FRANCIS G. ESCUDERO
Chairperson
Committee on Education, Arts
and Culture
Member, Committees on Ways and Means;
and Finance

SEN. LOREN B. LEGARDA
Chairperson
Committee on Finance
Vice Chairperson, Committee on Ways
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Member, Committee on Education,
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SEN. SONNY M. ANGARA
Chairperson
Committee on Ways and Means
Vice Chairperson, Committees on Education,
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Vice Chairpersons:

SEN. PAOLO BENIGNO AQUINO IV
Committees on Education, Arts
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SEN. JOSEPH VICTOR G. EJERCITO
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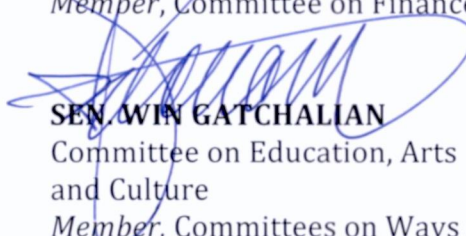


SEN. CYNTHIA A. VILLAR
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Member, Committee on Education,
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SEN. JOEL VILLANUEVA
Committees on Education, Arts
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SEN. WIN GATCHALIAN
Committee on Education, Arts
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and Finance



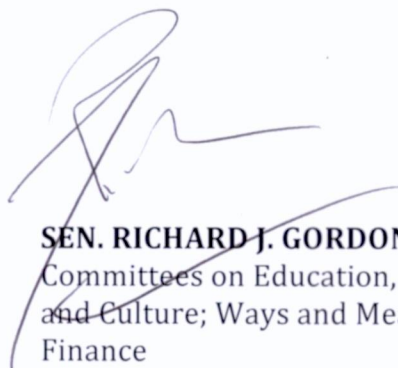
SEN. PANFILO M. LACSON
Committee on Finance
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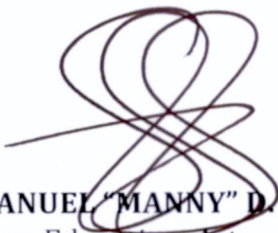
Members:

SEN. MARIA LOURDES NANCY S. BINAY
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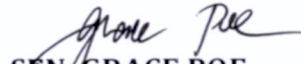


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SEN. EMMANUEL "MANNY" D. PACQUIAO
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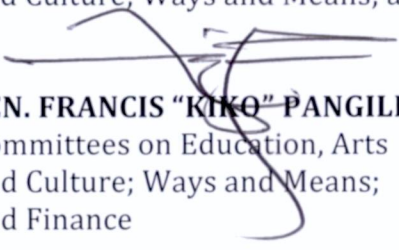


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SEN. GREGORIO B. HONASAN II
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SEN. FRANKLIN M. DRILON
Senate Minority Floor Leader

SEN. VICENTE C. SOTTO III
Senate Majority Floor Leader

SEN. RALPH G. RECTO
Senate President Pro-Tempore

HON. AQUILINO "KOKO" PIMENTEL III
Senate President

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

SENATE

17 NOV 20 P6:29

S. B. No. 1617

RECEIVED


Introduced by Senator JOEL VILLANUEVA

AN ACT
CONVERTING THE DAVAO ORIENTAL STATE COLLEGE OF
SCIENCE AND TECHNOLOGY IN THE CITY OF MATI AND ALL ITS
SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF DAVAO
ORIENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE
DAVAO ORIENTAL STATE UNIVERSITY, INTEGRATING
THEREWITH THE GOVERNOR GENEROSO COLLEGE OF ARTS,
SCIENCE AND TECHNOLOGY IN THE MUNICIPALITY OF
GOVERNOR GENEROSO, PROVINCE OF DAVAO ORIENTAL AND
APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to convert the Davao Oriental State College of Science and Technology (the "College") and its three satellite campuses into a state university to be known as the Davao Oriental State University (the "University"), and to integrate therewith the Governor Generoso College of Arts, Science and Technology.

