

SEC. 31. *Health Services.* - The Museum shall be provided with adequate health care services.

SEC. 32. *De-accessioning Policy.* - The National Museum may provide for a de-accessioning policy for the purpose of upgrading its collections.

SEC. 33. The National Museum shall be allowed to charge admission fees. It shall also be open on Saturdays, Sundays and public holidays.

SEC. 34. *Special Budget and Audit Rules Applicable to the Museum.* - Recognizing the unique status and special needs of the Museum, the Commission on Audit, Department of Budget and Management and the National Museum shall draw up special rules enhancing and implementing the legislative intention to provide the Museum complete and full flexibility and fiscal autonomy in accordance with generally accepted rules and practices applicable to similar institutions. Said rules shall be drafted and promulgated within sixty (60) days from the effectivity of this Act.

SEC. 35. *Penalties.* - In addition to the penalties provided under existing laws, any person, including the officers and employees of the museum, found guilty of violating any provision of this Act shall be imprisoned for a term not exceeding two (2) years or a fine not exceeding Ten thousand pesos (P10,000), or both such imprisonment and fine at the discretion of the court.

SEC. 36. *Reorganization.* - With the approval of the Board, the Museum shall have the authority to reorganize its structure and staffing pattern in order to carry out its functions.

The incumbents in the leadership structure of the existing National Museum shall automatically be upgraded to these analogous positions, with respect to the rest of the personnel, they shall be extended automatic reappointment except those who opt to avail of an early retirement scheme as determined by the Board of Trustees.

SEC. 37. *Repealing Clause.* - The provisions of the Philippine Legislative Act No. 3477, Republic Act No. 4846, Presidential Decree No. 374, Executive Order No. 30, Presidential Proclamation No. 913 and other related laws to the extent that they be inconsistent with this Act, are hereby repealed or amended accordingly.

SEC. 38. *Separability Clause.* - If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the parts or provisions not affected thereby shall remain in full force and effect.

SEC. 39. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in two newspapers of general circulation, whichever comes first.

Approved,

CONFERENCE COMMITTEE REPORT
ON H. NO. 1325/S. NO. 2320
(Cebu Normal University)

Senator Tatad. Mr. President, I move that we now consider the Conference Committee Report on the disagreeing provisions of House Bill No. 1325 and Senate Bill No. 2320.

The President. Is there any objection? [*Silence*] There being none, the motion is approved.

Senator Tatad. I ask that the distinguished chairman of the Senate panel, the chairman of the Committee on Education, be recognized.

The President. Senator Angara is recognized.

REPORT OF SENATOR ANGARA

Senator Angara. Thank you, Mr. President.

Mr. President, our conference panel met with our counterpart of the House and we have agreed as follows:

1) The conferees agreed to adopt the House version as the working draft; and

2) On page 2, line 2 of the House version, between the words "specialization" and "as," the following phrase **AND ACCORDING TO ITS CAPABILITIES** were inserted.

There were various other editorial changes inserted, Mr. President, and these are all outlined in the Joint Explanation of the Conference Committee on the Disagreeing provisions of House Bill No. 1325 and Senate Bill No. 2320, which I would ask, and with the permission of the Body, to be inserted into the Record as it would read line by line.

The President. Let that be inserted.

Senator Angara. The following is the enlisted text of the joint resolution:

1) On page 3, line 1, the phrase "Director-General" was deleted and in lieu thereof, the phrase REGIONAL DIRECTOR was inserted;

2) On page 3, line 9, the phrase "at least" was deleted;

3) On page 3, line 12, the word "school" was deleted and in lieu thereof, the word UNIVERSITY was inserted;

4) On page 3, lines 19 to 20, the phrase "Director-General" was deleted and in lieu thereof, the phrase REGIONAL DIRECTOR was inserted;

5) On page 3, line 22, the word "clubs" was deleted and in lieu thereof, the word ASSOCIATION was inserted;

6) On page 3, line 23, the phrase "when deemed necessary" was deleted;

7) On page 4, lines 3 and 4, the words and figure "four (4)" and "respectively" were deleted;

