



HOUSE OF REPRESENTATIVES

H. No. 8730

BY REPRESENTATIVES BELARO, FORTUNO, JAVIER, ZAMORA (M.C.),
SUANSING (E.), BORDADO AND NIETO, PER COMMITTEE REPORT
NO. 1009

AN ACT CONVERTING THE CAMARINES SUR POLYTECHNIC
COLLEGES IN THE MUNICIPALITY OF NABUA,
PROVINCE OF CAMARINES SUR INTO A STATE
UNIVERSITY TO BE KNOWN AS THE POLYTECHNIC
STATE UNIVERSITY OF BICOL, 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 Camarines Sur Polytechnic
2 Colleges (CSPC) in the Municipality of Nabua, Province of
3 Camarines Sur is hereby converted into a state university to be
4 known as the Polytechnic State University of Bicol, hereinafter
5 referred to as the University, and integrating therewith the
6 CSPC-Buhi Campus in the Municipality of Buhi. Its main campus
7 shall be in the Municipality of Nabua.

8 SEC. 2. *General Mandate.* – The CSPC, hereinafter referred
9 to as the University, shall primarily provide advance education,
10 higher technological and professional instruction and training in
11 education, science and technology, engineering, environment,

1 agriculture, forestry and fisheries, arts and sciences, business
2 administration and management, health sciences, and other related
3 fields of study. It shall also undertake research and extension
4 services, and provide progressive leadership in its areas of
5 specialization.

6 SEC. 3. *Curricular Offerings.* – The University shall offer
7 undergraduate and graduate courses in the fields of education,
8 science and technology, engineering, environment, agriculture,
9 fisheries, arts and sciences, business administration and
10 management, health sciences and other courses within its areas of
11 specialization and based on its capabilities, and as the Board of
12 Regents may deem necessary to carry out its objectives, in order to
13 meet the needs of the Province of Camarines Sur and Region V.

14 The existing high school shall be transferred to the
15 jurisdiction and supervision of the Department of Education
16 (DepEd): *Provided*, That the high school shall be allowed to remain
17 and operate within the campus of the University until the existing
18 students shall have completed their high school education:
19 *Provided, further*, That the University may operate a reasonably-
20 sized laboratory school under its College of Education: *Provided*,
21 *furthermore*, That the existing graduate school shall become an
22 integral part of the College of Education.

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

1 SEC. 5. *The Governing Board.* – The governing board of the
2 University shall be the Board of Regents, hereinafter referred to as
3 the Board, which shall be chaired and co-chaired by the Chairperson
4 of the Commission on Higher Education (CHED) and the President
5 of the University, respectively, with the following as members:

6 (a) Chairperson of the Committee on Education, Arts and
7 Culture of the Senate;

8 (b) Chairperson of the Committee on Higher and Technical
9 Education of the House of Representatives;

10 (c) Regional Director of the National Economic and
11 Development Authority (NEDA);

12 (d) Regional Director of the Department of Science and
13 Technology (DOST);

14 (e) Regional Director of the Department of Agriculture (DA);

15 (f) President of the federation of faculty associations of the
16 University;

17 (g) President of the federation of student councils of the
18 University;

19 (h) President of the federation of alumni associations of the
20 University; and

21 (i) Two (2) prominent citizens from the private sector who
22 have distinguished themselves in their professions or fields of
23 specialization.

24 The Board shall appoint the two (2) prominent citizens from a
25 list of at least five (5) qualified persons in the Province of
26 Camarines Sur, as recommended by the search committee to be
27 constituted by the University President, in consultation with the
28 CHED Chairperson and the other members of the Board, based on

1 the standards and qualifications for the position set by the Board.
2 They shall serve for a term of two (2) years from the date of
3 appointment.

4 Membership in the Governing Board of the President of the
5 federation of faculty associations, the President of the federation of
6 student councils, and the President of the federation of alumni
7 associations shall be coterminous with their terms of office as
8 provided under their respective constitutions and bylaws.

