



## HOUSE OF REPRESENTATIVES

H. No. 6311

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BY REPRESENTATIVES MANGUDADATU, VILLAR, CUA (J.), JAVIER, REMULLA,  
CHATTO, PADILLA, MADRONA, NICOLAS, DEL MAR, AMATONG,  
AQUINO, MITRA, DE GUZMAN, GARAY, ANGPING, GO AND  
MONTEMAYOR, PER COMMITTEE REPORT NO. 1997

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AN ACT CONVERTING THE SULTAN KUDARAT POLYTECHNIC  
STATE COLLEGE (SKPSC) IN THE CITY OF TACURONG AND  
ITS DESIGNATED CAMPUSES IN THE MUNICIPALITIES OF  
LUTAYAN, KALAMANSIG, PALIMBANG AND ISULAN, ALL  
LOCATED IN THE PROVINCE OF SULTAN KUDARAT INTO A  
STATE UNIVERSITY TO BE KNOWN AS THE SULTAN  
KUDARAT STATE UNIVERSITY (SKSU) 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 Sultan Kudarat Polytechnic State  
2 College (SKPSC) in the City of Tacurong, together with its duly designated  
3 campuses in the municipalities of Lutayan, Kalamansig, Palimbang and Isulan,  
4 all located in the Province of Sultan Kudarat, is hereby converted into a state  
5 university to be known as the Sultan Kudarat State University (SKSU),  
6 hereinafter referred to as the University. The main campus of the University  
7 shall be in the City of Tacurong.

1           SEC. 2. *General Mandate.* – The University shall primarily provide  
2 advanced instruction and professional training in science and technology,  
3 agriculture, fisheries, education and other relevant fields of study. It shall also  
4 undertake research and extension services, and provide progressive leadership  
5 in its areas of specialization.

6           SEC. 3. *Curricular Offerings.* – The University shall offer  
7 undergraduate and graduate courses in science and technology, agriculture,  
8 fisheries, education and other related fields of study within its areas of  
9 specialization and according to its capabilities as the Board of Regents may  
10 deem necessary to carry out its objectives, in order to meet the needs of the  
11 Province of Sultan Kudarat and Region XII.

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

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

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

26           (a) The Chairperson of the Commission on Higher Education (CHED),  
27 Chairperson;

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

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

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

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

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

10 (g) The President of the federation of faculty associations of the  
11 University, member;

12 (h) The President of the federation of student councils of the University,  
13 member;

14 (i) The President of the federation of alumni associations of the  
15 University, member; and

16 (j) Two (2) prominent citizens from the private sector who have  
17 distinguished themselves in their profession or fields of specialization of the  
18 University, members.

19 The Board shall appoint the two (2) prominent citizens from among a list  
20 of at least five (5) qualified persons in the Province of Sultan Kudarat, as  
21 recommended by the search committee constituted by the University President,  
22 in consultation with the Chairperson of the CHED and the other members of the  
23 Board, based on the normal standards and qualifications for the position.

24 The term of office of the President of the federation of faculty  
25 associations, the President of the federation of student councils and the  
26 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 The two (2) prominent citizens shall serve for a term of two (2) years  
4 from the date of appointment.

5 SEC. 6. *Promulgation and Implementation of Policies.* – The Board  
6 shall promulgate and implement policies in accordance with the declared State  
7 policies on education and other pertinent provisions of the Philippine  
8 Constitution on education, agriculture, science and technology, as well as the  
9 policies, standards and thrusts of the CHED under Republic Act No. 7722,  
10 otherwise known as the "Higher Education Act of 1994".

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

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

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

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

25 (d) To receive in trust legacies, gifts and donations of real properties of  
26 all kinds and to administer and dispose of the same when necessary for the

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

3 Such donations shall be exempt from the donor's tax and the same shall  
4 be considered as allowable deductions from the gross income in the  
5 computation of the income tax of the donor, in accordance with the provisions  
6 of the National Internal Revenue Code (NIRC) of 1997, as amended: *Provided,*  
7 That such donations shall not be disposed of, transferred or sold;

8 (e) To fix the tuition fees and other necessary school charges such as,  
9 but not limited to, matriculation fees, graduation fees and laboratory fees, as the  
10 Board may deem proper to impose, after due consultations with the involved  
11 sectors.

