

(AS AMENDED BY THE SENATE)

CONGRESS OF THE PHILIPPINES
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Second Regular Session



HOUSE OF REPRESENTATIVES

H. No. 7566

BY REPRESENTATIVES RAMIREZ-SATO, GO (M.), YAP (E.), AND SALCEDA, PER COMMITTEE REPORT
No. 465

AN ACT

CONVERTING THE OCCIDENTAL MINDORO STATE COLLEGE IN THE MUNICIPALITY OF SAN JOSE, PROVINCE OF OCCIDENTAL MINDORO, INTO A STATE UNIVERSITY TO BE KNOWN AS THE OCCIDENTAL MINDORO STATE UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Conversion of the Occidental Mindoro State College into a State**
2 **University** . – The Occidental Mindoro State College (OMSC) located in the municipality
3 of San Jose, Province of Occidental Mindoro, otherwise known as the OMSC [San Jose]
4 LABANGAN Campus, including its campuses in the different municipalities of the
5 Province of Occidental Mindoro, namely: [OMSC Labangan Campus in Labangan
6 Poblacion] OMSC SAN JOSE CAMPUS IN RIZAL STREET, Municipality of San Jose;
7 OMSC Murtha Campus in Barangay Murtha, Municipality of San Jose; OMSC Sablayan
8 Campus in the Municipality of Sablayan; OMSC MAMBURAO, IN THE MUNICIPALITY
9 OF MAMBURAO and OMSC Lubang Campus in the Municipality of Lubang, is hereby
10 converted into a state university, to be known as the Occidental Mindoro State University
11 (OMSU). The main campus of the OMSU shall be located [in the Municipality of Rizal]
12 IN BARANGAY LABANGAN, MUNICIPALITY OF SAN JOSE.

13
14 **SEC. 2. General Mandate.** – The OMSU shall primarily provide advance instruction
15 and professional training in education, engineering, science and technology, arts and
16 humanities, information and communications technology, ARCHITECTURE,
17 CRIMINOLOGY, MIDWIFERY, ACCOUNTANCY, BUSINESS ADMINISTRATION,
18 MANAGEMENT, agriculture, forestry, and other relevant fields of study. It shall also
19 undertake research and extension services and production activities in support of the
20 socio-economic development AND THE PRESERVATION OF TAMARAWS AND IN THE
21 INDIGENOUS PEOPLES of the Province of Occidental Mindoro and the Mindoro,
22 Marinduque, Romblon and Palawan (MIMAROPA) region.

23
24 **SEC. 3. Curricular Offerings.** – The OMSU shall offer undergraduate and graduate
25 courses within its competency and areas of specialization in the fields of education,
26 engineering, science and technology, arts and humanities, information and

1 communications technology, ARCHITECTURE, CRIMINOLOGY, MIDWIFERY,
2 ACCOUNTANCY, BUSINESS ADMINISTRATION, MANAGEMENT, agriculture, forestry,
3 and other relevant fields of study, as the Board of Regents, hereinafter referred to as the
4 Board, may deem necessary for the accomplishment of its objectives, and those which
5 respond to meet the human resource development needs of the Province of Occidental
6 Mindoro and the MIMAROPA Region.

7
8 The existing reasonably-sized laboratory senior high school and elementary school
9 shall continue to operate under the supervision of the College of Education of the OMSU
10 to serve the in-campus requirements of its students.

11
12 **SEC. 4. Administration.** – The OMSU shall have the general powers of a corporation
13 set forth in Batas Pambansa Blg. 68, as amended, otherwise known as “The Corporation
14 Code of the Philippines”. The exercise of its corporate powers shall be vested exclusively
15 in the Board and the President of the OMSU.

16
17 **SEC. 5. The Governing Board.** – The governing bodies of the OMSU shall be the
18 Board, which shall be chaired and co-chaired by the Chairperson of the Commission on
19 Higher Education (CHED) and the President of the OMSU, respectively, and with the
20 following, as members:

- 21
22 a. Chairperson of the Committee on Higher, Technical and Vocational Education of
23 the Senate;
24 b. Chairperson of the Committee on Higher and Technical Education of the House of
25 Representatives;
26 c. Regional Director of the National Economic and Development Authority;
27 d. Regional Director of the Department of Science and Technology;
28 e. Regional Director of the Department of Agriculture;
29 f. President of the federation of faculty associations of the OMSU;
30 g. President of the federation of student councils of the OMSU;
31 h. President of the federation of alumni associations of the OMSU; and
32 i. Two (2) prominent citizens from the private sector who have distinguished
33 themselves in their professions or fields of specialization.

