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SENATE
S.B. No. 2874

RECEIVED BY: 

Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

Since its establishment in 1946, the Negros State College of Agriculture has demonstrated relevance and quality in its educational programs not only in the entire Negros and Panay Islands but also in the neighboring provinces of the region. The College has been engaged in education and training of skilled farmers, entrepreneurs, technicians, teachers, social workers and other professionals that now help turn the wheel of the highly agricultural economy in the Negros Island and Western Visayas.

On October 2, 1946 Republic Act No. 43 created the Negros Occidental National Agricultural School (NONAS). It stands on a 4,653.7 - hectare land reservation, which is transverse by a new concrete national highway linking the two Negros provinces. In 1977, Negros Occidental National Agricultural School became a College offering both degree and non-degree courses. Due to its dynamism and guided by its vision, NOAC was converted to Negros State College of Agriculture (NSCA) on July 03, 2001 by virtue of Republic Act 9141.

NSCA, the "agro eco tourism" state college in Central Philippines is the largest state college in the Visayas in terms of land area. It has an area of 4,653.7 hectares.

The conversion of Negros State College of Agriculture (NSCA) into a university to be known as the Central Philippine State University will bring the government closer to the poor but deserving students who cannot afford private higher education. Being a university, it can offer courses relevant to the needs of the industry which at present are offered by private educational institution that charges very high fees.


Central Philippine State University (CPSU) can be a vehicle of the vision of a Strong Republic. As a State University in Central Philippines in general and Western Visayas in particular, its offering of the relevant courses will help revolutionize the monocropping sugar industry into a diversified industry by producing quality graduates who will man the various industries, and at the same time reach out the sons and daughters of the marginalized farmers, fisherfolks, "sacadas" and other hacienda workers with the most affordable tertiary education in agriculture and other professional courses which answers to the needs of industries in the locality.

Education is of prime importance. Hence, urgent passage of this bill is requested.


RAMON BONG REVILLA, JR.

OFFICE OF THE SECRETARY
B NOV 13 1999

SENATE
S.B. No. 2874

RECEIVED BY: 

Introduced by Senator Ramon Bong Revilla, Jr.

AN ACT CONVERTING THE NEGROS STATE COLLEGE OF AGRICULTURE (NSCA) IN THE CITY OF KABANKALAN, PROVINCE OF NEGROS OCCIDENTAL INTO A STATE UNIVERSITY, TO BE KNOWN AS THE CENTRAL PHILIPPINE STATE UNIVERSITY (CPSU), AND APPROPRIATING FUNDS THEREFORE

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

SECTION 1. THE NEGROS STATE COLLEGE OF AGRICULTURE in the City of Kabankalan, Province of Negros Occidental, is hereby converted into a state university to be known as the CENTRAL PHILIPPINE STATE UNIVERSITY (CPSU), hereinafter referred to as the "State University".

SEC. 2. Central Philippine State University (CPSU) shall expand and strengthen its original advanced education, degree and non-degree as well as technical education programs in agriculture, related fields in sciences and technology and other professional courses of the Negros State College of Agriculture (NSCA) and include as its branches or extension campuses the (8) eight Extension Colleges, located in Municipality of Hinobaan, Cauayan, Ilog, Candoni, Moises Padilla and City of San Carlos, Sipalay and Himamaylan.

The former Negros State College of Agriculture in the City of Kabankalan, Negros Occidental, shall remain as the main campus of the new Central Philippine State University.

SEC. 3. The State University shall offer the undergraduate and graduate degree programs, short-term technical or diploma courses, technological and technical vocational instructions and training in agricultural sciences, and other related and relevant fields and other professional courses, including Non - Formal Education (NFE) to meet the needs of the Region and the Country.

SEC. 4. In addition to its present curricular programs, the State University shall provide advanced degree programs in environmental engineering, veterinary medicine, science and technology, education and other professional courses as the Board of Regents may deem necessary.

It shall promote research, advanced studies, extension and progressive leadership in each area of specialization: *Provided*, that the State University shall maintain agriculture as its flagship program. *Provided* further, that in the case of graduate courses, the State University shall strengthen its masters and doctorate degree programs in agriculture and other academic courses. The existing high school shall be considered a Laboratory high school to serve as a training ground of its Teacher Education program especially during their actual practice teaching, *Provided*, that the total enrolment of the laboratory high school in all levels shall not exceed 500 students.

SEC. 5. The administration of the Central Philippine State University (CPSU) shall be vested exclusively in the Board of Regents as its Governing Body, hereinafter referred to as the Board, which shall be composed of the following: Chairman of the Commission on Higher Education (CHED) as Board Chairman, President of the State University as Vice Chairman, the Regional Directors of National Economic and Development Authority (NEDA), the Department of Agriculture (DA), and the Department of Science & Technology (DOST), Presidents of the faculty, students, alumni and non-teaching personnel federated associations, and two (2) prominent citizens of the province or region as members.

