



HOUSE OF REPRESENTATIVES

H. No. 6203

BY REPRESENTATIVES ESCUDERO, RAMOS, BRAVO (A.), HOFER, LOBREGAT, CASTRO (F.L.), ARENAS, CORTES, CAMPOS, TINIO, LIMKAICHONG, NOGRALES (K.A.), CUA, FARIÑAS, BONDOC, DEFENSOR, MERCADO, CRISOLOGO, GONZALES (A.D.), NOEL, GULLAS, TY, PIMENTEL, MATUGAS, GARIN (O.), NOGRALES (J.J.), SALO, BELARO, HERRERA-DY, ROA-PUNO, PRIMICIAS-AGABAS, ATIENZA, GARBIN, DE VERA, ABAYON, LAGMAN, LANETE, YAP (V.), TEJADA, HERNANDEZ, SEMA, ALBANO, GONZALEZ, FORTUNO, UY (J.), ZUBIRI, ACOSTA-ALBA, GO (M.), SAVELLANO AND AGGABAO, PER COMMITTEE REPORT NO. 359

AN ACT CONVERTING THE SORSOGON STATE COLLEGE IN THE PROVINCE OF SORSOGON INTO A STATE UNIVERSITY TO BE KNOWN AS THE SALVADOR H. ESCUDERO III STATE UNIVERSITY 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 Sorsogon State College (SSC) in the
- 2 Province of Sorsogon, which is composed of the SSC – Sorsogon Campus in
- 3 Sorsogon City, the SSC – Bulan Campus in the Municipality of Bulan, the
- 4 SSC – Magallanes Campus in the Municipality of Magallanes, and the
- 5 SSC – Castilla Campus in the Municipality of Castilla, all located in the

1 Province of Sorsogon, is hereby converted into a state university to be known
2 as the Salvador H. Escudero III State University. The main campus of the
3 University shall be in Sorsogon City.

4 SEC. 2. *General Mandate.* – The Sorsogon State College, hereinafter
5 referred to as the University, shall primarily provide advance and higher
6 professional, technical and special instructions in education and technology,
7 engineering and architecture, public administration and management,
8 accountancy, economics and finance, agriculture, forestry and fisheries, arts
9 and sciences, maritime education, peace and security courses and other related
10 fields of study. It shall also undertake research and extension, as well as
11 income generation programs, for the sustainable development of the Province
12 of Sorsogon.

13 SEC. 3. *Curricular Offerings.* – The University shall offer
14 undergraduate and graduate courses in the fields of education and technology,
15 engineering and architecture, public administration and management,
16 accountancy, economics and finance, agriculture, forestry and fisheries, arts
17 and sciences, maritime education, peace and security courses, information
18 technology and other courses within its areas of specialization and according
19 to its capabilities as the Board of Regents may deem necessary to carry out its
20 objectives, particularly in meeting the needs of the Province of Sorsogon and
21 Region V.

22 The existing reasonably-sized laboratory high school shall continue to
23 operate under the control of the College of Education of the University to
24 serve the in-campus requirements of the students in the College of Education.

25 SEC. 4. *Administration.* – The University shall have the general
26 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,
27 otherwise known as “The Corporation Code of the Philippines”. The
28 administration of the University and the exercise of its corporate powers shall

1 be vested exclusively in the Board of Regents and the President of the
2 University.

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

6 (a) the Chairperson of the Commission on Higher Education (CHED),
7 Chairperson;

8 (b) the President of the University, Vice Chairperson;

9 (c) the Chairperson of the Committee on Education, Arts and Culture
10 of the Senate, member;

11 (d) the Chairperson of the Committee on Higher and Technical
12 Education of the House of Representatives, member;

13 (e) the Regional Director of the National Economic and Development
14 Authority (NEDA), member;

15 (f) the Regional Director of the Department of Science and
16 Technology (DOST), member;

17 (g) the Regional Director of the Department of Agriculture (DA),
18 member;

19 (h) the President of the federation of faculty associations of the
20 University, member;

21 (i) the President of the federation of student councils of the
22 University, member;

23 (j) the President of the federation of alumni associations of the
24 University, member; and

25 (k) two (2) prominent citizens from the private sector who have
26 distinguished themselves in their professions or fields of specialization of the
27 University, members.

