



HOUSE OF REPRESENTATIVES

H. No. 5217

BY REPRESENTATIVES MADRONA, VILLAR, LAGMAN, JAVIER, REMULLA,
PADILLA, NICOLAS, DEL MAR, AMATONG, AQUINO, MITRA,
DE GUZMAN, GARAY AND ANGPING, PER COMMITTEE REPORT
No. 1315

AN ACT CONVERTING THE ROMBLON STATE COLLEGE IN THE
MUNICIPALITY OF ODIONGAN, PROVINCE OF ROMBLON
INTO A STATE UNIVERSITY TO BE KNOWN AS THE
ROMBLON STATE UNIVERSITY AND APPROPRIATING FUNDS
THEREFOR

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

1 SECTION 1. *Conversion.* – The Romblon State College in the
2 Municipality of Odiongan, Province of Romblon is hereby converted into a
3 state university to be known as the Romblon State University, hereinafter
4 referred to as the University.

5 SEC. 2. *General Mandate.* – The University shall primarily provide
6 advanced education, higher technological, professional instruction and training
7 in agriculture and fishery, forestry, science and technology, education, arts and
8 sciences, and other relevant fields of study. It shall also undertake research
9 and extension services, and provide progressive leadership in its areas of
10 specialization.

1 SEC. 3. *Curricular Offerings.* – The University shall offer
2 undergraduate and graduate courses in the fields of agriculture and fishery,
3 forestry, science and technology, education, arts and sciences and other
4 degrees/courses within its areas of specialization and according to its
5 capabilities, as the Board of Regents may deem necessary to carry out its
6 objectives, particularly to meet the needs of the Province of Romblon and
7 Region IV-B.

8 The existing high school shall be transferred to the jurisdiction and
9 supervision of the Department of Education (DepEd): *Provided*, That the high
10 school shall be allowed to remain and operate within the campus of the
11 University until its students, who are currently enrolled, shall have completed
12 their high school education: *Provided, further*, That the University may
13 operate a reasonably-sized laboratory school, if it has a College of Education.

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

19 SEC. 5. *The Governing Board.* – The governing board of the
20 University shall be the Board of Regents, hereinafter referred to as the Board,
21 which shall be composed of the following:

22 (a) The Chairperson of the Commission on Higher Education (CHED),
23 Chairperson;

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

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

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

1 (e) The Regional Director of the National Economic and Development
2 Authority (NEDA), member;

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

5 (g) The Regional Director of the Department of Agriculture (DA),
6 member;

7 (h) The President of the faculty association of the University, member;

8 (i) The President of the student council of the University, member;

9 (j) *The President of the alumni association of the University, member;*
10 and

11 (k) Three (3) prominent citizens from the private sector who have
12 distinguished themselves in their profession or fields of specialization, as
13 members.

14 The Board shall appoint the three (3) prominent citizens from among a
15 list of at least five (5) qualified persons in the Province of Romblon, whose
16 nominations were submitted to the Board after publication of at least two (2)
17 consecutive weeks, as recommended by the search committee constituted by
18 the University President, in consultation with the Chairperson of the CHED
19 and the other members of the Board, based on the normal standards and
20 qualifications for the position set by the Board.

21 The term of office of the President of the faculty association, the
22 President of the student council and the President of the alumni association,
23 shall be coterminous with their respective terms of office, as set forth in their
24 respective constitutions and bylaws.

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

27 SEC. 6. *Promulgation and Implementation of Policies.* – The Board
28 shall promulgate and implement policies in accordance with the declared State
29 policies on education and other pertinent provisions of the Philippine

1 Constitution on education, agriculture, science and technology, as well as the
2 policies, standards and thrusts of the CHED under Republic Act No. 7722,
3 otherwise known as the “Higher Education Act of 1994”.

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

8 (a) To promulgate rules and regulations not contrary to law as may be
9 necessary to carry out the purposes and functions of the University;

10 (b) To receive and appropriate all sums as may be provided for the
11 support of the University in the manner it may determine in its discretion, in
12 order to carry out the purposes and functions of the University;

13 (c) To import duty-free economic, technical and cultural books and/or
14 publications, upon certification by the CHED that such imported books and/or
15 publications are for economic, technical, vocational, scientific, philosophical,
16 historical or cultural purposes, in accordance with the provisions of the Tariff
17 and Customs Code of the Philippines, as amended;

18 (d) To receive in trust legacies, gifts and donations of real and personal
19 properties of all kinds and to administer and dispose of the same when
20 necessary for the benefit of the University, and subject to the limitations,
21 directions and instructions of the donor, if any.