The College was established by virtue of Republic Act No. 6807, converting the then Mati Community College to the current Davao Oriental State College of Science and Technology. The College was envisioned to "primarily provide higher technological, professional, and vocational instruction and training in science, agriculture, fishery, forestry, engineering and industrial fields, as well as short-term technical or vocational courses. It shall also promote research, advanced studies and progressive leadership in its areas of specialization."¹

As an institution of higher learning, the College has been committed to "(1) elevate knowledge generation, utilization and distribution; (2) promote inclusive sustainable development through research-based higher quality education, technical vocational skills, responsive to the needs of local and global community; and (3)

¹ Republic Act No. 6807, Section 2 (1989).

produce holistic, creative, and inclusive human resource who are responsive and resilient to global challenges while maintaining strong sense of nationhood.²

With this mission in mind, the College has greatly helped in improving the economic status of the people of Davao Oriental, by providing its citizens with the opportunity to avail of quality and affordable education through the College's curriculum in education, agricultural technology, agribusiness management, business administration, hotel and restaurant management, criminology, development communication, environmental science, nursing, industrial technology management, information technology, mathematics with business and finance, biology, civil engineering, among others.³

Indeed, the conversion of the Davao Oriental State College of Science and Technology into a university and the integration of the Governor Generoso College of Arts, Science and Technology to the University will greatly benefit the citizens of Davao Oriental.

In view of the foregoing, the immediate approval of this bill is highly recommended.


SENATOR JOEL VILLANUEVA

² <http://www.doscst.edu.ph/index.php/mission/> (date last accessed: November 20, 2017)

³ List of courses available at <http://www.doscst.edu.ph/index.php/degree-programs/> (date last accessed: November 20, 2017)

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

3
4 **SECTION 1. Conversion.** – The Davao Oriental State College of
5 Science and Technology in the City of Mati, including all of its existing satellite
6 campuses, namely: Banaybanay Campus in the Municipality of Banaybanay,
7 Cateel Campus in the Municipality of Cateel, and San Isidro Campus in the
8 Municipality of San Isidro, all located in the Province of Davao Oriental, is
9 hereby converted into a state university to be known as the Davao Oriental State
10 University, integrating therewith the Governor Generoso College of Arts,
11 Science and Technology located in the Municipality of Governor Generoso,
12 Province of Davao Oriental. The main campus of the Davao Oriental State
13 University, hereinafter referred to as the University, shall be in Mati City.

14
15
16 **SEC. 2. General Mandate.** – The University shall primarily provide
17 advanced education, higher technological, professional instruction and training
18 in the fields of education, agricultural technology, agri-business management,
19 business administration, industrial technology, arts and sciences, health

1 sciences, information technology, engineering and other relevant fields of study.
2 It shall also undertake research and extension services, and provide progressive
3 leadership in its areas of specialization.

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

9
10 **SEC. 4. Curricular Offerings.** – The University shall offer
11 undergraduate, graduate and post-graduate programs and short-term courses in
12 the fields of agriculture and environment studies, pure and applied sciences,
13 behavioral and social sciences, law, culture and arts, tourism and business-
14 related programs, nautical and maritime programs, industrial technology and
15 engineering, education and teacher training, communication and information
16 technology, health-related programs, developmental management and
17 leadership programs, agricultural technology, agri-business management,
18 business administration, health sciences and other degree courses within its
19 areas of specialization and according to its capabilities as the Board of Regents
20 may deem necessary to carry out its objectives, particularly in meeting the needs
21 of the Province of Davao Oriental and Region XI.

22
23 The University may operate a reasonably-sized laboratory school under
24 its College of Education.

25
26 **SEC. 5. Administration.** – The University shall have the general powers
27 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
28 known as the Corporation Code of the Philippines. The administration of the
29 University and the exercise of its corporate powers shall be vested exclusively
30 in the Board of Regents and the President of the University.

31
32 **SEC. 6. Governing Board.** – The governing body of the University shall
33 be the Board of Regents, hereinafter referred to as the Board, which shall be
34 composed of the following:

- 35
36 a) The Chairperson of the Commission on Higher Education (CHED),
37 as chairperson;
38
39 b) The President of the University, as vice chairperson;
40
41 c) The chairperson of the Committee on Education, Arts and Culture
42 of the Senate;
43
44 d) The chairperson of the Committee on Higher and Technical
45 Education of the House of Representatives;
46
47 e) The regional director of the National Economic and Development Authority
48 (NEDA) in Region XI;
49

- 1 f) The regional director of the Department of Science and Technology (DOST) in
2 Region XI;
- 3
- 4 g) The president of the federation of faculty associations of the University;
- 5
- 6 h) The president of the federation of student councils of the University;
- 7
- 8 i) The president of the federation of alumni associations of the University; and
- 9
- 10 j) Two (2) prominent citizens from the private sector who have distinguished
11 themselves in their profession or in the fields of specialization, as members.
- 12

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

19
20 The term of office of the president of the federation of faculty
21 associations, the president of the federation of student councils and the president
22 of the federation of alumni associations shall be coterminous with their
23 respective terms of office, as set forth in their respective constitutions and
24 by-laws.