34
35 The Board shall appoint two (2) prominent citizens who shall be selected from a list of
36 at least five (5) qualified persons in the Province of Occidental Mindoro as recommended
37 by a search committee constituted by the President of the OMSU, in consultation with the
38 Chairperson of the CHED and other members of the Board, based on the standards and
39 qualifications for the position set by the Board. They shall serve for a term of two (2)
40 years from the date of appointment.

41
42 The membership of the President of the federation of faculty associations, the
43 President of the federation of student councils, and the President of the federation of
44 alumni associations in the Board shall be coterminous with their terms of office, as
45 provided under their respective constitutions and bylaws.

46
47 **SEC. 6. Powers and Duties of the Board of Regents.** – In addition to its general
48 powers of administration and the powers granted to the board of directors of a corporation
49 under existing laws, the Board shall have the following specific powers and duties:

- 1
2
3 a. Promulgate and implement policies in accordance with the declared State policies
4 on education, other pertinent provisions of the Constitution on education,
5 agriculture, science and technology, and the policies, standards and thrusts of the
6 CHED under Republic Act No. 7722, otherwise known as the "Higher Education
7 Act of 1994";
8
9 b. Approve the curricula, instructional programs, and rules of discipline drawn by
10 the Administrative and Academic Councils herein provided;
11
12 c. Appoint, upon the recommendation of the President of the OMSU, the vice
13 presidents, deans, directors, heads of the campuses, faculty members, and other
14 officials and employees of the OMSU;
15
16 d. Fix and adjust the salaries of faculty members, administrative officials and
17 employees, subject to the provisions of the Revised Compensation and Position
18 Classification System and other pertinent budget and compensation laws
19 governing hours of service, and such other duties and conditions as it may deem
20 proper; grant them, at its discretion, leaves of absence under such regulations as it
21 may promulgate, any provision of existing law to the contrary notwithstanding;
22 and remove them for cause in accordance with the requirements of due process of
23 law;
24
25 e. Fix the tuition fees and other necessary school charges, such as matriculation fees,
26 graduation fees and laboratory fees, as the Board may deem proper to impose,
27 after due consultation with the concerned sectors. The fees and charges, including
28 government subsidies and other income generated by the OMSU, shall constitute
29 its special trust funds, and shall be deposited in any authorized government
30 depository bank. All interests that shall accrue therefrom shall form part of the
31 same funds for the use of the OMSU;
32
33 Any provision of existing laws, rules or regulations to the contrary
34 notwithstanding, any income generated by the OMSU from tuition fees and other
35 charges, as well as from the operation of auxiliary services and land grants, shall
36 be retained by the OMSU and may be disbursed by the Board for instruction,
37 research, extension services or other programs and projects of the OMSU:
38 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for
39 which these are collected: *Provided, however*, That if, for reasons beyond its
40 control, the OMSU shall not be able to pursue any project for which the funds
41 have been appropriated and allocated under its approved program of expenditures,
42 the Board may authorize the use of said funds for any reasonable purpose which,
43 in its discretion, may be necessary and urgent for the attainment of the objectives
44 and goals of the OMSU;
45
46 f. Adopt and implement a socialized scheme of tuition and other school fees for
47 greater access of poor but deserving students in accordance with Republic Act No.
48 10931 or the "Universal Access to Quality Tertiary Education Act";
49