22 Such donations shall be exempt from the donor’s tax and the same shall
23 be considered as allowable deductions from the gross income in the
24 computation of the income tax of the donor, in accordance with the provisions
25 of the National Internal Revenue Code (NIRC) of 1997, as amended: *Provided,*
26 That such donations shall not be disposed of, transferred or sold;

27 (e) To fix the tuition fees and other necessary school charges, such as,
28 but not limited to, matriculation fees, graduation fees and laboratory fees, as

1 the Board may deem proper to impose, after due consultations with the
2 involved sectors.

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

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

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

20 (f) To adopt and implement a socialized scheme of tuition and other
21 school fees for greater access to poor but deserving students;

22 (g) To authorize the construction or repair of its buildings, machinery,
23 equipment and other facilities, and the purchase and acquisition of real
24 property, including necessary supplies, materials and equipment;

25 (h) To appoint upon recommendation of the President of the
26 University, Vice Presidents, deans, directors, heads of departments, faculty
27 members, and other officials and employees of the University;

28 (i) To fix and adjust salaries of faculty members and administrative
29 officials and employees, subject to the provisions of the Revised Compensation

1 and Position Classification System and other pertinent budget and
2 compensation laws governing hours of service and such other duties and
3 conditions as it may deem proper; to grant them, at its discretion, leaves of
4 absence under such regulations as it may promulgate, any provision of existing
5 law to the contrary notwithstanding; and to remove them for cause in
6 accordance with the requirements of due process of law;

7 (j) To approve the curricula, instructional programs and rules of
8 discipline drawn by the Administrative and the Academic Councils herein
9 provided;

10 (k) To set policies on admission and graduation of students;

11 (l) To award honorary degrees upon persons in recognition of their
12 outstanding contribution in the fields of education, public service, arts, science
13 and technology, agriculture or in any field of specialization within the
14 academic competence of the University; and to authorize the awarding of
15 certificates of completion of nondegree and nontraditional courses;

16 (m) To establish and absorb nonchartered tertiary institutions within
17 the Province of Romblon as branches and centers in coordination with the
18 CHED, and in consultation with the Department of Budget and Management
19 (DBM), and to offer therein programs or courses to promote and carry out
20 equal access to educational opportunities as mandated by the Constitution;

21 (n) To establish research and extension centers of the University where
22 such will promote the development of the latter;

23 (o) To establish professorial chairs in the University and to provide
24 fellowships for qualified faculty members and scholarships to deserving
25 students;

26 (p) To delegate any of its powers and duties provided for hereinabove
27 to the President and/or other officials of the University as it may deem
28 appropriate, so as to expedite the administration of the affairs of the
29 University;

1 (q) To authorize an external management audit of the University, to be
2 financed by the CHED, subject to the rules and regulations of the Commission
3 on Audit (COA); and to institute reforms, including academic and structural
4 changes, on the basis of the audit results and recommendations;

5 (r) To collaborate with other governing boards of state colleges and
6 universities within the Province of Romblon or Region IV-B, under the
7 supervision of the CHED and in consultation with the DBM, and work towards
8 the restructuring of the University to become more efficient, relevant,
9 productive and competitive;

10 (s) To enter into joint ventures with business and industry for the
11 profitable development and management of the economic assets of the
12 University, the proceeds from which shall be used for the development and
13 strengthening of the University;

14 (t) To develop consortia and other economic forms of linkages with
15 local government units (LGUs), institutions and agencies, both public and
16 private, local and foreign, in the furtherance of the purposes and objectives of
17 the University;

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

22 (v) To set up the adoption of modern and innovative modes of
23 transmitting knowledge, such as the use of information technology, the dual
24 learning system, open learning or distance education and community
25 laboratory for the promotion of greater access to education;

26 (w) To establish policy guidelines and procedures for participative
27 decision-making and transparency within the University;

1 (x) To privatize, where most advantageous to the University,
2 management of nonacademic services such as health, food, building or grounds
3 or property maintenance and such other similar activities; and

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

9 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at
10 least once every quarter. However, the Chairperson of the Board may, upon
11 three (3) days' prior written notice, call a maximum of two (2) special
12 meetings whenever necessary.