25
26 The two (2) prominent citizens shall serve for a term of two (2) years
27 from the date of appointment.

28
29 **SEC. 7. Powers and Duties of the Board of Regents.** – The Board shall have the
30 following specific powers and duties, in addition to its general powers
31 of administration and the exercise of all the powers granted to the board of
32 directors of a corporation under existing laws:

- 33
- 34 a) To promulgate and implement policies in accordance with the
35 declared State policies and the provisions of the Philippine Constitution on
36 education, agriculture, science and technology, as well as the policies,
37 standards and thrusts of the CHED under Republic Act No. 7722, otherwise
38 known as the Higher Education Act of 1994;
- 39
- 40 b) To promulgate rules and regulations not contrary to law as may be
41 necessary to carry out the purposes and functions of the University;
- 42
- 43 c) To receive and appropriate all sums as may be provided for the
44 support of the University in the manner it may determine, in its discretion, in
45 order to carry out the purposes and functions of the University;
- 46
- 47 d) To import economic, technical and cultural books and publications;
- 48
- 49 e) To receive in trust legacies, gifts and donations of real and personal properties
50 of all kinds and to administer and dispose of the same when

1 necessary for the benefit of the University, and subject to the limitations,
2 directions and instructions of the donor, if any;

- 3
4 f) To fix the tuition fees and other necessary school charges including
5 matriculation fees, graduation fees and laboratory fees, as the Board may
6 deem proper to impose, after due consultation with the involved sectors. Such
7 fees and charges, including government subsidies and other income generated
8 by the University, shall constitute special trust funds and shall be deposited in
9 any authorized government depository bank, and all interest that shall accrue
10 therefrom shall form part of the same funds for the use of the University.

11
12 Any provision of existing laws, rules and regulations to the contrary
13 notwithstanding, any income generated by the University from tuition fees and
14 other charges, as well as from the operation of auxiliary services and land
15 grants, shall be retained by the University, and may be disbursed by the Board
16 for instruction, research, extension or other program or projects of the
17 University: Provided, That all fiduciary fees shall be disbursed for the specific
18 purposes for which these are collected.

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

- 26
27 g) To adopt and implement a socialized scheme of tuition and school fees for
28 greater access to poor but deserving students;
- 29
30 h) To authorize the construction or repair of its buildings, machinery, equipment
31 and other facilities, and the purchase and acquisition of real property, including
32 necessary supplies, materials and equipment;
- 33
34 i) To appoint, upon recommendation of the President of the
35 University, vice presidents, deans, directors, heads of campuses, faculty
36 members and other officials and employees of the University;
- 37
38 j) To fix and adjust salaries of faculty members and administrative
39 officials and employees, subject to the provisions of the Revised Compensation
40 and Position Classification System and other pertinent budget and
41 compensation laws governing hours of service, and such other duties and
42 conditions as it may deem proper; to grant them, at its discretion, leaves of
43 absence under such regulations as it may promulgate, any provision of existing
44 law to the contrary notwithstanding; and to remove them for cause in
45 accordance with the requirements of due process of law;
- 46
47 k) To approve the curricula, instructional programs and rules of
48 discipline drawn by the Administrative Council and Academic Council herein
49 provided;
- 50