28 The Board shall appoint the two (2) prominent citizens from among a
29 list of at least five (5) qualified persons in the Province of Sorsogon, as

1 recommended by the search committee to be constituted by the University
2 President, in consultation with the CHED Chairperson and the other members
3 of the Board, based on the standards and qualifications for the position set by
4 the Board. They shall serve for a term of two (2) years from the date of
5 appointment.

6 The term of the President of the federation of faculty associations, the
7 President of the federation of student councils, and the President of the
8 Federation of alumni associations, as members of the Board, shall be
9 coterminous with their terms of office as set forth in their respective
10 constitution and bylaws.

11 SEC. 6. *Powers and Duties of the Board.* – The Board, in addition to
12 its general powers of administration and the exercise of all the powers granted
13 to the Board of Directors of a corporation under existing laws, shall have the
14 following specific powers and duties:

15 (a) to promulgate and implement policies in accordance with the
16 declared state policies on education and other pertinent provisions of the
17 Philippine Constitution on education, agriculture, science and technology, as
18 well as the policies, standards and thrusts of the CHED under Republic Act
19 No. 7722, otherwise known as the “Higher Education Act of 1994”;

20 (b) to promulgate rules and regulations as may be necessary to carry
21 out the purposes and functions of the University;

22 (c) to receive and appropriate all sums as may be provided for the
23 support of the University in the manner it may determine, in its discretion, to
24 carry out the purposes and functions of the University;

25 (d) to import economic, technical and cultural books and publications;

26 (e) to receive in trust legacies, gifts and donations of real and personal
27 properties of all kinds and to administer and dispose of the same when
28 necessary for the benefit of the University and subject to the limitations,
29 directions and instructions of the donor, if any;

1 (f) to fix the tuition fees and other necessary school charges, such as
2 matriculation fees, graduation fees and laboratory fees, as the Board may deem
3 proper to impose, after due consultation with the involved sectors. Such fees
4 and charges, including government subsidies and other income generated by
5 the University, shall constitute a special trust fund, and shall be deposited in
6 any authorized government depository bank, and all interests that shall accrue
7 therefrom shall form part of the same funds for the use of the University.

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

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

22 (h) 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 (i) to appoint, upon the recommendation of the President of the
26 University, the vice presidents, deans, directors, heads of the campuses,
27 faculty members and other officials and employees of the University;

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

1 Compensation and Position Classification System and other pertinent budget
2 and 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 (k) to approve the curricula, instructional programs, and rules of
8 discipline drawn by the Administrative and the Academic Councils herein
9 provided;

10 (l) to set the policies on admission and graduation of students;

11 (m) 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 any field of specialization within the academic
14 competence of the University, and to authorize the awarding of certificates of
15 completion of nondegree and nontraditional courses;

16 (n) to establish and absorb non-chartered tertiary institutions within
17 the Province of Sorsogon as branches and extension centers in coordination
18 with the CHED and in consultation with the Department of Budget and
19 Management (DBM), and to offer therein programs or courses to carry out the
20 constitutional mandate of providing equal access to educational opportunities;

21 (o) to establish research and extension centers to promote the
22 development of the University;

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

26 (q) to delegate any of its powers and duties provided to the President
27 and other officials of the University, as it may deem appropriate, so as to
28 expedite the administration of the affairs of the University;

1 (r) 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 (s) to collaborate with the governing boards of the state universities
6 and colleges (SUCs) within the Province of Sorsogon, under the supervision of
7 the CHED and in consultation with the DBM, and work towards the
8 restructuring of the University to become more efficient, relevant, productive
9 and competitive;

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

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

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

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

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

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

9 *SEC. 7. Meetings of the Board.* – The Board shall regularly convene
10 once every quarter. However, the Chairperson of the Board may, upon three
11 (3) days' prior written notice, call a maximum of two (2) special meetings
12 whenever necessary within the year.