- 1 g. Establish professorial chairs in the OMSU and provide fellowships for qualified
2 faculty members, and scholarships to deserving students;
3
- 4 h. Receive and appropriate sums as may be provided by law for the support of the
5 OMSU, and all other sums in the manner it may, in its discretion, determine to
6 carry out the purposes and functions of the OMSU;
7
- 8 i. Set the policies on admission and graduation of students;
9
- 10 j. Award honorary degrees upon persons in recognition of their outstanding
11 contribution in the fields of education, public service, arts, science and
12 technology, agriculture or any field of specialization within the academic
13 competency of the OMSU , and authorize the awarding of certificates of
14 completion of nondegree and nontraditional courses;
15
- 16 k. Establish research and extension centers to promote the development of the
17 OMSU;
18
- 19 l. Develop academic arrangements for institutional capability building with
20 appropriate institutions and agencies, whether public, private, local and foreign,
21 and appoint experts/specialists as consultants, part-time or visiting/exchange
22 professors, scholars or researchers, as the case may be;
23
- 24 m. Adopt modern and innovative modes of transmitting knowledge for the promotion
25 of greater access to education such as the use of information technology, dual
26 training system, open distance learning, and community laboratory;
27
- 28 n. Collaborate with the governing bodies of other state universities and colleges
29 within the Province of Occidental Mindoro and the MIMAROPA region, under
30 the supervision of the CHED and in consultation with the Department of Budget
31 and Management (DBM), in restructuring the OMSU to make it more efficient,
32 relevant, productive and competitive;
33
- 34 o. Absorb non chartered tertiary institutions within the province of Occidental
35 Mindoro and the MIMAROPA region as branches or extension/external centers,
36 in coordination with the CHED and in consultation with the DBM, and offer
37 therein programs or courses to carry out the constitutional mandate of providing
38 equal access to educational opportunities;
39
- 40 p. Authorize an external management audit of the OMSU , to be financed by the
41 CHED, subject to the rules and regulations of the Commission on Audit, and
42 institute reforms, including academic and structural changes, on the basis of the
43 audit results and recommendations;
44
- 45 q. Develop consortia and other economic forms of linkages with local government
46 units (LGUs), as well as public, private, local and foreign institutions and
47 agencies, in the furtherance of the purposes and objectives of the OMSU;
48
- 49 r. Import economic, technical and cultural books and publications;
50

- 1 s. Enter into joint ventures with business and industry for the profitable development
2 and management of the economic assets, the proceeds of which shall be used for
3 the development and strengthening of the OMSU;
4
- 5 t. Receive, in trust, legacies, gifts and donations of real and personal properties of all
6 kinds and administer and dispose of the same, when necessary, for the benefit of
7 the OMSU and subject to the limitations, directions and instructions of the donor,
8 if any;
9
- 10 u. Extend the term of the President of the OMSU beyond the age of retirement but
11 not beyond the age of seventy (70), based on the guidelines, qualifications and
12 standards set by the Board: *Provided*, That the President's performance has been
13 rated by the Board as outstanding and a unanimous recommendation for such
14 extension has been decided upon by the search committee;
15
- 16 v. Delegate any of its powers and duties provided to the President and other officials
17 of the OMSU, as it may deem appropriate, so as to expedite the administration of
18 the affairs of the OMSU;
19
- 20 w. Establish policy guidelines and procedures for participative and transparent
21 decision-making within the OMSU;
22
- 23 x. Where most advantageous to the OMSU, privatize the management of
24 nonacademic services such as health, food, building, grounds or property
25 maintenance, and such other similar activities;
26
- 27 y. Authorize the construction or repair of its buildings, machinery, equipment and
28 other facilities, and the purchase and acquisition of real property, including the
29 necessary supplies, materials and equipment; and
30
- 31 z. Promulgate rules and regulations, as may be necessary, to carry out the purposes
32 and functions of the OMSU.
33

34 **SEC. 7. Meetings of the Board.** – The Board shall regularly convene once every
35 three (3) months. The Chairperson of the Board may, however, call a special meeting
36 whenever necessary: *Provided*, That members are notified in writing at least three (3)
37 days' prior to the conduct of said meeting.
38

39 A quorum of the Board shall consist of majority of all its members holding office at
40 the time of the meeting: *Provided, however*, That the Chairperson of the Board or the
41 President of the OMSU is among those present in the meeting.
42

43 In case the Chairperson of the CHED cannot attend a meeting of the Board, a CHED
44 Commissioner duly designated by the Chairperson of the CHED as representative to the
45 meeting, shall have all the rights and responsibilities of a regular member: *Provided*, That
46 during the meeting, the President of the OMSU as Vice Chairperson, shall be the
47 presiding officer: *Provided, further*, That this provision, notwithstanding, the Chairperson
48 of the CHED is hereby authorized to designate a CHED Commissioner as the regular
49 Chairperson of the Board, in which case, the said CHED Commissioner, as the regular
50 Chairperson of the Board, shall act as the presiding officer.