- 1 l) To set policies on admission and graduation of students;
2
- 3 m) To award honorary degrees upon persons in recognition of their
4 outstanding contribution in the fields of education, public service, arts, science
5 and technology, agriculture or in any field of specialization within the academic
6 competence of the University; and to authorize the awarding of certificates of
7 completion of non-degree and non-traditional courses;
8
- 9 n) To establish and absorb non-chartered tertiary institutions within
10 the Province of Davao Oriental as branches and centers, in coordination with
11 the CHED, and in consultation with the Department of Budget and
12 Management (DBM), and to offer therein programs or courses, to promote and
13 carry out equal access to educational opportunities as mandated by the
14 Constitution;
15
- 16 o) To establish research and extension centers of the University where
17 such will promote the development of the University;
18
- 19 p) To establish professorial chairs in the University and to provide
20 fellowships for qualified faculty members and scholarships to deserving
21 students;
22
- 23 q) To delegate any of its powers and duties provided for herein
24 to the President or other officials of the University as it may deem appropriate,
25 so as to expedite the administration of the affairs of the University;
26
- 27 r) To authorize an external management audit of the University, to be
28 financed by the CHED, subject to the rules and regulations of the Commission
29 on Audit; and to institute reforms, including academic and structural changes,
30 on the basis of the audit results and recommendations;
31
- 32 s) To collaborate with other governing boards of the state colleges
33 and universities within the Province of Davao Oriental or Region XI, under the
34 supervision of the CHED and in consultation with the DBM, and work towards
35 the restructuring of the University to become more efficient, relevant, productive
36 and competitive;
37
- 38 t) To enter into joint ventures with business and industry for the profitable
39 development and management of the economic assets of the University, the
40 proceeds from which shall be used for the development and strengthening of
41 the University;
42
- 43 u) To develop consortia and other economic forms of linkages with local
44 government units (LGUs), institutions and agencies, both public and private,
45 local and foreign, in the furtherance of the purposes and objectives of the
46 University;
47
- 48 v) To develop academic arrangements for institutional capability
49 building with appropriate institutions and agencies, public and private, local and

1 foreign, and to appoint experts or specialists as consultants, part-time or
2 visiting or exchange professors, scholars or researchers, as the case may be;

3
4 w) To set up the adoption of modern and innovative modes of
5 transmitting knowledge such as the use of information technology, the dual
6 learning system, open or distance education and community laboratory for the
7 promotion of greater access to education;

8
9 x) To establish policy guidelines and procedures for participative decision-making
10 and transparency within the University;

11
12 y) To privatize, where most advantageous to the University, the
13 management of non-academic services such as health, food, building or
14 grounds or property maintenance and such other similar activities; and

15
16 z) To extend the term of the President of the University beyond the age of
17 retirement but not beyond the age of seventy (70): *Provided*, That his/her
18 performance has been unanimously rated as outstanding and upon the
19 unanimous recommendation by the search committee,

20
21 **SEC. 8. Meetings of the Board.** – The Board shall regularly convene
22 once every three (3) months. Whenever necessary, the chairperson of the Board
23 may call, upon three (3) days' prior written notice to the members, a maximum
24 of two (2) special meetings within the same period.

25
26 A quorum of the Board shall consist of majority of all its members
27 holding office at the time of the meeting: *Provided, however*, that the
28 chairperson of the Board or the President of the University is among those
29 present in the meeting.

30
31 In the absence of the Chairperson of the CHED, a duly designated CHED
32 commissioner shall represent the Chairperson of the CHED in the meeting, with
33 all the rights and responsibilities of a regular member: *Provided*, That during this
34 meeting, the President of the University as vice chairperson shall be the presiding
35 officer: *Provided, further*, That this provision notwithstanding, the Chairperson of the
36 CHED is hereby authorized to designate a CHED commissioner as the regular
37 chairperson of the Board, in which case said CHED commissioner shall act as the
38 presiding officer.

39
40 In case the chairpersons of the Senate Committee on Education, Arts and
41 Culture and House Committee on Higher and Technical Education shall not be
42 able to attend the Board meeting, they may duly designate their respective
43 representatives to attend the meeting, who shall have the same rights and
44 responsibilities as a regular member of the Board.

45
46 The members of the Board shall not receive any salary but shall be
47 entitled to reimbursements for actual and necessary expenses incurred, either in
48 their attendance to meetings of the Board or in connection with other official
49 business authorized by resolution of the Board, subject to existing laws and
50 regulations.

1
2 **SEC. 9. *President of the University.*** – The University shall be headed by
3 a President, who shall render full-time service and who shall be appointed by
4 the Board, subject to the guidelines, qualifications and standards set by the
5 Board, upon recommendation of a duly constituted search committee. The
6 President of the University shall have a term of four (4) years and shall be
7 eligible for reappointment for another term: *Provided*, That in order to effect a
8 smooth transition to a state university, the incumbent President of the Davao
9 Oriental State College of Science and Technology shall serve as the first
10 President of the University.

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

15
16 In case of vacancy in the Office of the University President by reason of
17 death, compulsory retirement, resignation, removal for cause or incapacity of
18 the President to perform the functions of the office, the Board shall designate an
19 officer-in-charge of the University within six (6) months from the date of the
20 vacancy, pending the appointment of a new President. The successor or the
21 officer-in-charge shall serve only the unexpired portion of the term.