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 CHED Chairperson, a Commissioner of the
18 CHED, duly designated by the CHED Chairperson, as representative in the
19 meeting, shall have all the rights and responsibilities of a regular member:
20 *Provided, further*, That during this meeting, the President of the University, as
21 Vice Chairperson, shall be the Presiding Officer: *Provided, furthermore*, That
22 this *proviso*, notwithstanding, the Chairperson of the CHED is hereby
23 authorized to designate a CHED Commissioner as the regular Chairperson of
24 the Board, in which case said CHED Commissioner shall act as the Presiding
25 Officer.

26 In case the Chairpersons of the Senate Committee on Education, Arts
27 and Culture and the House Committee on Higher and Technical Education will
28 not be able to attend the Board meeting, they may designate their respective

1 representatives to attend the meeting, who will have the same rights and
2 responsibilities as regular members of the Board.

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

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

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

19 The Board shall designate an Officer-in-Charge (OIC) of the University
20 in case of vacancy in the Office of the President by reason of death,
21 compulsory retirement, resignation, removal for cause, or incapacity of the
22 President to perform the functions of the office, pending the appointment of a
23 new President: *Provided*, That the OIC shall serve only the unexpired portion
24 of the term.

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

28 The salary of the President of the University shall be in accordance with
29 the Revised Compensation and Position Classification System, as modified by

1 Joint Resolution No. 4 dated June 17, 2009, and by such other laws
2 amendatory thereto, which may hereinafter be enacted, 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 Finance and Administration, and a
7 Vice President for Research, Extension and Training, who shall be appointed
8 by the Board upon recommendation of the President.

9 SEC. 9. *Heads of University Campuses.* – The Campus Directors shall
10 serve as heads or administrators of the University campuses and shall render
11 full-time service.

12 They shall be appointed/designated by the Board upon recommendation
13 of the search committee and the President, subject to the guidelines,
14 qualifications and standards set by the Board: *Provided*, That the incumbent
15 Campus Directors of the existing campuses shall serve as Campus Directors of
16 their respective campuses upon the effectivity of this Act.

17 SEC. 10. *The Secretary of the University.* – The Board shall appoint a
18 Secretary, who shall serve as such for both the Board and the University and
19 who shall keep all records and proceedings of the Board in addition to other
20 duties and responsibilities. The Secretary of the University shall serve upon
21 each member of the Board the appropriate notice of the Board meetings.

22 SEC. 11. *The Treasurer of the University.* – The Treasurer of the
23 Philippines shall be the *ex officio* treasurer of the University.

24 SEC. 12. *Administrative Council.* – There shall be an Administrative
25 Council consisting of the President of the University, as Chairperson, and the
26 vice presidents, deans, directors and other officials of equal rank, as members,
27 whose duty is to review and recommend to the Board, policies governing the
28 administration, management and development planning of the University.

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

5 The Academic Council shall have the power to review and recommend
6 the curricular offerings and rules of discipline of the University, subject to the
7 approval of the Board. It shall fix the requirements for the admission of
8 students, as well as for their graduation and conferment of degrees, subject to
9 the review and approval of the Board through the President of the University.

10 It shall have disciplinary power over the students of the University and
11 shall formulate academic policies, rules and regulations on discipline, subject
12 to the approval of the Board.

13 SEC. 14. *The Faculty.* – No political belief, gender preference, cultural
14 or community affiliation, ethnic origin, and religious opinion or affiliation
15 shall be a matter of inquiry in the appointment of faculty members of the
16 University: *Provided*, That the appointment shall be subject to the guidelines,
17 qualifications and standards set by the Board: *Provided, further*, That a
18 member of the faculty shall not criticize, vouch for, recruit members in behalf
19 of, or preach about any particular church or religious sect.

20 SEC. 15. *Scholarship Program/Admission.* – The University shall
21 provide a scholarship program and other affirmative action programs to assist
22 poor but deserving students who qualify for admission to the University.
23 No student shall be denied admission to the University by reason of sex,
24 religion, political, cultural or community affiliation, and ethnic origin.