1
2 In case the Chairpersons of the Senate Committee on Higher, Technical and
3 Vocational Education and the House Committee on Higher and Technical Education shall
4 not be able to attend the Board meeting, they may designate their respective
5 representatives to attend the meeting, who shall have the same rights and responsibilities
6 as regular members of the Board.
7

8 The members of the Board shall not receive any salary, but shall be entitled to
9 reimbursements for actual and necessary expenses incurred, either for their attendance to
10 the meetings of the Board or in connection with other official business authorized by
11 resolutions of the Board, subject to existing laws and regulations.
12

13 **SEC. 8. *The University President.*** – The OMSU shall be headed by a President, who
14 shall render full-time service and is appointed by the Board, subject to the guidelines,
15 qualifications and standards set by the Board, based on the recommendation of a duly
16 constituted search committee. The OMSU President shall have a term of four (4) years and
17 shall be eligible for reappointment to another term: *Provided*, That in order to effect the
18 smooth transition of the college to a state university, the incumbent President of the
19 OMSC, if qualified, shall serve as the first President of the OMSU.
20

21 Within six (6) months before the expiration of the term of office of the incumbent
22 President of the OMSU, the Board shall constitute the search committee for the
23 Presidency.
24

25 The Board shall designate an Officer-in-Charge of the OMSU in case of a vacancy in
26 the Office of the President by reason of death, compulsory retirement, resignation,
27 removal for cause, or incapacity of the President to perform the functions of the office,
28 pending the appointment of a new President: *Provided*, That the Officer-in-Charge shall
29 serve only during the unexpired portion of the term.
30

31 The powers and duties of the President of the OMSU, in addition to those specifically
32 provided in this Act, shall be those usually pertaining to the Office of the President of
33 similar universities and those delegated by the Board.
34

35 The salary of the President of the OMSU shall be in accordance with Republic Act
36 No. 11466 or the “Salary Standardization Law of 2019”, and by such other laws
37 amendatory thereto, which may hereinafter be enacted, and shall be comparable to that
38 being received by the presidents of similar educational institutions.
39

40 The President of the OMSU shall be assisted by a Vice President for Academic
41 Affairs, a Vice President for Administration, and a Vice President for Research,
42 Development and Extension, who shall all be appointed by the Board upon the
43 recommendation of the President of the OMSU.
44

45 **SEC. 9. *The Secretary of the University.*** – The Board shall appoint a Secretary who
46 shall serve as such for both the Board and the OMSU and shall keep all records and
47 proceedings of meetings of the Board. The Secretary of the OMSU shall serve upon each
48 member of the Board the appropriate notice of board meetings.
49

1 **SEC. 10. *The Treasurer of the University.*** – The Treasurer of the Philippines shall
2 be the *ex officio* Treasurer of the OMSU.

3
4 **SEC. 11. *The Administrative Council.*** – There shall be an Administrative Council
5 consisting of the President of the OMSU as chairperson, and the vice presidents, deans,
6 directors and other officials of equal rank as members, that shall review and recommend to
7 the Board the policies that shall govern the administration, management and development
8 planning of the OMSU.

9
10 **SEC. 12. *The Academic Council.*** – There shall be an Academic Council, which shall
11 formulate academic policies. It shall be composed of the President of the OMSU, who
12 shall act as chairperson, and all academic staff with the rank of at least an assistant
13 professor, as members.

14
15 The Academic Council shall have the power to review and recommend the curricular
16 offerings and rules of discipline of the OMSU, subject to the approval of the Board. It
17 shall fix the requirements for the admission of students, as well as for their graduation and
18 conferment of degrees, subject to the review and approval of the Board through the
19 President of the OMSU. It shall exercise disciplinary power over the students of the
20 OMSU and shall formulate rules and regulations on student discipline, subject to the
21 approval of the Board.