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

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

24 If, for reasons beyond its control, the University shall not be able to  
25 pursue any project for which funds have been appropriated and allocated under  
26 its approved program of expenditures, the Board may authorize the use of said

1 funds for any reasonable purpose which, in its discretion, may be necessary and  
2 urgent for the attainment of the objectives and goals of the University;

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

5 (g) To authorize the construction or repair of its buildings, machinery,  
6 equipment and other facilities, and the purchase and acquisition of real and  
7 personal properties, including necessary supplies, materials and equipment;

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

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

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

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

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

1 (m) To establish and absorb nonchartered tertiary institutions within the  
2 Province of Sultan Kudarat as branches and extension centers of the University,  
3 in coordination with the CHED and in consultation with the Department of  
4 Budget and Management (DBM), and to offer therein programs or courses to  
5 promote and carry out equal and greater access to educational opportunities as  
6 mandated by the Constitution;

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

9 (o) To establish professorial chairs in the University and to provide  
10 fellowships for qualified faculty members and scholarships to deserving  
11 students;

12 (p) To delegate any of its powers and duties provided for hereinabove to  
13 the President or Officer-in-Charge and/or other officials of the University as it  
14 may deem appropriate, so as to expedite the administration of the affairs of the  
15 University;

16 (q) 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 (r) To collaborate with other governing boards of state universities and  
21 colleges within the Province of Sultan Kudarat or Region XII, under the  
22 supervision of the CHED and in consultation with the DBM, and work towards  
23 the restructuring of the University to become more efficient, relevant,  
24 productive and competitive;

25 (s) To enter into joint ventures with business and industry for the  
26 profitable development and management of the economic assets of the

1 University, the proceeds from which shall be used for the development and  
2 strengthening of the same;

3 (t) To develop consortia and other forms of linkages with local  
4 government units (LGUs), institutions and agencies, both public and private,  
5 local and foreign, in furtherance of the purposes and objectives of the  
6 University;

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

11 (v) To set up the adoption of modern and innovative modes of  
12 transmitting knowledge such as the use of information technology, the dual  
13 learning system, open learning or distance education and community laboratory  
14 for the promotion of greater access to higher education and graduate studies, as  
15 the case may be;

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

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

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

26 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at  
27 least once every quarter. However, the Chairperson of the Board may, upon

1 three (3)-days' prior written notice, call a maximum of two (2) special meetings  
2 whenever necessary.

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

7 In the absence of the Chairperson of the CHED, a Commissioner of the  
8 CHED, duly designated by him/her, shall represent him/her in the meeting with  
9 all the rights and responsibilities of a regular member: *Provided, however,*  
10 That during this meeting, the President of the University as Vice Chairperson  
11 shall be the Presiding Officer: *Provided, further,* That this *proviso*  
12 notwithstanding, the Chairperson of the CHED is hereby authorized to designate  
13 a CHED Commissioner as the regular Chair of the Board, in which case said  
14 CHED Commissioner shall act as the Presiding Officer.

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

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

24 SEC. 9. *The University President.* – The University shall be headed by a  
25 President, who shall render full-time service. He/She shall be appointed by the  
26 Board, subject to the guidelines, qualifications and/or standards set by the  
27 Board, upon recommendation of a duly constituted search committee. He/She

1 shall have a term of four (4) years and shall be eligible for reappointment for  
2 another term: *Provided*, That in order to effect a smooth transition to a state  
3 university, the incumbent President of the Sultan Kudarat Polytechnic State  
4 College, if qualified, shall serve as the first President of the University.

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

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

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

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

19 The salary of the President of the University shall be in accordance with  
20 the Revised Compensation and Position Classification System and shall be  
21 comparable to that being received by the presidents of similar educational  
22 institutions.

