



HOUSE OF REPRESENTATIVES

H. No. 4916

BY REPRESENTATIVES TEODORO, VILLAR, ABAYON, ANDAYA, LAPUS AND
TEVES, PER COMMITTEE REPORT NO. 1206

AN ACT CONVERTING THE TARLAC COLLEGE OF AGRICULTURE
IN THE MUNICIPALITY OF CAMILING, PROVINCE OF TARLAC
INTO A STATE UNIVERSITY TO BE KNOWN AS THE CENTRAL
LUZON AGRICULTURAL UNIVERSITY (CLAU) 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 Tarlac College of Agriculture in the
2 Municipality of Camiling, Province of Tarlac is hereby converted into a state
3 university to be known as the Central Luzon Agricultural University (CLAU),
4 hereinafter referred to as the University.

5 SEC. 2. *General Mandate.* – The University shall primarily provide
6 advanced instructions and professional training in agriculture, arts, science and
7 technology, education and other related fields. It shall also undertake research
8 and extension services, and provide progressive leadership in its areas of
9 specialization.

1 SEC. 3. *Curricular Offerings.* – The University shall offer graduate and
2 undergraduate courses in the field of agriculture and related sciences according
3 to its capabilities, as the Board of Regents may deem necessary to carry out its
4 objectives, particularly to meet the needs of the Province of Tarlac and Region
5 III: *Provided*, That the University shall retain its original mandate as primarily
6 an agricultural institution: *Provided, further*, That in the case of graduate
7 courses, the University shall strengthen its masteral and doctorate degree
8 programs in agriculture and allied courses.

9 The existing high school shall be transferred to the jurisdiction and
10 supervision of the Department of Education (DepEd): *Provided*, That the high
11 school shall be allowed to remain and operate within the campus of the
12 University until the existing students shall have completed their high school
13 education: *Provided, further*, That the University may operate a reasonably-
14 sized laboratory school, if it has a College of Education: *Provided*,
15 *furthermore*, That the existing graduate school will become an integral part of
16 the teacher education department.

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

28 (b) The president of the University, vice chairperson;

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

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

5 (e) The regional director of the National Economic and Development
6 Authority (NEDA), member;

7 (f) The regional director of the Department of Agriculture (DA),
8 member;

9 (g) The president of the faculty association of the University, member;

10 (h) The president of the student council of the University, member;

11 (i) The president of the alumni association of the University, member;
12 and

13 (j) Two prominent citizens from the private sector who have
14 distinguished themselves in their profession or fields of specialization of the
15 University, members.

16 The Board shall appoint the two prominent citizens from among a list of
17 at least five persons qualified in the Province of Tarlac, as recommended by
18 the search committee constituted by the University president, in consultation
19 with the chairperson of the CHED, based on the normal standards and
20 qualifications for the position.

21 The term of office of the president of the faculty association, the
22 president of the student council and the president of the alumni association
23 shall be coterminous with their respective terms of office.

24 The two prominent citizens shall serve for a term of two years from the
25 date of appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (h) To appoint upon recommendation of the president of the
2 University, vice presidents, deans, directors, heads of campuses, faculty
3 members and other officials and employees of the University;

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

12 (j) To approve the curricula, institutional programs and rules of
13 discipline drawn by the administrative and academic councils herein provided;

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

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

20 (m) To establish and absorb nonchartered tertiary institutions within the
21 Province of Tarlac as branches and extension centers in coordination with the
22 CHED, and in consultation with the Department of Budget and Management
23 (DBM), and to offer therein programs or courses, to promote and carry out
24 equal and greater access to educational opportunities as mandated by the
25 Constitution;

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

1 (o) To establish chairs in the University and to provide fellowships for
2 qualified faculty members and scholarships to deserving students;

3 (p) To delegate any of its powers and duties provided for hereinabove
4 to the president or officer-in-charge and/or other officials of the University, as
5 it may deem appropriate, so as to expedite the administration of the affairs of
6 the University;

7 (q) To authorize an external management audit of the University, to be
8 financed by the CHED, subject to Commission on Audit rules and regulations;
9 and to institute reforms, including academic and structural changes, on the
10 basis of the audit results and recommendations;