25 SEC. 16. *Authority to Loan or Transfer Apparatus/
26 Equipment/Supplies and Detail of Personnel.* – The heads of the bureaus and
27 offices of the national government are hereby authorized to loan or transfer,
28 upon the request of the President of the University, such apparatus, equipment
29 or supplies as may be needed by the University, and to detail employees for

1 duty therein when, in the judgment of the head of the bureau or office, such
2 apparatus, equipment, supplies or services of such employees can be spared
3 without serious detriment to public service. The employees so detailed shall
4 perform such duties as required of them by the President of the University, and
5 the time so employed shall be counted as part of their regular services.

6 SEC. 17. *Assets, Liabilities and Personnel.* – All assets, real and
7 personal, personnel and records of the SSC, as well as liabilities or obligations,
8 are hereby transferred to the University: *Provided*, That the positions, rights
9 and security of tenure of the faculty members and personnel therein employed
10 under existing laws prior to the conversion into a state university shall be
11 respected: *Provided, further*, That the incumbents of the positions shall remain
12 in the same status until otherwise provided for by the Board: *Provided, finally*,
13 That the University shall also include an upgrade or increase in its human
14 resource component.

15 All parcels of land belonging to the government occupied by the SSC
16 are hereby declared to be property of the University, and shall be titled under
17 that name: *Provided*, That should the University cease to exist or be abolished
18 or should such parcels of land aforementioned be no longer needed by the
19 University, the same shall revert to the concerned LGU or to the Republic of
20 the Philippines, as the case may be.

21 SEC. 18. *Tax Exemption.* – The importation of economic, technical
22 and cultural books and publications, which are for economic, technical-
23 vocational, scientific, philosophical, historical or cultural purposes made by
24 the University, upon certification by the CHED and the Technical Education
25 and Skills Development Authority (TESDA), shall be exempted from customs
26 duties in accordance with the provisions of Republic Act No. 10863, otherwise
27 known as the “Customs Modernization and Tariff Act (CMTA)”.

28 SEC. 19. *Appropriations.* – The amount necessary to carry out the
29 provisions of this Act shall be charged against the current year’s

1 appropriations of the SSC. Thereafter, such sums as may be necessary for the
2 continued operation and maintenance of the University shall be included in the
3 annual General Appropriations Act.

4 SEC. 20. *Development Plan, Management Audit, Organization/
5 Administrative/Academic Structure.* – Within the period of one hundred twenty
6 (120) days after the approval of this Act, the University shall accomplish the
7 following:

8 (a) submit a five (5)-year development plan, including the
9 corresponding program budget to the CHED, for corresponding
10 recommendation to the DBM;

11 (b) undergo a management audit in cooperation with the CHED; and

12 (c) accordingly set up its organizational, administrative, and academic
13 structure, including the appointment of the key officials of the University.

14 SEC. 21. *Annual Report.* – On or before the fifteenth (15th) day of the
15 second month after the opening of the regular classes each year, the Board
16 shall file with the Office of the President of the Philippines and both Houses of
17 Congress, through the CHED Chairperson, a detailed report on the progress,
18 conditions and needs of the University.

19 SEC. 22. *Supplementary Application.* – The provisions of Republic
20 Act No. 8292, otherwise known as the “Higher Education Modernization Act
21 of 1997”, shall be an integral part of this Act and shall serve as part of the
22 Governing Charter of the University.

23 SEC. 23. *Compliance with CHED Requirements.* – The provisions
24 of this Act notwithstanding, the conversion of the institution into a state
25 university shall become effective only upon the determination and declaration
26 by the CHED, based on the recommendation of a panel of experts it shall
27 constitute for the purpose, that the institution has complied with the
28 requirements for a university status based on CHED Memorandum Order

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

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

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

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

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

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

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

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

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

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

8 SEC. 25. *Implementing Rules and Regulations.* – Within sixty (60)
9 days from the effectivity of this Act, the Board, in consultation with the
10 CHED, shall formulate the rules and regulations to fully implement the
11 provisions of this Act.

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

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

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

Approved,

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