The two (2) prominent citizens in the Board shall come from those who have distinguished themselves in their profession or fields of specialization of the State University, chosen from among a list of at least five (candidates) qualified in the province or region, as recommended by the Search Committee constituted by the University President. They shall serve for a term of two (2) years.

As multi-campus state University, the faculty, students, alumni and non-teaching personnel shall be represented by the president of each federated organization of all campuses. Their term of office in the Board shall be co-terminous with their respective terms as provided in their respective Constitution and By-Laws of their organization.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared state policies on education, the Constitution, Republic Act Nos. 7722, 8292 and 9141 and such other laws or promulgation on tertiary education.

SEC. 7. In addition to its general powers of administration and corporate powers set forth in the Corporation Law, the Board shall have the following specific powers and duties:

a.) To enact rules and regulations as may be necessary to carry out the purposes and functions of the State University;

b.) To receive and appropriate all sums of money as may be provided by either public or private agencies to carry out the powers and functions of the State University;

c.) To receive in trust, legacies, gifts and donations, real and personal properties and to administer and dispose the same for the benefit of the University. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;

d.) To fix the tuition fees and other necessary school charges, as the Board may deem proper to impose, after due consultations with the involved sectors.

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

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the State University from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the State University, and may be disbursed by the Board for instruction, research, extension and/or other programs/projects of the State University: *Provided*, that all fiduciary fees shall be disbursed for the specific purpose for which they are collected.

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

e.) To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;

f.) To authorize the construction or repair of the university's buildings, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies and materials and equipment. Purchases and other transactions entered into by the State University through the Board shall be exempt from all taxes and duties;

g.) To appoint, upon recommendation of the President of the State University, vice presidents, deans, directors, and heads of departments and the appointments of faculty members and other officials and employees of the State University and its extension campuses or branches;

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

i.) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;

j.) To set policies on admission and graduation of students;

k.) To award honorary degrees upon persons in recognition of outstanding contribution in the field of agriculture or any field of specialization within the academic competence of the State University and to authorize the award of certificate of completion of non-degree and other non-traditional courses;

l.) To establish and absorb tertiary institutions within the province of Negros Occidental as branches, centers, stations, etc., in coordination with the CHED and in consultation with the Department of Budget and

Management (DBM), and to offer therein programs or courses, to promote and carry out equal access to educational opportunities mandated by the Constitution;

m.) To establish research and extension centers of the State University where such will promote the development of the latter;

n.) To establish chairs in the State University and to provide fellowships for qualified faculty members and scholarships to deserving students;

o.) To delegate any of its powers and duties provided for hereinabove to the President and/or other officials of the State University as it may deem appropriate, so as to expedite the administration of the affairs of the State University;

p.) To authorize an external management audit of the institution, to be financed by the CHED and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;

q.) To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the State University, the proceeds from which shall be used for the development and strengthening of the same;

r.) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information-communication-technology (ICT), multi-media, the dual system, open learning, community laboratory, etc., for the promotion of greater access to higher education; and

s.) To extend the term of office of the President of the State University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous approval by the Board of Regents;

SEC. 8. The Board shall regularly convene at least once every quarter. However, the Chairman of the Board of Regents may, upon three (3) days' prior written notice, call a special meeting whenever necessary; *Provided*, however that the Chairman of the CHED or the University President is among those present.

In the absence of the Chairman of the CHED, a commissioner of the CHED, duly designated by him/her, shall represent him/her in the meeting with all the rights and responsibilities of a regular member; *Provided*, however, that in

the said meeting, the President of the State University as Vice-Chairman shall be the presiding officer.

SEC. 9. *Central Philippines State University shall be headed by a President who shall render full-time service. He/she shall be appointed by the Board of Regents pursuant to R.A. 8292, upon recommendation of a duly constituted Search Committee. He/she shall hold office for a term of four (4) years, extendable only for another four (4) years, by the Board upon unanimous recommendation by the Search Committee: Provided he/she shall not be over seventy (70) years old to qualify for reappointment or term extension.*

In case of vacancy in the office of the President by reason of death, compulsory retirement, resignation, removal for cause or incapacity of the President to perform the functions of his/her office, the Board shall have the authority to designate an officer-in-charge who shall serve for the unexpired term only, pending the appointment of a new State University President.

The University President whose term may be terminated according to this Act shall be entitled to full retirement benefits under existing laws. The powers and duties of the President of the State University, in addition to those specifically provided in this Act, shall be those pertaining to the Office of the President of similar State Universities. His/her salary shall be comparable with that being received by the presidents of similar educational institutions of like standing.