23 The President of the University shall be assisted by a Vice President for  
24 Academic Affairs and a Vice President for Administration, who shall be  
25 appointed by the Board upon the recommendation of the President.

26 SEC. 10. *Heads of University Campuses.* – Campus Directors shall head  
27 the University campuses and they shall render full-time service. They shall be

1 appointed by the Board upon recommendation of the search committee and the  
2 University President, subject to the guidelines, qualifications and/or standards  
3 set by the Board: *Provided*, That the incumbent college administrators of the  
4 extension campuses shall serve as Campus Directors of their respective  
5 campuses.

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

12 SEC. 12. *The Academic Council.* – There shall be an Academic Council  
13 to be composed of the President of the University, who shall act as Chairperson,  
14 and all academic staff with the rank of at least an assistant professor, as  
15 members.

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

24 SEC. 13. *The Secretary of the University.* – The Board shall appoint a  
25 secretary, who shall serve as such for both the Board and the University and  
26 shall keep all records and proceedings of the Board. He/She shall serve upon  
27 each member of the Board the appropriate notice of the Board meetings.

1           SEC. 14. *The Treasurer of the University.* – The Treasurer of the  
2 Philippines shall be the *ex officio* treasurer of the University.

3           SEC. 15. *The Faculty.* – No religious opinion or affiliation shall be a  
4 matter of inquiry in the appointment of faculty members of the University:  
5 *Provided*, That said appointment shall be subject to the guidelines,  
6 qualifications and/or standards set by the Board: *Provided, further*, That no  
7 member of the faculty shall teach for or against any particular church or  
8 religious sect.

9           SEC. 16. *Scholarship Program/Admission.* – The University shall  
10 provide a scholarship program and other affirmative action programs to assist  
11 poor but deserving students who qualify for admission to the University.

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

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

18           SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
19 *and Detail of Personnel.* – The heads of the bureaus and offices of the national  
20 government are hereby authorized to loan or transfer, upon the request of the  
21 President of the University, such apparatus, equipment or supplies as may be  
22 needed by the University, and to detail employees for duty therein when, in the  
23 judgment of the head of bureau or office, such apparatus, equipment, supplies or  
24 services of such employees can be spared without serious detriment to the  
25 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 as  
3 part of their regular services.

4           SEC. 19. *Assets, Liabilities and Personnel.* – All assets, fixed and  
5 movable, personnel and records of the Sultan Kudarat Polytechnic State  
6 College, as well as liabilities or obligations, are hereby transferred to the  
7 University: *Provided, however,* That the positions, rights and security of tenure  
8 of faculty members and personnel therein employed under existing laws prior to  
9 the conversion into a University shall be respected.

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

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

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

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

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

4 (c) Accordingly set up its organizational, administrative as well as  
5 academic structure, including the appointment of the key officials of the  
6 University.

7 SEC. 22. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of the  
8 second (2<sup>nd</sup>) month after the opening of the regular classes each year, the Board  
9 shall file with the Office of the President of the Philippines, through the  
10 Chairperson of the CHED and with both Houses of Congress, a detailed report  
11 on the progress, conditions and needs of the University.

12 SEC. 23. *Suppletory Application.* – The provisions of Republic Act No.  
13 8292, otherwise known as the “Higher Education Modernization Act of 1997”,  
14 shall be an integral part of this Act and shall serve as part of the Governing  
15 Charter of the University.

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

20 SEC. 25. *Implementing Rules and Regulations.* – The Board, in  
21 consultation with the CHED, shall formulate the guidelines to fully implement  
22 the provisions of this Act.

23 SEC. 26. *Separability Clause.* – If, for any reason, any part or provision  
24 of this Act is declared invalid or unconstitutional, the remaining parts or  
25 provisions not affected thereby shall remain in full force and effect.

1           SEC. 27. *Repealing Clause.* – All laws, presidential decrees, executive  
2 orders, rules and regulations contrary to or inconsistent with the provisions of  
3 this Act are hereby repealed or modified accordingly.

4           SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after  
5 its publication in two (2) newspapers of general circulation.

Approved,

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