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

26
27 The salary of the President of the University shall be in accordance with
28 the Revised Compensation and Position Classification System and shall be
29 comparable to that being received by the presidents of similar educational
30 institutions.

31
32 The President of the University shall be assisted by a Vice President for
33 Academic Affairs and a Vice President for Administration, who shall be
34 appointed by the Board upon recommendation of the President of the
35 University.

36
37 **SEC. 10. *Secretary of the University.*** – The Board shall appoint a
38 Secretary, who shall serve as such for both the Board and the University and
39 shall keep all records and proceedings of the Board. The Secretary of the
40 University shall serve upon each member of the Board the appropriate notice of
41 the Board of meetings.

42
43 **SEC 11. *Treasurer of the University.*** – The Treasurer of the Philippines
44 shall be the *ex officio* Treasurer of the University.

45
46 **SEC. 12. *Administrative Council.*** – There shall be an Administrative
47 Council consisting of the President of the University as chairperson, vice
48 presidents, deans, directors and other officials of equal rank as members, whose
49 duty is to review and recommend to the Board the policies governing the
50 administration, management and development planning of the University.

1
2 **SEC. 13. Academic Council.** – There shall be an Academic Council to be
3 composed of the President of the University, who shall act as chairperson, and all
4 academic staff with the rank of at least assistant professor, as members.
5

6 The Academic Council shall have the power to review and recommend
7 the curricular offerings and rules of discipline of the University, subject to the
8 approval of the Board. It shall fix the requirements for the admission of
9 students as well as for their graduation and conferment of degrees, subject to
10 review and approval by the Board through the President of the University. It
11 shall have the disciplinary power over students of the University and shall formulate
12 academic policies and rules and regulations on discipline, subject to
13 the approval of the Board.
14

15 **SEC 14. Faculty.** – No political beliefs, gender preference, cultural or
16 community affiliation or ethnic origin, and religious opinion or affiliation shall
17 be a matter of inquiry in the appointment of faculty members of the University:
18 *Provided*, That the appointment shall be subject to the guidelines, qualifications
19 and standards set by the Board: *Provided, further*, That no member of the
20 faculty shall teach for or against any particular church or religious sect.
21

22 **SEC. 15. Scholarship Program and Admission.** – The University shall
23 provide a scholarship program and other affirmative action programs to assist
24 poor but deserving students who qualify for admission to the University.
25

26 No student shall be denied admission to the University by reason of sex, religion,
27 cultural or community affiliation or ethnic origin.
28

29 **SEC. 16. Authority to Loan or Transfer Apparatus, Equipment, Supplies and**
30 **Detail of Personnel.** – The heads of the bureaus and offices of the
31 national government are hereby authorized to loan or transfer, upon the request
32 of the President of the University, apparatus, equipment or supplies as may
33 be needed by the University, and to detail employees for duty therein when, in
34 the judgment of the head of the bureau or office, such apparatus, equipment,
35 supplies or services of such employees can be spared without serious detriment
36 to public service.
37

38 The employees so detailed shall perform such duties as required of them
39 by the President of the University, and the time so employed shall be counted as
40 part of their regular service.
41

42 **SEC. 17. Assets, Liabilities and Personnel.** – All assets, real and
43 personal, personnel and records of the Davao Oriental State College of Science
44 and Technology, including those of the extension campuses in the
45 municipalities of Banaybanay, Cateel and San Isidro, and of Governor Generoso
46 College of Arts, Science and Technology, as well as liabilities or obligations,
47 are hereby transferred to the University. The positions, right and security of
48 tenure of faculty members and personnel therein employed under existing laws
49 prior to the conversion into a University shall be respected.
50

1 All parcels of land belonging to the government occupied by the Davao
2 Oriental State College of Science and Technology and its campuses in the
3 municipalities of Banaybay, Cateel and San Isidro and by the Governor
4 Generoso College of Arts, Science and Technology in the Municipality of
5 Governor Generoso are hereby declared to be the property of the University and
6 shall be titled under that name: *Provided*, That should the University cease to
7 exist or be abolished or should such parcels of land aforementioned be no
8 longer needed by the University, the same shall revert to the LGUs concerned.

9
10 **SEC. 18. Tax Exemption on Importation and Donations.** – The
11 importation of economic, technical and cultural books or publications, which is
12 for economic, technical, vocational, scientific, philosophical, historical or
13 cultural purposes made by the University upon certification by the CHED, shall
14 be exempt from customs duties in accordance with the provisions of the Tariff
15 and Customs Code of the Philippines, as amended.