22
23 **SEC. 13. *Heads of University Campuses.*** - The Campus Directors shall
24 respectively serve as heads or administrators of the OMSU’s campuses and render full-
25 time service.

26
27 They shall be appointed or designated by the Board, upon recommendation of the
28 search committee and the President, subject to the guidelines, qualifications and standards
29 set by the Board: *Provided*, That, upon the effectivity of this Act, the incumbent Campus
30 Directors of the existing campuses of the OMSC shall continue to serve as such.

31
32 **SEC. 14. *The Faculty.*** – No political belief, gender preference, cultural or
33 community affiliation or ethnic origin, nor religious opinion or affiliation shall be a matter
34 of inquiry in the appointment of faculty members of the OMSU: *Provided*, That said
35 appointment shall be subject to the guideline, qualifications and standards set by the
36 Board: *Provided, further*, That no member of the faculty shall teach for or against any
37 particular church or religious sect.

38
39 **SEC. 15. *Academic Freedom and Institutional Autonomy.*** – The OMSU shall enjoy
40 academic freedom and institutional autonomy pursuant to paragraph 2, Section 5 of Article
41 XIV of the Constitution.

42
43 **SEC. 16. *Scholarship Programs/Admission.*** – The OMSU shall provide scholarship
44 and other affirmative action programs to assist poor but deserving students who qualify for
45 admission to the OMSU.

46
47 No student shall be denied admission to the OMSU by reason of gender, religion,
48 cultural or community affiliation, physical disability or ethnic origin.

49

1 **SEC. 17. Authority to Loan or Transfer Apparatus, Equipment, Supplies and**
2 **Detail of Personnel.** – The heads of the bureaus and offices of the national government
3 are hereby authorized to loan or transfer, upon the request of the President of the OMSU,
4 such apparatus, equipment or supplies as may be needed by the OMSU, and detail
5 employees for duty therein when, in the judgment of the head of bureau or office, such
6 apparatus, equipment, supplies or service of such employees can be spared without serious
7 detriment to public service.
8

9 The employees so detailed shall perform such duties as required of them by the
10 President of the OMSU and the time thus served shall be counted as part of their regular
11 service.
12

13 **SEC. 18. Assets, Liabilities and Personnel.** – All assets, real and personal,
14 personnel, and records of the OMSC as well as its liabilities or obligations, are hereby
15 transferred to the OMSU: *Provided*, That the positions, rights and security of tenure of
16 faculty members and personnel therein employed under existing laws prior to the
17 conversion into a university shall be respected: *Provided, further*, That the incumbents
18 occupying the positions shall remain in the same status until otherwise provided for by the
19 Board: *Provided, finally*, That the OMSU shall also accordingly upgrade or increase its
20 human resource component as may be deemed appropriate by the Board.
21

22 All parcels of land belonging to the government occupied by the OMSC and all its
23 campuses, are hereby declared property of the OMSU, and shall be titled under its name:
24 *Provided*, That should the OMSU cease to exist or be abolished or should such
25 aforementioned parcels of land be no longer needed by the OMSU , the same shall revert
26 to the concerned LGU or to the Republic of the Philippines, as the case may be.
27

28 **SEC. 19. Tax Exemption on Importation and Donations.** - The importation by the
29 OMSU of economic, technical and cultural books or publications, which are for economic,
30 technical, vocational, scientific, philosophical, historical or cultural purposes shall, upon
31 certification by the CHED, be exempt from customs duties in accordance with the
32 provisions of Republic Act No. 10863, otherwise known as the “Customs Modernization
33 and Tariff Act (CMTA)”.
34

35 All grants, bequests, endowments, donations and contributions made to and used
36 actually, directly and exclusively by the OMSU, shall be exempt from donor’s tax and the
37 same shall be considered as allowable deduction from the gross income of the donor for
38 purposes of computing the taxable income of the donor, in accordance with the provisions
39 of the National Internal Revenue Code of 1997, as amended.
40