11 (r) To collaborate with other governing boards of the state colleges and
12 universities within the Province of Tarlac or Region III, under the supervision
13 of the CHED and in consultation with the DBM, and work towards the
14 restructuring of the University to become more efficient, relevant, productive
15 and competitive;

16 (s) To enter into joint ventures with business and industry for the
17 profitable development and management of the economic assets of the
18 University, the proceeds from which shall be used for the development and
19 strengthening of the University;

20 (t) To develop consortia and other economic forms of linkages with
21 Local Government Units, institutions and agencies, both public and private,
22 local and foreign, in furtherance of the purposes and objectives of the
23 University;

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

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

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

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

10 (y) To extend the term of the president of the University beyond the
11 age of retirement but not beyond the age of seventy (70), whose performance
12 has been unanimously rated by the governing board as outstanding, based on
13 the guidelines, qualifications and/or standards set by the Board, after
14 unanimous recommendation by the search committee.

15 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at
16 least once every quarter. However, the chairperson of the Board may, upon
17 three days' prior written notice, call a special meeting whenever necessary.

18 A quorum of the Board shall consist of majority of all its members
19 holding office at the time of the meeting: *Provided, however,* That the
20 chairperson of the Board or the president of the University is among those
21 present in the meeting.

22 In the absence of the chairperson of the CHED, a commissioner of the
23 CHED, duly designated by him/her, shall represent him/her in the meeting with
24 all the rights and responsibilities of a regular member: *Provided, however,*
25 That in the said meeting, the president of the University as vice chairperson
26 shall be the presiding officer: *Provided, further,* That this *proviso*
27 notwithstanding, the chairperson of the CHED is hereby authorized to

1 designate a CHED commissioner as the regular chair of the Board in which
2 case said CHED commissioner shall act as the presiding officer.

3 In the absence of the chairpersons of the Congressional Committees on
4 Education, they may designate their respective representatives who shall attend
5 the said meetings with all the rights and responsibilities of a regular member.

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

11 SEC. 9. *The University President.* – The University shall be headed by
12 a president, who shall render full time service. He/she shall be appointed by
13 the Board, upon recommendation of a duly constituted search committee.
14 He/she shall have a term of four years and shall be eligible for reappointment
15 for another term: *Provided,* That in order to effect a smooth transition to a
16 state university, the incumbent president of the Tarlac College of Agriculture,
17 if qualified, shall be the first president of the University.

18 In case of vacancy in the office of the president of the University by
19 reason of death, compulsory retirement, resignation, removal for cause or
20 incapacity of the president to perform the functions of his/her office, the Board
21 shall have the authority to designate an officer-in-charge of the University
22 pending the appointment of a new president.

23 In case of vacancy in the office of the president as mentioned in the
24 immediately preceding paragraph, his/her successor or the officer-in-charge
25 shall hold office for the unexpired term only.

26 The president of the University, whose term may be terminated
27 according to this Act, shall be entitled to full retirement benefits under existing
28 laws.

1 The powers and duties of the president of the University, in addition to
2 those specifically provided in this Act, shall be those usually pertaining to the
3 office of the president of similar universities and those delegated by the Board.

4 The salary of the president of the University shall be in accordance with
5 the Revised Compensation and Position Classification System and shall be
6 comparable to that being received by the presidents of similar educational
7 institutions.

8 The president of the University shall be assisted by a vice president for
9 academic affairs and a vice president for administrative affairs, who shall be
10 appointed by the Board upon the recommendation of the president.

11 SEC. 10. *Administrative Council.* – There shall be an administrative
12 council consisting of the president of the University as chairperson, vice
13 president(s), deans, directors and other officials of equal rank as members,
14 whose duty is to review and recommend to the Board the policies governing
15 the administration, management and development planning of the University.

16 SEC. 11. *Academic Council.* – There shall be an academic council with
17 the president of the University as chairperson and all the members of the
18 academic staff with the rank of not lower than assistant professor as members.

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

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

1 shall keep all records and proceedings of the Board. He/she shall
2 communicate to each member of the Board the notices of meetings.

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

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

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

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

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

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

1 of them by the president of the University, and the time so employed shall be
2 counted as part of their regular services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved,