

S E N A T E

78 JAN 18 2:40

COMMITTEE REPORT NO. 229

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

Re: House Bill No. 6465

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 House Bill No. 6465, introduced by Rep. Oaminal, H. *et. al.*, entitled:

**“AN ACT  
CONVERTING THE NORTHWESTERN MINDANAO STATE COLLEGE OF SCIENCE AND  
TECHNOLOGY (NMSCST) IN THE CITY OF TANGUB, PROVINCE OF MISAMIS  
OCCIDENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE UNIVERSITY OF  
NORTHWESTERN MINDANAO (UNM) 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 9, LINE 15, SECTION 9, DELETE THE COMMA (,) FOLLOWING THE ABBREVIATION “NMSCST”;
2. ON THE SAME PAGE, LINE AND SECTION, DELETE THE PHRASE “IF QUALIFIED”;
3. ON THE SAME PAGE AND SECTION, DELETE THE COMMA (,) FOLLOWING THE WORD “QUALIFIED”;

THE PROVISION SHALL NOW READ AS FOLLOWS:

“XXX.

PROVIDED, THAT IN ORDER TO EFFECT THE SMOOTH TRANSITION OF THE NMSCST INTO A STATE UNIVERSITY, THE INCUMBENT PRESIDENT OF THE NMSCST SHALL SERVE AS THE FIRST PRESIDENT OF THE UNIVERSITY.

XXX.”

4. ON PAGE 17, SECTION 26, DELETE EVERYTHING AFTER 2012 ON LINE 2 UNTIL LINE 28 AND PLACE A PERIOD (.) AFTER "2012";
5. ON PAGE 18, LINE 1, SECTION 26, DELETE THE COMMA (,) FOLLOWING THE WORD "ACT".
6. ON THE SAME PAGE AND SECTION, LINE 2, DELETE THE PHRASE "UNLESS IN THE MEANTIME" AND IN LIEU THEREOF, INSERT THE WORD "UNTIL".
7. ON THE SAME PAGE AND SECTION, LINE 3, 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. 26. 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:



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Committee on Education, Arts  
and Culture

*Member*, Committees on Ways and Means;  
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**SEN. LOREN B. LEGARDA**

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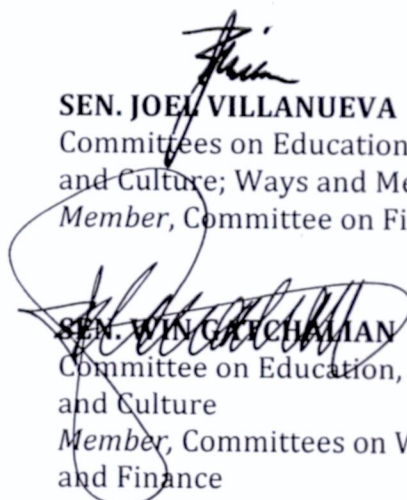
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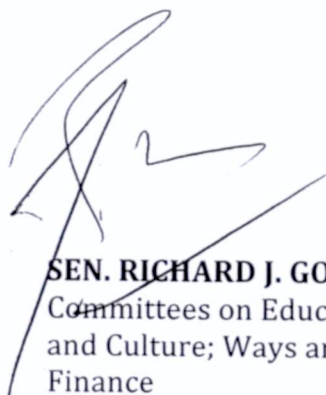
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**SEN. RICHARD J. GORDON**

Committees on Education, Arts  
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CONGRESS OF THE PHILIPPINES  
SEVENTEENTH CONGRESS  
*Second Regular Session*

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## HOUSE OF REPRESENTATIVES

H. No. 6465

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BY REPRESENTATIVES OAMINAL, HOFER, NOGRALES (K.A.) AND CUA,  
PER COMMITTEE REPORT NO. 395

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AN ACT CONVERTING THE NORTHWESTERN MINDANAO STATE COLLEGE OF SCIENCE AND TECHNOLOGY (NMSCST) IN THE CITY OF TANGUB, PROVINCE OF MISAMIS OCCIDENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE UNIVERSITY OF NORTHWESTERN MINDANAO (UNM) 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 Northwestern Mindanao State College  
2 of Science and Technology (NMSCST) in the City of Tangub, Province of  
3 Misamis Occidental is hereby converted into a state university to be known as  
4 the University of Northwestern Mindanao (UNM), hereinafter referred to as  
5 the University.