41 **SEC. 20. Compliance with CHED Requirements.** – The provisions of this Act
42 notwithstanding, the conversion of the OMSC to a state university shall become effective
43 only upon the determination and declaration by the CHED, based on the recommendation
44 of a panel of experts constituted for the purpose, that the institution has complied with the
45 requirements for a university status based on CHED Memorandum Order No. 46, series of
46 2012 (Policy-Standard to Enhance Quality Assurance (QA) in Philippine Higher
47 Education Through an Outcomes-Based and Typology-Based QA): *Provided*, That the
48 panel may issue such recommendation when the OMSC has substantially complied with
49 the requirements for the grant of university status.
50

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

- 3
- 4 a. Employment of full-time, permanent faculty members who possess relevant
5 degrees in their areas of specialization, as required by the CHED, and shall have
6 participated in research and development activities in their respective disciplines,
7 as evidenced by refereed publications and other scholarly outputs;
8
 - 9 b. Offering of a comprehensive range of degree programs in all levels, from basic
10 post-secondary to doctoral programs;
11
 - 12 c. Conduct of viable research programs in specific disciplinal and multidisciplinary
13 areas of study that produce new knowledge, as evidenced by refereed publications,
14 citations, inventions, and patents, among others;
15
 - 16 d. Establishment of comprehensive learning resources and support structures, to
17 include libraries, practicum laboratories, relevant educational resources, and
18 linkages with relevant disciplinal and professional sectors, so as to allow students
19 to explore basic, advance, and even cutting-edge knowledge in a wide range of
20 disciplines or professions;
21
 - 22 e. Maintenance of linkage and affiliation with other research institutions in various
23 parts of the world to ensure that the research activities of the OMSU are
24 functioning at current global standards; and
25
 - 26 f. Conduct of outreach activities to allow the students, faculty, and research staff to
27 apply the new knowledge they generate to address specific social development
28 problems.
29

30 The CHED, through its regional office, shall regularly provide technical assistance to
31 the OMSU and monitor its compliance with the requirements of the Commission.
32

33 The OMSC shall retain its status prior to the effectivity of this Act until it is able to
34 comply with the requirements provided herein.
35

36 **SEC. 21. *Development Plan, Management Audit, and Organizational/***
37 ***Administrative/Academic Structure.*** – Within a period of one hundred twenty (120) days
38 after the approval of this Act, the OMSU shall accomplish the following:
39

- 40 a. Submit a five (5)-year development plan, including its program budget to the
41 CHED for recommendation to the DBM;
42
- 43 b. Set up its organizational, administrative, and academic structure, including the
44 appointment of key officials of the OMSU; and
45
- 46 c. Undergo a management audit in coordination with the CHED.
47

48 **SEC. 22. *Filing of Report.*** – On or before the fifteenth (15th) day of the second (2nd)
49 month after the opening of the regular classes each year, the Board shall file with the
50 Office of the President of the Philippines, through the Chairperson of the CHED, and with

1 both Houses of Congress, a detailed report on the progress, conditions, and needs of the
2 OMSU.

3
4 **SEC. 23. *Suppletory Application.*** – The provisions of Republic Act No. 8292,
5 otherwise known as the “Higher Education Modernization Act of 1997”, shall form part of
6 this Act and serve as part of the Governing Charter of the OMSU.

7
8 **SEC. 24. *Parity Clause.*** – All other powers, functions, privileges, responsibilities,
9 and limitations under existing laws shall be deemed granted to or imposed upon the
10 OMSU and its officials, whenever appropriate.

11
12 **SEC. 25. *Appropriations.*** – The amount necessary to carry out the provisions of this
13 Act shall be charged against the current year’s appropriations of the OMSC. Thereafter,
14 such sums as may be necessary for the continued operation and maintenance of the OMSU
15 shall be included in the annual General Appropriations Act.

16
17 **SEC. 26. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
18 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules
19 and regulations to fully implement the provisions of this Act.

20
21 **SEC. 27. *Separability Clause.*** – If, for any reason, any part or provision of this Act is
22 declared invalid or unconstitutional, the remaining parts or provisions not affected shall
23 remain in full force and effect.

24
25 **SEC. 28. *Repealing Clause.*** – All laws, presidential decrees, executive orders, and
26 rules and regulations contrary to or inconsistent with the provisions of this Act are
27 repealed or modified accordingly.

28
29 **SEC. 29. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
30 in the *Official Gazette* or in a newspaper of general circulation.
31

Approved,