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

21
22 **SEC 19. Appropriations.** – The amount necessary to carry out the
23 provisions of this Act shall be charged against the current year's appropriations
24 of the Davao Oriental State College of Science and Technology. The
25 Municipality of Governor Generoso shall continue to provide financial
26 assistance to the Governor Generoso College of Arts, Science and Technology
27 until such time that its full funding requirement as integrated to the University is
28 included in the annual General Appropriations Act. Thereafter, such sums as may be
29 necessary for the continued operation and maintenance of the University
30 shall be included in the annual General Appropriations Act.

31
32 **SEC. 20. Development Plan, Management Audit and Academic**
33 **Structure.** – Within the period of one hundred twenty (120) days after the
34 approval of this Act, the University shall accomplish the following:

- 35
36 a) Submit a five-year development plan, including its corresponding
37 program budget to the CHED, for corresponding recommendation to the DBM;
38
39 b) Undergo a management audit in cooperation with the CHED; and
40
41 c) Set up its organizational, administrative as well as academic
42 structure, including the appointment of key officials of the University.

43
44 **SEC. 21. Filing of Report.** – On or before the fifteenth day of the second
45 month after the opening of the regular classes of each year, the Board shall file
46 with the Office of the President of the Philippines through the Chairperson of
47 the CHED, and with both Houses of Congress, a detailed report on the progress,
48 conditions and needs of the University.

1 **SEC. 22. *Supplementary Application.*** – The provisions of Republic Act No.
2 8292, otherwise known as the “*Higher Education Modernization Act of 1997*,” shall
3 be an integral part of this Act and shall serve as part of the governing
4 charter of the University.
5

6 **SEC. 23. *Compliance with CHED Requirements.*** – The provisions of
7 this Act notwithstanding, the conversion of the institution into a state university,
8 shall become effective only upon the determination and declaration by the
9 CHED, based on the recommendation of a panel of experts it shall constitute for
10 the purpose, that the institution has complied with the requirements for a
11 university status based on CHED Memorandum Order No. 46, series of 2012
12 (Policy Standard to Enhance Quality Assurance in Philippine Higher Education,
13 through an Outcomes-Based and Typology-Based Quality Assurance):
14 *Provided,* That the panel may issue such recommendation when the institution
15 has substantially complied with the requirements for the grant of university
16 status.
17

18 The following operational requirements for a university as established by
19 the CHED shall be complied with:
20

- 21 a) Faculty members who possess relevant degrees in their areas of
22 specialization as required by the CHED, and who must have participated in
23 research and development activities in their respective disciplines, as
24 evidenced by refereed publications and other scholarly outputs;
25
- 26 b) A comprehensive range of degree programs in all levels, from basic post-
27 secondary to doctoral programs;
28
- 29 c) Viable research programs in specific (disciplinal and multidisciplinary) areas of
30 study that produce new knowledge as evidenced by refereed publications,
31 citations, inventions and patents, among others;
32
- 33 d) Comprehensive learning resources and support structures (e.g.
34 libraries, practicum laboratories, relevant educational resources and linkages
35 with the relevant disciplinal and professional sectors) to allow students to
36 explore basic, advance and even cutting edge knowledge in a wide range of
37 disciplines or professions;
38
- 39 e) Active and ongoing linkage and affiliation with other research
40 institutions in various parts of the world that would ensure that the research
41 activities of the university are functioning at current global standards; and
42
- 43 f) Outreach activities that allow the students, faculty and research
44 staff to apply the new knowledge they generate to address specific social
45 development problems broadly defined.

46 The institution shall retain its status prior to the effectivity of this Act, unless in the
47 meantime it is able to comply with the requirements provided herein, within a period
48 not later than January 1, 2020.
49

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

5
6 **SEC. 25. Implementing Rules and Regulations.** – Within sixty (60) days
7 from the effectivity of this Act, the Board shall, in consultation with the CHED,
8 formulate the guidelines to fully implement the provisions of this Act.

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

13
14 **SEC 27. Repealing Clause.** – All laws, presidential decreed, executive orders, rules
15 and regulation contrary to or inconsistent with the provisions of this Act are hereby
16 repealed or modified accordingly.

17
18 **SEC. 28. Effectivity.** – This Act shall take effect fifteen (15) days after its
19 publication in the *Official Gazette* or in a newspaper of general circulation.

20

21

22 **Approved,**

23