6           SEC. 2. *General Mandate.* – The University shall primarily provide  
7 advance education, higher technological, professional instruction and training  
8 in the fields of agriculture, fisheries, engineering, arts and sciences, education,  
9 business administration and management, health sciences, and other relevant  
10 fields of study. It shall also undertake research, extension services, and  
11 production activities in support of the socioeconomic development of the



1 Province of Misamis Occidental, and provide progressive leadership in its  
2 areas of specialization.

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

6 SEC. 4. *Curricular Offerings.* – The University shall offer  
7 undergraduate, graduate and short-term courses within its areas of  
8 specialization and according to its capabilities, as the Board of Regents may  
9 deem necessary to carry out its objectives, particularly in order to meet the  
10 needs of the Province of Misamis Occidental and Region X.

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

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

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

- 27 (a) The Chairperson of the Commission on Higher Education (CHED),  
28 Chairperson;  
29 (b) The President of the University, Vice-Chairperson;

1 (c) The Chairperson of the Committee on Education, Arts and Culture  
2 of the Senate, Member;

3 (d) The Chairperson of the Committee on Higher and Technical  
4 Education of the House of Representatives, Member;

5 (e) The Regional Director of the National Economic and Development  
6 Authority (NEDA), Member;

7 (f) The Regional Director of the Department of Agriculture (DA),  
8 Member;

9 (g) The President of the federation of faculty associations of the  
10 University, Member;

11 (h) The President of the federation of student councils of the  
12 University, Member;

13 (i) The President of the federation of alumni associations of the  
14 University, Member;

15 (j) Two (2) prominent citizens from the private sector who have  
16 distinguished themselves in their profession or fields of specialization and who  
17 can primarily contribute to the deployment of on-the-job trainees, interns and  
18 graduates of the University, Members; and

19 (k) The Regional Director of the Department of Science and  
20 Technology (DOST), Member.

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

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



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

3       SEC. 7. *Powers and Duties of the Board.* – In addition to its general  
4 powers of administration and the powers granted to the Board of Directors of a  
5 corporation under existing laws, the Board shall have the following specific  
6 powers and duties:

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

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

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

17       (d) To import economic, technical and cultural books and publications;

18       (e) To fix tuition fees and other necessary school charges, such as  
19 matriculation fees, graduation fees and laboratory fees, as the Board may deem  
20 proper to impose, upon the recommendation of the University President;

21       Such fees and charges, including government subsidies and other  
22 income generated by the University, shall constitute a special trust fund and  
23 shall be deposited in any authorized government depository bank: *Provided,*  
24 That in the absence of any government depository bank in the main campus  
25 and satellite campuses, such funds may be deposited in any bank in the  
26 locality: *Provided, further,* That all interests that shall accrue therefrom shall  
27 form part of the same funds for the use of the University.

28       Any provision of existing law, rule or regulation to the contrary  
29 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 (f) To enter into contracts such as those pertaining to:

7 (1) Loans from government banks to finance infrastructure projects,  
8 laboratory equipment and facilities and other income generating projects;

9 (2) A lease or purchase agreement; and

10 (3) Other modes of procurement authorized by law.

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

16 (g) To adopt and implement a socialized scheme of tuition and school  
17 fees so that poor but deserving students are given greater access to education;

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

21 (i) To set the policies on admission and graduation of students;

22 (j) To authorize the construction or repair of its buildings, machinery,  
23 equipment and other facilities, and the purchase and acquisition of real and  
24 personal property;

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

1           (l) To establish and absorb non-chartered tertiary institutions within  
2 the Province of Misamis Occidental as branches and centers in coordination  
3 with 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           (m) To establish research and extension centers to promote the  
8 development of the University and to commercialize research, invention and  
9 innovations upon the recommendation of the President;

10          (n) To appoint the vice presidents, deans, directors, and heads of  
11 departments;

12          (o) To delegate any of its powers and duties provided for hereinabove  
13 to the President 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          (p) 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          (q) To collaborate with other governing boards of state colleges and  
21 universities within the Province of Misamis Occidental or Region X, under the  
22 supervision of the CHED and in consultation with the DBM, and work  
23 towards the restructuring of the University to become more efficient, relevant,  
24 productive and competitive;

25          (r) 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 (s) 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 (t) To establish professorial chairs in the University and to provide  
6 fellowships for qualified faculty members, and scholarships to deserving  
7 students;

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

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

19 (w) To set up the adoption of modern and innovative modes of  
20 transmitting knowledge such as the use of information technology, the dual  
21 training system, open distance learning, and community laboratory for the  
22 promotion of greater access to education;

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

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

28 (z) To appropriate in trust legacies, gifts and donations of real and  
29 personal property of all kinds and to administer and dispose of the same, when



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

3 (aa) To extend the term of the President of the University beyond the  
4 age of retirement, but not beyond the age of seventy (70): *Provided*, That the  
5 President's performance has been unanimously rated by the Board as  
6 outstanding, based on the guidelines, qualifications and standards it has set,  
7 and after unanimous recommendation by the search committee; and

8 (bb) To hear cases and complaints concerning erring employees and  
9 faculty members as referred to it by the President of the University.

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

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

18 In case the CHED Chairperson cannot attend a meeting of the Board, a  
19 CHED Commissioner duly designated by the CHED Chairperson as  
20 representative to the meeting, shall have all the rights and responsibilities of a  
21 regular member: *Provided, however*, That in the said meeting, the President of  
22 the University, as vice-chairperson, shall be the presiding officer: *Provided*,  
23 *further*, That this *proviso* notwithstanding, the Chairperson of the CHED is  
24 hereby authorized to designate a CHED Commissioner as the regular  
25 Chairperson of the Board, in which case the said CHED Commissioner as the  
26 regular Chairperson of the Board shall act as the presiding officer.

27 In case the Chairpersons of the Senate and House Committees on  
28 Education shall not be able to attend the Board meeting, they may duly

1 designate their respective representatives to attend the meeting, who shall have  
2 the same rights and responsibilities as a regular member of the Board.

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

8 *SEC. 9. The University President.* – The University shall be headed  
9 by a President, who shall render full-time service and who shall be appointed  
10 by the Board, subject to the guidelines, qualifications and standards set by the  
11 Board, upon the recommendation of a duly constituted search committee. The  
12 University President shall have a term of four (4) years and shall be eligible  
13 for reappointment for another term: *Provided*, That in order to effect the  
14 smooth transition of the NMSCST into a state university, the incumbent  
15 president of the NMSCST, if qualified, shall serve as the first President of the  
16 University.

17 Within six (6) months before the expiration of the term of office of the  
18 incumbent President, the Board shall constitute the Search Committee for the  
19 Presidency (SCP).

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

26 *SEC. 10. Powers and Duties of the University President.* – The  
27 administration of the University shall be vested in the President of the  
28 University, who shall exercise the following powers and functions:



- 1           (a) To carry out the general policies laid down by the Board, and  
2 within the lines of said general policies;
- 3           (b) To exercise general supervision over the University, including  
4 businesses and financial operations, all offices, members of the teaching staff,  
5 and employees of the University;
- 6           (c) To accept the resignation of faculty member/s and employee/s,  
7 which shall be reported to the Board in its meeting immediately following the  
8 resignation;
- 9           (d) To exercise general supervision over extracurricular activities of  
10 students and to issue adequate rules for the organization and operation of  
11 student organizations;
- 12           (e) To authorize the renewal of appointments of faculty members and  
13 employees for not more than one (1) year if their continued service is  
14 necessary, and if funds are available for the purpose;
- 15           (f) In the interest of the service, to authorize the transfer of faculty  
16 members and employees from one (1) department or unit of the University to  
17 another, with the written consent of the faculty member or employee  
18 concerned: *Provided*, That such transfer shall not result in a demotion in rank  
19 and salary, and it is with the consent of the head of the unit;
- 20           (g) To serve as the official center of communication between the  
21 faculty, employees and students of the University, on the one hand, and the  
22 Board, on the other hand;
- 23           (h) To prepare an annual report to the Board on the work and  
24 accomplishments for the previous year and the needs for the current year;
- 25           (i) To present to the Board the annual budget of the University, with  
26 the estimates of income and expenditures;
- 27           (j) To execute and sign, in behalf of the University, all contracts,  
28 deeds and other instruments necessary for the proper conduct of the business  
29 of the University, unless otherwise therein provided;



1 (k) To authorize the enforcement of discipline and to maintain  
2 satisfactory academic standards in all of its units;

3 (l) To exercise the right to modify or disapprove any action or  
4 resolution of any university, faculty or administrative body, if the interest of  
5 the University so requires. Should the President exercise such power, the  
6 decision shall be communicated in writing to the body immediately affected,  
7 and shall state the reason for the action. Thereafter, the President shall  
8 accordingly inform the Board, which may take any action it may deem  
9 appropriate in connection therewith;