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

17 In the absence of the Chairperson of the CHED, a Commissioner of the
18 CHED, duly designated by him/her, shall represent him/her in the meeting with
19 all the rights and responsibilities of a regular member: *Provided, however,*
20 That during this meeting, the President of the University as Vice Chairperson
21 shall be the Presiding Officer: *Provided, futher,* That this *proviso*
22 notwithstanding, the Chairperson of the CHED is hereby authorized to
23 designate a CHED Commissioner as the regular Chair of the Board, in which
24 case said CHED Commissioner shall act as the Presiding Officer.

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

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

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

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

17 In case of vacancy in the Office of the President by reason of death,
18 compulsory retirement, resignation, removal for cause or incapacity of the
19 President to perform the functions of his/her office, the Board shall designate
20 an Officer-in-Charge of the University within six (6) months from date of
21 vacancy, pending the appointment of a new President.

22 In case of vacancy in the Office of the President as mentioned in the
23 immediately preceding paragraph, his/her successor or the Officer-in-Charge
24 shall serve only the unexpired portion of the term.

25 The powers and duties of the President of the University, in addition to
26 those specifically provided in this Act, shall be those usually pertaining to the
27 office of the President of similar universities, and those delegated by the
28 Board.

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

5 The President of the University shall be assisted by a Vice President for
6 Academic Affairs, a Vice President for Administration, a Vice President for
7 Research and Development, and a Vice President for External Affairs, who
8 shall be appointed by the Board upon recommendation of the President.

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

15 SEC. 11. *The Academic Council.* – There shall be an Academic Council
16 to be composed of the President of the University, who shall act as
17 Chairperson, and all academic staff with the rank of at least an assistant
18 professor, as members.

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

27 SEC. 12. *The Secretary of the University.* – The Board shall appoint a
28 secretary, who shall serve as such for both the Board and the University, and

1 shall keep all records and proceedings of the Board. He/She shall serve upon
2 each member of the Board the appropriate notice of the Board meetings.

3 SEC 13. *The Treasurer of the University.* – The Treasurer of the
4 Philippines shall be the *ex officio* treasurer of the University.

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

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

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

17 SEC. 16. *Academic Freedom and Institutional Autonomy.* – The
18 University shall enjoy academic freedom and institutional autonomy, pursuant
19 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
20 the Philippines.

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

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

4 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
5 personal, personnel and records of the Romblon State College, as well as
6 liabilities or obligations, are hereby transferred to the University. The
7 positions, rights and security of tenure of faculty members and personnel
8 therein employed under existing laws prior to the conversion into a University
9 shall be respected.

10 All parcels of land belonging to the government and occupied by the
11 Romblon State College are hereby declared to be property of the University,
12 and shall be titled under that name: *Provided*, That should the University cease
13 to exist or be abolished or should such parcels of land aforementioned be no
14 longer needed by the University, the same shall revert to the LGUs concerned.

15 SEC. 19. *Appropriations.* – The amount necessary to carry out the
16 provisions of this Act shall be charged against the current year's appropriations
17 of the Romblon State College, except the sums needed to continue the
18 operations of the existing high school. Thereafter, such sums as may be
19 necessary for the continued operation and maintenance of the Romblon State
20 University shall be included in the annual General Appropriations Act.

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

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

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

1 (c) Accordingly set up its organizational, administrative, as well as
2 academic structure, including the appointment of the key officials of the
3 University.

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

9 SEC. 22. *Suppletory Application.* – The provisions of Republic Act No.
10 8292, otherwise known as the “Higher Education Modernization Act of 1997”,
11 shall be an integral part of this Act and shall serve as part of the Governing
12 Charter of the University.

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

17 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
18 consultation with the CHED, shall formulate the guidelines to fully implement
19 the provisions of this Act.

20 SEC. 25. *Separability Clause.* – If, for any reason, any part or provision
21 of this Act is declared invalid or unconstitutional, the remaining parts or
22 provisions not affected thereby shall remain in full force and effect.

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

26 SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after
27 its publication in two (2) newspapers of general circulation.

Approved,