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

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

20 (b) Approve the curricula, instructional programs, and rules
21 of discipline drawn by the Administrative and the Academic
22 Councils herein provided;

23 (c) Appoint, upon the recommendation of the President of the
24 University, the vice presidents, deans, directors, heads of the
25 campuses, faculty members and other officials and employees of the
26 University;

27 (d) Fix and adjust the salaries of faculty members, and
28 administrative officials and employees, subject to the provisions of

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

8 (e) Fix the tuition fees and other necessary school charges,
9 such as matriculation fees, graduation fees, and laboratory fees, as
10 the Board may deem proper to impose, after due consultation with
11 the concerned sectors. The fees and charges, including government
12 subsidies and other income generated by the University, shall
13 constitute its special trust funds, and shall be deposited in any
14 authorized government depository bank, and all interests that shall
15 accrue therefrom shall form part of the same funds for the use of
16 the University. Any provision of existing law, rule or regulation to
17 the contrary notwithstanding, any income generated by the
18 University from tuition fees and other charges, as well as from the
19 operation of auxiliary services and land grants, shall be retained by
20 the University, and may be disbursed by the Board for instruction,
21 research, extension services or other programs and projects of the
22 University: *Provided*, That all fiduciary fees shall be disbursed for
23 the specific purposes for which these are collected: *Provided*,
24 *however*, That if, for reasons beyond its control, the University shall
25 not be able to pursue any project for which the funds have been
26 appropriated and allocated under its approved program of
27 expenditures, the Board may authorize the use of said funds for any
28 reasonable purpose which, in its discretion, may be necessary and

1 urgent for the attainment of the objectives and goals of the
2 University;

3 (f) Adopt and implement a socialized scheme of tuition and
4 other school fees for greater access of poor but deserving students in
5 accordance with Republic Act No. 10931 or the "Universal Access to
6 Quality Tertiary Education Act";

7 (g) Establish professorial chairs in the University and provide
8 fellowships for qualified faculty members, and scholarships to
9 deserving students;

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

14 (i) Set the policies on admission and graduation of students;

15 (j) Award honorary degrees upon persons in recognition of
16 their outstanding contribution in the fields of education, public
17 service, arts, science and technology, agriculture or any field of
18 specialization within the academic competence of the University,
19 and authorize the awarding of certificates of completion of
20 nondegree and nontraditional courses;

21 (k) Establish research and extension centers to promote the
22 development of the University;

23 (l) Develop academic arrangements for institutional
24 capability building with appropriate public, private, local and
25 foreign institutions and agencies, and appoint experts/specialists as
26 consultants, part-time/visiting/exchange professors, scholars or
27 researchers, as the case may be;

1 (m) Adopt modern and innovative modes of transmitting
2 knowledge for the promotion of greater access to education such as
3 the use of information technology, dual training system, open
4 distance learning, and community laboratory;

5 (n) Collaborate with the governing boards of state universities
6 and colleges (SUCs) within the Province of Camarines Sur and
7 Region V, under the supervision of the CHED and in consultation
8 with the Department of Budget and Management (DBM), in
9 restructuring the University to make it more efficient, relevant,
10 productive and competitive;

11 (o) Absorb non-chartered tertiary institutions within the
12 Province of Camarines Sur as branches or extension/external
13 centers, in coordination with the CHED and in consultation with
14 the DBM, and offer therein programs or courses to promote and
15 carry out equal access to educational opportunities, as mandated by
16 the Constitution;

17 (p) Authorize an external management audit of the
18 University, to be financed by the CHED, subject to the rules and
19 regulations of the Commission on Audit (COA), and institute
20 reforms, including academic and structural changes, on the basis of
21 the audit results and recommendations;

22 (q) Develop consortia and other economic forms of linkages
23 with local government units (LGUs), public, private, local and
24 foreign institutions and agencies, in the furtherance of the purposes
25 and objectives of the University;

26 (r) Import economic, technical and cultural books and
27 publications;

1 (s) Enter into joint ventures with business and industry for
2 the profitable development and management of the economic assets
3 of the University, the proceeds from which shall be used for the
4 development and strengthening of the University;

5 (t) Receive, in trust, legacies, gifts and donations of real and
6 personal properties of all kinds and administer and dispose of the
7 same, when necessary, for the benefit of the University, and subject
8 to the limitations, directions and instructions of the donor, if any;

9 (u) Authorize the construction or repair of its buildings,
10 machinery, equipment and other facilities, and the purchase and
11 acquisition of real property, including the necessary supplies,
12 materials and equipment;

13 (v) Extend the term of the President of the University beyond
14 the age of retirement, but not beyond the age of seventy (70), based
15 on the guidelines, qualifications and standards set by the Board:
16 *Provided*, That the President's performance has been rated by the
17 Board as outstanding and unanimous recommendation has been
18 decided by the search committee;

19 (w) Delegate any of its powers and duties provided to the
20 President and other officials of the University, as it may deem
21 appropriate, so as to expedite the administration of the affairs of the
22 University;

23 (x) Establish policy guidelines and procedures for
24 participative decision-making and transparency within the
25 University;

26 (y) Where most advantageous to the University, privatize the
27 management of nonacademic services such as health, food, building

1 or grounds or property maintenance, and such other similar
2 activities; and

3 (z) Promulgate rules and regulations, as may be necessary, to
4 carry out the purposes and functions of the University.

5 SEC. 7. *Meetings of the Board.* – The Board shall regularly
6 convene once every quarter. The Chairperson of the Board may,
7 however, call a special meeting whenever necessary: *Provided*, That
8 members are notified in writing at least three (3) days prior to the
9 conduct of meeting.

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

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

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

1 attend the meeting, who shall 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
4 shall be entitled to reimbursements for actual and necessary
5 expenses incurred, either for their attendance in the meetings of the
6 Board or in connection with other official business authorized by
7 resolutions of the Board, subject to existing laws and regulations.

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

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

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

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

1 The salary of the President of the University shall be in
2 accordance with Republic Act No. 6758 or the revised
3 “Compensation and Position Classification Act of 1989”, as modified
4 by Joint Resolution No. 4 dated June 17, 2009, and by such other
5 laws amendatory thereto, which may hereinafter be enacted, and
6 shall be comparable to that being received by the Presidents of
7 similar educational institutions.

8 The President of the University shall be assisted by a Vice
9 President for Academic Affairs, a Vice President for Finance and
10 Administration, and a Vice President for Research, Extension and
11 Training, who shall be appointed by the Board upon the
12 recommendation of the President of the University.

13 SEC. 9. *The Secretary of the University.* – The Board shall
14 appoint a Secretary who shall serve as such for both the Board and
15 the University and shall keep all records and proceedings of the
16 Board in addition to other duties and responsibilities. The Secretary
17 of the University shall serve upon each member of the Board the
18 appropriate notice of Board meetings.

19 SEC. 10. *The Treasurer of the University.* – The Treasurer of
20 the Philippines shall be the *ex officio* treasurer of the University.

21 SEC. 11. *Administrative Council.* – There shall be an
22 Administrative Council consisting of the President of the
23 University, as Chairperson, and the vice presidents, deans, directors
24 and other officials of equal rank, as members, whose duty is to
25 review and recommend to the Board such policies governing the
26 administration, management and development planning of the
27 University.

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

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

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

14 SEC. 13. *Heads of University Campuses.* – The Campus
15 Directors shall serve as heads or administrators of the University
16 campuses and shall render full-time service.

17 They shall be appointed or designated by the Board, upon the
18 recommendation of the Search Committee and the President,
19 subject to the guidelines, qualifications and standards set by the
20 Board: *Provided*, That the incumbent Campus Directors of the
21 existing campuses of the CSPC shall serve as Campus Directors of
22 their respective campuses upon the effectivity of this Act.

23 SEC. 14. *The Faculty.* – No political belief, gender preference,
24 cultural or community affiliation, ethnic origin, religious opinion or
25 affiliation shall be a matter of inquiry in the appointment of faculty
26 members of the University: *Provided*, That the appointment shall be
27 subject to the guidelines, qualifications and standards set by the
28 Board: *Provided, further*, That a member of the faculty shall not

1 criticize, vouch for, recruit members in behalf of, or preach about
2 any particular church or religious sect.

3 SEC. 15. *Academic Freedom and Institutional Autonomy.* –
4 The University shall enjoy academic freedom and institutional
5 autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the
6 Philippine Constitution.

7 SEC. 16. *Scholarship Program/Admission.* – The University
8 shall provide a scholarship program and other affirmative action
9 programs to assist poor but deserving students who qualify for
10 admission to the University. No student shall be denied admission
11 to the University by reason of sex, religion, political, cultural or
12 community affiliation, and ethnic origin.

13 SEC. 17. *Authority to Loan or Transfer Apparatus/
14 Equipment/Supplies and Detail of Personnel.* – The heads of the
15 bureaus and offices of the national government are hereby
16 authorized to loan or transfer, upon the request of the President of
17 the University, such apparatus, equipment or supplies as may be
18 needed by the University, and to detail employees for duty therein
19 when, in the judgment of the head of bureau or office, such
20 apparatus, equipment, supplies or services of such employees can be
21 spared without serious detriment to public service. The employees
22 so detailed shall perform such duties as required of them by the
23 President of the University, and the time so employed shall be
24 counted as part of their regular service.

25 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real
26 and personal, personnel and records of the CSPC, as well as
27 liabilities or obligations, are hereby transferred to the University:
28 *Provided, That* the positions, rights and security of tenure of the

1 faculty members and personnel therein employed under existing
2 laws prior to the conversion into a university shall be respected:
3 *Provided, further,* That the incumbents of the positions shall remain
4 in the same status until otherwise provided for by the Board:
5 *Provided, finally,* That the University shall also include an upgrade
6 or increase in its human resource component.

7 All parcels of land belonging to the government occupied by
8 the CSPC are hereby declared to be property of the University, and
9 shall be titled under its name: *Provided,* That should the University
10 cease to exist or be abolished or should such aforementioned parcels
11 of land be no longer needed by the University, the same shall revert
12 to the concerned LGU or to the Republic of the Philippines, as the
13 case may be.

14 SEC. 19. *Tax Exemption.* – The importation of economic,
15 technical and cultural books and publications, which are for
16 economic, technical-vocational, scientific, philosophical, historical or
17 cultural purposes made by the University, upon certification by the
18 CHED, shall be exempt from customs duties in accordance with the
19 provisions of Republic Act No. 10863, otherwise known as the
20 “Customs Modernization and Tariff Act (CMTA)”.

21 All grants, bequests, endowments, donations and
22 contributions made to the University to be used actually, directly,
23 and exclusively by it, shall be exempt from the donor’s tax and the
24 same shall be considered as allowable deduction from the gross
25 income in the computation of the income tax of the donor, in
26 accordance with the provisions of the National Internal Revenue
27 Code of 1997, as amended.

1 SEC. 20. *Compliance with CHED Requirements.* – The
2 provisions of this Act notwithstanding, the conversion of the
3 institution into a state university shall become effective only upon
4 the determination and declaration by the CHED, based on the
5 recommendation of a panel of experts it shall constitute for the
6 purpose, that the institution has complied with the requirements for
7 a university status based on CHED Memorandum Order No. 46,
8 series of 2012 (Policy-Standard to Enhance Quality Assurance (QA)
9 in Philippine Higher Education through an Outcomes-Based and
10 Typology-Based QA): *Provided*, That the panel may issue such a
11 recommendation when the institution has substantially complied
12 with the requirements for the grant of university status.

13 The following requirements for a university, as established by
14 the CHED, shall be complied with:

15 (a) Faculty members must possess relevant degrees in their
16 areas of specialization, as required by the CHED, and have
17 participated in research and development activities in their
18 respective disciplines, as evidenced by refereed publications and
19 other scholarly outputs;

20 (b) The University must offer a comprehensive range of
21 degree programs in all levels, from basic post-secondary to doctoral
22 programs;

23 (c) The University must have conducted viable research
24 programs in specific disciplinal and multidisciplinary areas of study
25 that produce new knowledge, as evidenced by refereed publications,
26 citations, inventions, and patents, among others;

27 (d) The University must possess comprehensive learning
28 resources and support structures (such as libraries, practicum

1 laboratories, relevant educational resources, and linkages with the
2 relevant disciplinal and professional sectors) that allow students to
3 explore basic, advance, and even cutting-edge knowledge in a wide
4 range of disciplines or professions;

5 (e) The University must have and maintain linkages with
6 other research institutions in various parts of the world to ensure
7 that the research activities of the University are functioning at
8 current global standards; and

9 (f) The University must conduct outreach activities to allow
10 the students, faculty, and research staff to apply the new knowledge
11 they generate to address specific social development problems
12 broadly defined.

13 The CHED, through its regional office, shall regularly provide
14 technical assistance to the institution and monitor compliance with
15 the requirements of the Commission.

16 The institution shall retain its status prior to the effectivity of
17 this Act until it is able to comply with the requirements provided
18 herein.

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

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

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

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

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

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

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

18 SEC. 25. *Appropriations.* – The amount necessary to carry out
19 the provisions of this Act shall be charged against the current year’s
20 appropriations of the CSPC. Thereafter, such sums as may be
21 necessary for the continued operation and maintenance of the
22 University shall be included in the annual General Appropriations
23 Act.

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

1 SEC. 27. *Separability Clause.* – If, for any reason, any part or
2 provision of this Act is declared invalid or unconstitutional, the
3 remaining parts or provisions not affected thereby shall remain in
4 full force and effect.

5 SEC. 28. *Repealing Clause.* – All laws, presidential decrees,
6 executive orders, and rules and regulations contrary to or
7 inconsistent with the provisions of this Act are hereby repealed or
8 modified accordingly.

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

Approved,

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