10 (m) To exercise such other powers as elsewhere provided in this Act, or  
11 as authorized by the Board, such as those usually pertaining to the Office of  
12 the President of the University. The President may delegate in writing any of  
13 these specific functions to the chancellors, campus directors or to any office in  
14 the University;

15 (n) To recommend to the Board, upon consultation with the  
16 Vice President for Academic Affairs and University Deans and Heads of  
17 Nonacademic Units, as the case may be, suitable persons to fill the vacancies  
18 and new positions, and to make such other arrangements as to meet  
19 emergencies that occur during periods when the Board is not in conference so  
20 that the work of the University shall not be hampered;

21 (o) To authorize or deny permission to members of the faculty to  
22 accept training grants, scholarships, assistantships, or invitations to  
23 conferences sponsored by other agencies or organizations;

24 (p) To authorize the change of the leave status of the faculty from that  
25 of teacher's leave to that of cumulative leave, or vice versa, on the  
26 recommendation of the Vice President for Academic Affairs and respective  
27 University Deans concerned;

1 (q) To hold officers, teachers, and employees responsible for the full  
2 discharge of their duties and, when necessary, after consultation with the  
3 Vice President for Academic Affairs, University Deans and Administrative  
4 Officers, to initiate the necessary proceedings for their separation from the  
5 service for cause;

6 (r) To report to the Board all cases of erring faculty members or  
7 employees for the Board to appoint a committee to hear the case;

8 (s) To invite, from time to time, scholars of eminence and other  
9 persons who have achieved distinction in some learned professions or careers,  
10 to deliver a lecture or a series thereof; and

11 (t) To exercise such other powers as are required pursuant to the  
12 provisions of this Act, or by the Charter of the University, or as may be  
13 specially authorized by the Board, such as those usually pertaining to the  
14 office of the president of similar universities. The President may delegate in  
15 writing any of these specific functions to any official within the University.

16 SEC. 11. *Offices Under the Office of the President.* — The line  
17 offices directly under the Office of the President shall include the Office of the  
18 Vice Presidents for Academic Affairs, Research and Extension; Center for  
19 Information and Communications Technology; Office of Finance and  
20 Management Services; and Office of the Administrative Services.

21 The staff offices of the President shall include the University and Board  
22 Secretary, the Executive Assistants, and the Planning and Development  
23 personnel.

24 The salary of the President of the University shall be in accordance with  
25 the Revised Compensation and Position Classification System, as modified by  
26 Joint Resolution No. 4 dated June 17, 2009 and other pertinent budget and  
27 compensation laws, and shall be comparable to that being received by the  
28 Presidents of similar educational institutions.



1           The President of the University shall be assisted by the Vice  
2 President/s, who shall be appointed by the Board upon the recommendation of  
3 the President.

4           SEC. 12. *The Secretary of the University.* – The Board shall appoint a  
5 Secretary, who shall serve as such for both the Board and the University, and  
6 who shall keep all records and proceedings of the Board. The Secretary shall  
7 serve upon each member of the Board the appropriate notice of the Board  
8 meetings.

9           SEC. 13. *The Treasurer of the University.* – The Treasurer of the  
10 Philippines shall be the *ex officio* Treasurer of the University.

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

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

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



1           SEC. 16. *The Faculty.* – No political belief, 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  
4 of 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. 17. *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  
12 gender, religion, cultural or community affiliation or ethnic origin.

13           SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
14 *and Detail of Personnel.* – The heads of the bureaus and offices of the  
15 national government are hereby authorized to loan or transfer, upon the request  
16 of the President of the University, such apparatus, equipment or supplies as  
17 may be needed by the University, and to detail employees for duty therein  
18 when, in the judgment of the head of the bureau or office, such apparatus,  
19 equipment, supplies or services of such employees can be spared without  
20 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           Municipalities, cities and the Province of Misamis Occidental or other  
25 nearby LGUs in the province may appropriate funds to support infrastructure,  
26 scholarship programs, facilities and laboratories and research activities of the  
27 University.

1           SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and  
2 personal, personnel and records of the NMSCST, as well as liabilities or  
3 obligations, are hereby transferred to the University. The positions, rights and  
4 security of tenure of faculty members and personnel therein employed under  
5 existing laws prior to the conversion into a University shall be respected.

6           All parcels of land belonging to the government occupied by the  
7 NMSCST, including its extension campuses, are hereby transferred to the  
8 University, and shall be titled under that name: *Provided*, That should the  
9 University cease to exist or be abolished or should such aforementioned  
10 parcels of land be no longer needed by the University, the same shall revert to  
11 the LGUs concerned.

12           SEC. 20. *Tax Exemption.* – The importation of economic, technical  
13 and cultural books or publications, which are for economic, technical,  
14 vocational, scientific, philosophical, historical or cultural purposes made by  
15 the University upon certification by the CHED and the TESDA shall be  
16 exempt from customs duties in accordance with the provisions of Republic Act  
17 No. 10863, otherwise known as the “Customs Modernization and Tariff Act  
18 (CMTA)”.

19           All grants, bequests, endowments, donations and contributions made to  
20 the University to be used actually, directly and exclusively by the University  
21 shall be exempt from donor’s tax and the same shall be considered as  
22 allowable deduction from the gross income of the donor for purposes of  
23 computing the taxable income of the donor in accordance with the provisions  
24 of the National Internal Revenue Code of 1997, as amended

25           SEC. 21. *Appropriations.* – The amount necessary to carry out the  
26 provisions of this Act shall be charged against the current year’s  
27 appropriations of the NMSCST. Thereafter, such sums as may be necessary  
28 for the continued operation and maintenance of the UNM shall be included in  
29 the annual General Appropriations Act.



1           SEC. 22. *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 key officials of the University.

11          SEC. 23. *Annual Report.* – On or before the fifteenth (15<sup>th</sup>) day of the  
12 second month after the opening of the regular classes each year, the Board  
13 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. 24. *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. 25. *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. 26. *Compliance with CHED Requirements.* – The provisions of  
25 this Act notwithstanding, the conversion of the institution into a state  
26 university shall become effective only upon the determination and declaration  
27 by the CHED, based on the recommendation of a panel of experts it shall  
28 constitute for the purpose, that the institution has complied with the

1 requirements for a university status based on CHED Memorandum Order  
2 No. 46, series of 2012 (Policy Standards to Enhance Quality Assurance  
3 in Philippine Higher Education, through the Outcomes-Based and  
4 Typology-Based Quality Assurance): *Provided*, That the panel may issue such  
5 a recommendation when the institution has substantially complied with the  
6 requirements for the grant of a university status.

7 The following operational requirements for a university, as established  
8 by the CHED, shall be complied with:

9 (a) Faculty members must possess relevant degrees in their areas of  
10 specialization, as required by the CHED, and shall have participated in  
11 research and development activities in their respective disciplines, as  
12 evidenced by refereed publications and other scholarly outputs;

13 (b) A comprehensive range of degree programs in all levels, from basic  
14 post-secondary to doctoral programs;

15 (c) Viable research programs in specific (disciplinal and  
16 multidisciplinary) areas of study that produce new knowledge, as evidenced by  
17 refereed publications, citations, inventions, and patents, among others;

18 (d) Comprehensive learning resources and support structures, to  
19 include libraries, practicum laboratories, relevant educational resources, and  
20 linkages with the relevant disciplinal and professional sectors, to allow  
21 students to explore basic, advance, and even cutting edge knowledge in a wide  
22 range of disciplines or professions;

23 (e) Active and ongoing linkages and affiliation with other research  
24 institutions in various parts of the world that would ensure that the research  
25 activities of the university are functioning at current global standards; and

26 (f) Outreach activities that allow the faculty, students, and research  
27 staff to apply the new knowledge they generate to address specific social  
28 development problems broadly defined.



1           The institution shall retain its status prior to the effectivity of this Act,  
2 unless in the meantime it is able to comply with the requirements provided  
3 herein, within a period not later than January 01, 2021.

4           SEC. 27. *Implementing Rules and Regulations.* – Within sixty (60)  
5 days from the effectivity of this Act, the Board, in consultation with the  
6 CHED, shall formulate the rules and regulations to fully implement the  
7 provisions of this Act.

8           SEC. 28. *Separability Clause.* – If, for any reason, any part or provision  
9 of this Act is declared invalid or unconstitutional, the remaining parts or  
10 provisions not affected thereby shall remain in full force and effect.

11           SEC. 29. *Repealing Clause.* – All laws, presidential decrees, executive  
12 orders, rules and regulations contrary to or inconsistent with the provisions of  
13 this Act are hereby repealed or modified accordingly.

14           SEC. 30. *Effectivity.* – This Act shall take effect fifteen (15) days after  
15 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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