SEC. 10. There shall be an Administrative Council consisting of the President of the State University as Chairman, the vice-president(s), deans, directors, and other officials of equal rank whose duty is to implement the policies governing the administration, management and development of the State University, as approved by the Board.

SEC. 11. There shall be an Academic Council with President of the State University as Chairman and all the members of the instructional staff with the rank of not lower than assistant professor, as members. The academic Council shall have the power to prescribe curricular offerings, subject to the approval of the Board. It shall fix the requirements for admission to the State University, as well as for graduation and the conferring of degrees subject to review and/or approval by the Board through the President of the State University. It shall have

disciplinary power over the students and shall formulate academic policies and rules and regulations on discipline. Such policies, rules and regulations shall be approved by the Board.

SEC. 12. The Board shall appoint a Secretary who shall serve as such for both the Board and the State University and shall keep all records and proceedings of the Board meetings. He/she shall communicate to each member of the Board notice of meetings.

SEC. 13. The Treasurer of the Philippines shall be the *ex-officio* treasurer of the State University.

SEC. 14. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the State University: *Provided*, however, that no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 15. In order to ensure the smooth transition to a State University, the incumbent President of the Negros State College of Agriculture shall continue to serve as the first University President for a term of 4 years subject to reappointment for another term.

SEC. 16. All assets, fixed and movable, personnel and records of the Negros State College of Agriculture, as well as liabilities or obligations, are hereby transmitted to the State University: *Provided*, however, that the positions, rights and security of tenure of personnel therein employed under existing laws prior to its conversion to a state university are not impaired:

Provided, further, that the incumbents of the positions shall remain under the same status until otherwise provided for by the Board. All parcels of land belonging to the government, occupied by the Negros State College of Agriculture main campus and the eight (8) extension campuses, in the municipality of Hinoba-an, City of Sipalay, Municipality of Cauayan, Municipality of Ilog, Municipality of Candoni, City of Himamaylan, Municipality of Moises Padilla and City of San Carlos are hereby declared to be the property of the Central Philippine State University and shall be considered as its total assets and titled under its name:

SEC. 17. The heads of bureaus and offices of the national government are hereby authorized to loan or transfer upon request of the President of the State University, such apparatus, equipment or supplies as may be needed by the State University, and to detail employees for duty therein when, in the judgment of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. Employees so detailed shall perform such duties as required of them by the President of the State University, and the time so employed shall be counted as part of their regular services

SEC. 18. The State University shall provide a scholarship program and other affirmative action programs to assist poor but deserving students to qualify for admission to the State University.

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

SEC. 19. The State University shall enjoy academic freedom.

SEC. 20. On or before the fifteenth day of the second month after the opening of the regular classes each year, the Board shall file with both Houses of Congress a detailed report on the progress, condition and needs of the State University.

SEC. 21. The State University may accept the affiliation and/or integration within its operation of any existing national school within the province whose programs can contribute largely and effectively to the attainment of its objectives, in coordination with the Commission on Higher Education (CHED) and in consultation with the DBM: Provided, that funds, properties and other assets, as well as obligations of the integrated school shall be transferred to the State University.

SEC. 22. The amount of FIFTY NINE MILLION SEVENTY FIVE THOUSAND TWO HUNDRED FIFTY THREE PESOS (P59, 075, 253.00) necessary to carry out the provisions of this Act shall be added to the current year's appropriations of the Negros State College of Agriculture. Thereafter, such sums as may be necessary for the continued operation and maintenance of

the Central Philippine State University shall be included in the Annual General Appropriations Act:

SEC. 23. Within the period of one hundred twenty (120) days, after the approval of this Act, the State University shall accomplish the following:

- 1) Submit a five (5) year development plan, including its corresponding program budget, to the CHED, for appropriate recommendation to the DBM;
- 2) Undergo a management audit in cooperation with the CHED;
- 3) Accordingly set up its organizational, administrative as well as academic structure, including the appointment/designation of state university key officials/personnel; and

SEC. 24. The State University shall have the full control of all the resources of the reservation with a total area of 4, 653.7 hectares.

SEC. 25. The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall form an integral part of this Act and together shall serve as the governing charter of the State University.

SEC. 26. All other powers, functions and privileges, responsibilities and limitations to state university and/or its officials under existing laws shall be deemed granted to or imposed upon the State University and/or its officials whenever appropriate.

SEC. 27. Separability Clause. - *If any part, section, or provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected thereby.*

Sec. 28. Repealing Clause. - All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 29. Effectivity. - This Act shall take effect (15) days after its complete publication in at least two (2) newspapers of national circulation.

Approved,