8) On page 4, line 8, after the word "officials," a new paragraph was inserted which shall read as follows:

IN CASE OF VACANCY IN THE OFFICE OF THE PRESIDENT, THE OFFICER-IN-CHARGE OF THE UNIVERSITY DESIGNATED BY THE BOARD SHALL SERVE FOR THE UNEXPIRED TERM ONLY.;

9) On page 5, line 1, the word "promulgate" was deleted and in lieu thereof, the word ENACT was inserted;

10) On page 5, line 4, the word "allocate" was deleted and in lieu thereof, the word APPROPRIATE was inserted;

11) On page 5, line 5, the word "State" was deleted;

12) On page 5, line 14, the word "State" was deleted;

13) On page 5, line 20, after the word "impose" the following was inserted:

AFTER DUE CONSULTATIONS WITH THE INVOLVED SECTORS;

SUCH FEES AND CHARGES, INCLUDING GOVERNMENT SUBSIDIES AND OTHER INCOME GENERATED BY THE UNIVERSITY,

SHALL CONSTITUTE SPECIAL TRUST FUNDS AND SHALL BE DEPOSITED IN ANY AUTHORIZED GOVERNMENT DEPOSITORY BANK, AND ALL INTERESTS THAT SHALL ACCRUE THEREFROM SHALL FORM PART OF THE SAME FUNDS FOR THE USE OF THE UNIVERSITY.

ANY PROVISION OF EXISTING LAWS, RULES AND REGULATIONS TO THE CONTRARY NOTWITHSTANDING, ANY INCOME GENERATED BY THE UNIVERSITY FROM TUITION FEES AND OTHER CHARGES, AS WELL AS FROM THE OPERATION OF AUXILIARY SERVICES AND LAND GRANTS, SHALL BE RETAINED BY THE UNIVERSITY, AND MAY BE DISBURSED BY THE BOARD FOR INSTRUCTION, RESEARCH, EXTENSION, OR OTHER PROGRAMS/PROJECTS OF THE UNIVERSITY: PROVIDED, THAT ALL FIDUCIARY FEES SHALL BE DISBURSED FOR THE SPECIFIC PURPOSE FOR WHICH THEY ARE COLLECTED.

IF, FOR REASON BEYOND ITS CONTROL THE UNIVERSITY SHALL NOT BE ABLE TO PURSUE ANY PROJECTS FOR WHICH FUNDS HAVE BEEN APPROPRIATED AND ALLOCATED UNDER ITS APPROVED PROGRAM OF EXPENDITURES, THE BOARD MAY AUTHORIZE THE USE OF SAID FUNDS FOR ANY REASONABLE PURPOSE WHICH, IN ITS DISCRETIONS, MAY BE NECESSARY AND URGENT FOR THE ATTAINMENT OF THE OBJECTIVES AND GOALS OF THE UNIVERSITY;

14) On page 6, line 2, the phrase "confirm designations of" was deleted and in lieu thereof, the following was inserted: APPOINT, UPON THE RECOMMENDATION OF THE PRESIDENT OF THE UNIVERSITY;

15) On page 6, lines 4 to 5, the words "of the University made by the University president" were deleted;

16) On page 6, line 7, the phrase "in accordance with" was deleted and in lieu thereof, the phrase SUBJECT TO THE PROVISIONS OF was inserted;

17) On page 6, line 8, between the word "system" and the semicolon ";", the following words were inserted: AND OTHER PERTINENT BUDGET AND COMPENSATION LAWS GOVERNING HOURS OF SERVICE, AND SUCH OTHER DUTIES AND CONDITIONS AS IT MAY DEEM PROPER;

TO GRANT THEM, AT ITS DISCRETION, LEAVES OF ABSENCE UNDER SUCH REGULATIONS AS IT MAY PROMULGATE, ANY PROVISIONS OF EXISTING LAWS TO THE CONTRARY NOTWITHSTANDING; AND TO REMOVE THEM FOR CAUSE IN ACCORDANCE WITH THE REQUIREMENTS OF DUE PROCESS OF LAWS;

18) On page 7, lines 18 to 27 were deleted;

19) On page 8, lines 1 to 2 were deleted;

20) On page 8, line 7, the phrase "on honoraria and allowances" was deleted and in lieu thereof, the phrase AND REGULATIONS was inserted;

21) On page 8, lines 8 to 13, the whole first paragraph of Section 10 was deleted and in lieu thereof, the following new paragraph was inserted:

THE UNIVERSITY SHALL BE HEADED BY A PRESIDENT WHO SHALL RENDER FULL-TIME SERVICE. HE SHALL BE APPOINTED BY THE BOARD UPON THE RECOMMENDATION OF A DULY CONSTITUTED SEARCH COMMITTEE. HE SHALL HOLD OFFICE FOR A TERM OF FOUR (4) YEARS, EXTENDIBLE ONLY FOR ANOTHER FOUR (4) YEARS.

22) On page 8, line 15, between the words "death" and "resignation," the following words were inserted: COMPULSORY RETIREMENT;

23) On page 8, line 18, the word "successor" was deleted and in lieu thereof, the phrase NEW PRESIDENT was inserted;

24) On page 4, line 2, after the word "universities" the following words were added: AND THOSE DESIGNATED BY THE BOARD;

25) On page 9, line 8, between the words "The" and "President," the word INCUMBENT was inserted;

26) On page 9, line 8, between the words "Universities" and "whose," the following words were inserted: AT THE TIME THIS ACT SHALL TAKE EFFECT;

27) On page 11, lines 7 to 9, the phrase starting from the word "The" up to the word "Education" were deleted and in lieu thereof, the following words were inserted: BOTH HOUSES OF CONGRESS AND THE COMMISSION ON HIGHER EDUCATION;

28) On page 12, line 21, a new section, Section 22, was inserted

in the reconciled version which shall read as follows:

SEC. 22. THE PROVISIONS OF THE REPUBLIC ACT NO. 8292, OTHERWISE KNOWN AS THE "HIGHER EDUCATION MODERNIZATION ACT OF 1997", SHALL FORM AS AN INTEGRAL PART OF THIS ACT AND TOGETHER SHALL SERVE AS THE GOVERNING CHARTER OF THE UNIVERSITY.;

29) Section 23 of the Senate version was adopted and was placed as Section 24 of the reconciled version to read as follows:

SEC. 24. IF, FOR ANY, REASON, ANY PART OR PROVISION OF THIS ACT IS DECLARED INVALID OR UNCONSTITUTIONAL, THE REMAINING PARTS OR PROVISIONS NOT AFFECTED THEREBY, SHALL REMAIN IN FULL FORCE AND EFFECT.; and

30) The subsequent sections were renumbered accordingly.

With that, Mr. President, I respectfully but strongly urge the approval of this joint conference committee report.

APPROVAL OF CONFERENCE COMMITTEE REPORT
ON H. NO. 1325 AND S. NO. 2320

Senator Tatad. Mr. President, I move for the approval of the report.

The President. Is there any objection? [Silence] There being none, the Bicameral Conference Committee Report on the disagreeing provisions of House Bill No. 1325 and Senate Bill No. 2320 is hereby approved.

The following is the whole text of the Conference Committee Report:

JOINT EXPLANATION OF THE CONFERENCE
COMMITTEE ON THE DISAGREEING
PROVISIONS OF HOUSE BILL NO. 1325
AND SENATE BILL NO. 2320

The Conference Committee on the disagreeing provisions of House Bill No. 1325 and Senate Bill No. 2320, after having met and fully discussed the subject matter in a conference hereby report to their respective houses the following, that:

1. The conferees agreed to adopt the House version as the working draft;

2. On page 2, line 2 of the House version, between the words "specialization" and "as", the following phrase AND ACCORDING TO ITS CAPABILITIES was inserted;
3. On page 3, line 1, the phrase "DIRECTOR-GENERAL" was deleted and in lieu thereof, the phrase REGIONAL DIRECTOR was inserted;
4. On page 3, line 9, the phrase "at least" was deleted;
5. On page 3, line 12, the word "school" was deleted and in lieu thereof, the word UNIVERSITY was inserted;
6. On page 3, lines 19 to 20, the phrase "Director-General" was deleted and in lieu thereof, the phrase REGIONAL DIRECTOR was inserted;
7. On page 3, line 22, the word "clubs" was deleted and in lieu thereof the word ASSOCIATION was inserted;
8. On page 3, line 23, the phrase "when deemed necessary" was deleted;
9. On page 4, lines 3 and 4, the words and figure "four (4)" and "respectively" were deleted;
10. On page 4, line 8, after the word "officials", a new paragraph was inserted which shall read as follows:

IN CASE OF VACANCY IN THE OFFICE OF THE PRESIDENT, THE OFFICER-IN-CHARGE OF THE UNIVERSITY DESIGNATED BY THE BOARD SHALL SERVE FOR THE UNEXPIRED TERM ONLY.;
11. On page 5, line 1 the word "promulgate" was deleted and in lieu thereof, the word ENACT was inserted;
12. On page 5, line 4, the word "allocate" was deleted and in lieu thereof, the word APPROPRIATE was inserted;
13. On page 5, line 5, the word "State" was deleted;
14. On page 5, line 14, the word "State" was deleted;
15. On page 5, line 20, after the word "impose" the following was inserted:

AFTER DUE CONSULTATIONS WITH THE INVOLVED SECTORS;

SUCH FEES AND CHARGES, INCLUDING GOVERNMENT SUBSIDIES AND OTHER INCOME GENERATED BY THE UNIVERSITY, SHALL CONSTITUTE SPECIAL TRUST FUNDS AND SHALL BE DEPOSITED IN ANY AUTHORIZED GOVERNMENT DEPOSITORY BANK, AND ALL INTERESTS THAT SHALL ACCRUE THEREFROM SHALL FORM PART OF THE SAME FUNDS FOR THE USE OF THE UNIVERSITY.

ANY PROVISION OF EXISTING LAWS, RULES AND REGULATIONS TO THE CONTRARY NOTWITHSTANDING, ANY INCOME GENERATED BY THE UNIVERSITY FROM TUITION FEES AND OTHER CHARGES, AS WELL AS FROM THE OPERATION OF AUXILIARY SERVICES AND LAND GRANTS, SHALL BE RETAINED BY THE UNIVERSITY, AND MAY BE DISBURSED BY THE BOARD FOR INSTRUCTION, RESEARCH, EXTENSION, OR OTHER PROGRAMS/PROJECTS OF THE UNIVERSITY: *PROVIDED*, THAT ALL FIDUCIARY FEES SHALL BE DISBURSED FOR THE SPECIFIC PURPOSE FOR WHICH THEY ARE COLLECTED.

IF, FOR REASON BEYOND ITS CONTROL THE UNIVERSITY SHALL NOT BE ABLE TO PURSUE ANY PROJECTS FOR WHICH FUNDS HAVE BEEN APPROPRIATED AND ALLOCATED UNDER ITS APPROVED PROGRAM OF EXPENDITURES, THE BOARD MAY AUTHORIZE THE USE OF SAID FUNDS FOR ANY REASONABLE PURPOSE WHICH, IN ITS DISCRETION, MAY BE NECESSARY AND URGENT FOR THE ATTAINMENT OF THE OBJECTIVES AND GOALS OF THE UNIVERSITY";

16. On page 6, line 2, the phrase "confirm designations of" was deleted and in lieu thereof, the following was inserted APPOINT, UPON THE RECOMMENDATION OF THE PRESIDENT OF THE UNIVERSITY;
17. On page 6, lines 4 to 5, the words "of the University made by the University president" were deleted;

18. On page 6, line 7, the phrase "in accordance with" was deleted and in lieu thereof, the phrase SUBJECT TO THE PROVISIONS OF was inserted;
19. On page 6, line 8, between the word "system" and the semicolon ";", the following phrase was inserted: AND OTHER PERTINENT BUDGET AND COMPENSATION LAWS GOVERNING HOURS OF SERVICE, AND SUCH OTHER DUTIES AND CONDITIONS AS IT MAY DEEM PROPER; TO GRANT THEM, AT ITS DISCRETION, LEAVES OF ABSENCE UNDER SUCH REGULATIONS AS IT MAY PROMULGATE, ANY PROVISIONS OF EXISTING LAWS TO THE CONTRARY NOTWITHSTANDING; AND TO REMOVE THEM FOR CAUSE IN ACCORDANCE WITH THE REQUIREMENTS OF DUE PROCESS OF LAWS;
20. On page 7, lines 18 to 27 were deleted;
21. On page 8, lines 1 to 2 were deleted;
22. On page 8, line 7, phrase "on honoraria and allowances" was deleted and in lieu thereof, the phrase AND REGULATIONS was inserted;
23. On page 8, lines 8 to 13, the whole first paragraph of Section 10 was deleted and in lieu thereof, the following new paragraph was inserted:

The University shall be headed by a President who shall render full-time service. He shall be appointed by the Board upon the recommendation of a duly constituted search committee. He shall hold office for a term of four (4) years, extendible only for another four (4) years.
24. On page 8, line 15, between the words "death," and "resignation," the following words were inserted: COMPULSORY RETIREMENT;
25. On page 8, line 18, between the word "successor" was deleted and in lieu thereof, the phrase NEW PRESIDENT was inserted;
26. On page 4, line 2, after the word "universities" the following words were added: AND THOSE DESIGNATED BY THE BOARD;
27. On page 9, line 8, between the words "The" and "President", the word INCUMBENT was inserted;
28. On page 9, line 8, between the words "Universities" and "whose" the following phrase was inserted: AT THE TIME THIS ACT SHALL TAKE EFFECT;
29. On page 11, lines 7 to 9, the phrase starting from the word "The" up to the word "Education" were deleted and in lieu thereof, the following phrase was inserted: BOTH HOUSES OF CONGRESS AND THE COMMISSION ON HIGHER EDUCATION;
30. On page 12, line 21, a new section, Section 2, was inserted in the reconciled version which shall read as follows:

SEC. 22. The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall form as an integral part of this Act and together shall serve as the governing charter of the University.;
31. Section 23 of the Senate version was adopted and was placed as Section 24 of the reconciled version to read as follows:

SEC. 24. If, for any, reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby, shall remain in full force and effect.;
32. The subsequent sections were renumbered accordingly.

In case of a conflict between the statements/ amendments stated in this Joint Explanation and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

(Sgd.) EDGARDO J. ANGARA
Chairman, Senate Panel

(Sgd.) JOSE CARLOS V. LACSON
Chairman, House Panel

CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of House Bill No. 1325, entitled

AN ACT CONVERTING THE CEBU STATE COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU NORMAL UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR,

and Senate Bill No. 2320, entitled

AN ACT CONVERTING THE CEBU STATE COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU NORMAL UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR,

after having met and discussed the subject matter in full and free conference, has agreed and does hereby recommend to their respective Houses that House Bill No. 1325, in consolidation with Senate Bill No. 2320, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees.

Approved,

CONFEREES ON THE PART OF THE SENATE:

(Sgd.) EDGARDO J. ANGARA
Chairman

(Sgd.) MARCELO B. FERNAN

(Sgd.) LETICIA RAMOS SHAHANI

(Sgd.) JUAN M. FLAVIER

CONFEREES ON THE PART OF THE HOUSE OF REPRESENTATIVES:

(Sgd.) JOSE CARLOS V. LACSON
Chairman

(Sgd.) ALLEN S. QUIMPO

(Sgd.) EDUARDO R. GULLAS

(Sgd.) ALFREDO AMOR E. ABUEG JR.

(Sgd.) BELLAFLOR J. ANGARA-CASTILLO

AN ACT CONVERTING THE CEBU STATE COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU NORMAL UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. The Cebu State College, the first state college in Central Visayas, situated along two main streets of a centrally located district in Cebu City and servicing thousands of students from the Mindanao and Visayas Islands, is hereby converted into a state university to be known as the Cebu Normal University (CNU), hereinafter referred to as the University.

SEC. 2. The University shall primarily provide higher professional and special instructions for special purposes and promote research and extension services, advanced studies, and progressive leadership in education and other fields as may be relevant.

SEC. 3. The State University shall offer undergraduate, graduate and short-term courses within its areas of specialization and according to its capabilities, as the Board of Regents may deem necessary to carry out its objectives particularly in order to meet the needs of the province and the country.

SEC. 4. The University shall continue to operate a reasonably-sized laboratory school within its campus.

In addition, the University shall adopt public elementary and secondary schools in the city and the province of Cebu to serve as pilot centers for innovative teaching learning strategies and approaches so operated and maintained under the appropriate memorandum of agreement between the University and the Department of Education, Culture and Sports.

SEC. 5. The governing body of the University shall be the Board of regents, hereinafter referred to as the Board, which shall be composed of the following:

- a) The chairman of the Commission on Higher Education (CHED), chairman;
- b) The president of the University, vice-chairman;
- c) The chairman of the Committee on Education and

Culture of the Senate, member;

d) The chairman of the Committee on Education and Culture of the House of Representatives, member;

e) The regional director of the National Economic and Development Authority (NEDA) where the main campus is located, member;

f) The president of the federation of faculty associations of the University, member;

g) The president of the federation of student councils of the University, member;

h) The president of the alumni association of the University, member; and

i) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the institution concerned chosen from among a list of at least five (5) persons qualified in the city or the province where the University is located, as recommended by the search committee constituted by the University President, in consultation with the Chairman of the CHED, based on the normal standards and qualifications for the position, members.

The chairman of the Commission on Higher Education, the president of the University, the education committee chairmen of the Senate and the House of Representatives, and the regional director of the National Economic and Development Authority (NEDA) shall have an *ex officio* term of office.

The term of office of the president of the faculty association, the federation of student councils and the president of the alumni association, shall be coterminous with their respective terms of office.

The two (2) prominent citizens shall serve for a term of two (2) years.

For the purpose of the provision of this section, the associations of faculty, alumni, and student councils in each branch of the University shall organize themselves to form their respective federations which in turn shall elect their federation officials.

In case of vacancy in the office of the president, the officer-in-charge of the University designated by the Board shall serve for the unexpired term only.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared policies in education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

SEC. 7. The University shall have the general powers of a corporation as set forth in the corporation law. The administration of the University and the exercise of its corporate powers shall be vested exclusively in the Board of Regents and the president of the State University insofar as authorized by the Board.

SEC. 8. The Board shall have the following specific powers and duties in addition to the general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under existing law:

a) To enact rules and regulations not contrary to law, as may be necessary to carry out the purposes and functions of the University;

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

c) To import duty-free, subject to existing laws, essential commodities, materials and equipment for educational or technological programs, provided such commodities, materials and equipment are not available locally at a comparable price;

d) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University and subject to the limitations, directions and instructions of the donor, if any. Such donations shall be subject to existing laws on tax exemptions;

e) To fix tuition fees and other necessary school charges, as such but not limited to matriculation fees, graduation fees and laboratory fees as the Board may deem proper to impose, after due consultation with the involved sectors;

Such fees and charges, including government

subsidies and other income generated by the University, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interest that shall accrue therefrom shall form part of the same funds for the use of the University.

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

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

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

g) To appoint, upon the recommendation of the president of the University, vice presidents, deans, directors, heads of departments, faculty members and other officials and employees;

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

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

j) To confer degrees upon successful candidates for graduation; to award honorary degrees upon persons

in recognition of outstanding contribution in the field of education or in any field of specialization of the University; and to authorize the awarding of certificates for completion of non-degree and non-traditional courses;

k) To establish branches within the province of Cebu if and when it becomes essential and necessary where there is no existing school offering similar programs or courses to promote and carry out equal access in educational opportunity as mandated by the Constitution. The University shall negotiate for the donation of properties, real or personal, from the municipalities and local government units for such purpose; and

l) To establish chairs in the University and to provide fellowships for qualified faculty members and administrative staff and scholarships to deserving students.

SEC. 9. The Board of Regents shall convene regularly at least once every two (2) months. The chairman of the Board of Regents may, upon three (3) days prior written notice, call special meeting whenever necessary.

A quorum of the Board shall consist of majority of all members holding office at the time of the meeting: *Provided, however*, That the chairman of the CHED, who is the chairman of the Board or the president of the University is among those present in the meeting.

In the absence of the chairman of the CHED, a commissioner of the CHED duly designated by him, shall represent him in the meeting: *Provided, however*, That during this meeting, the president of the University as vice-chairman shall be the presiding officer.

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

SEC. 10. The University shall be headed by a President who shall render full-time service. He shall be appointed by the Board upon the recommendation of a duly constituted search committee. He shall hold office for a term of four (4) years, extendible only for another four (4) years.

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

In case of vacancy in the office of the president as mentioned in the immediately preceding paragraph, his successor shall hold office for the unexpired term only.

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

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

The incumbent president of the University at the time this act shall take effect, whose term may be terminated according to this Act, shall be entitled to full retirement benefits under existing laws.

SEC. 11. There shall be an administrative council of the University consisting of the president of the University, as chairman; the vice-presidents, deans, directors, and other officials of equal rank, as members, whose duty shall be to implement policies governing the administration, management and development planning of the University, subject to the approval of the Board.

SEC. 12. There shall be an academic council with the president of the University as chairman and all the members of the instructional staff with the rank of not lower than assistant professors as members.

The academic council shall have the power to prescribe the curricula and rules of discipline of the University, subject to the approval of the Board. It shall fix the requirements for the admission to the University as well as for graduation and the conferring of degrees, subject to review of the Board. The council shall likewise have the power to recommend students to be recipients of degrees. Through the president of the University or his duly authorized representative, the council shall have disciplinary power over the students within the limits prescribed by

the rules of discipline as approved by the board.

SEC. 13. No religious opinion or affiliation shall be a manner of inquiry in the appointment of faculty members of the University: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 14. No student shall be denied admission to the University by reason of sex, nationality, religion, or political affiliation.

SEC. 15. No member of the faculty of the State University shall attempt directly or indirectly, under penalty of dismissal by the Board of Regents, to influence students or any person in the University towards any ideology, political or otherwise, which agitates the throw of the duly constituted government.

SEC. 16. The appointment of the officer-in-charge of the University, pending the appointment of the president by the Board upon its composition, shall be made by the CHED based on qualification standards.

SEC. 17. The Treasurer of the Philippines shall be the *ex officio* treasurer of the University and all accounts and expenses thereof shall be audited by the Commission on Audit or his duly authorized representative.

SEC. 18. On or before the fifteenth (15th) day of the second month after the opening of the regular classes each year, the Board shall submit to both Houses of Congress and the Commission on Higher Education, an annual report setting forth the conditions, progress and needs of the University.

SEC. 19. All assets, fixed and movable, personnel and records of the Cebu State College, as well as liabilities or obligations, are hereby transferred to the Cebu Normal University: *Provided,* That the positions, rights and security of tenure of personnel therein employed under existing laws prior to the absorption by the University are not impaired: *Provided, further,* That incumbents of the positions shall remain in the same status until otherwise provided for by the Board. All parcels of land belonging to the government occupied by the Cebu State College are hereby declared the property of the Cebu Normal University and shall be titled under that name: *Provided, furthermore,* That should the University cease to exist or be abolished or such parcels of land aforementioned be no longer

needed by the University, the same shall revert to the City of Cebu.

SEC. 20. The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the president of the University, such apparatus, equipment or supplies as may be needed by the University and to detail employees for duty therein when, in the judgment of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. The employees so detailed shall perform such duties as required of them by the president of the University, and the time so employed shall be counted as part of their regular services.

SEC. 21. It shall be the continuing policy of the University to accept the affiliation and/or integration within it operation of any existing national school whose programs can contribute largely and effectively to the attainment of its objective: *Provided, however,* That, in case of integration, the chairperson of the CHED is hereby authorized to determine and approve the affiliation and/or integration of the specific existing national school. In such case, all funds, properties and other assets, as well as obligations of the integrated school shall be transferred to the University.

SEC. 22. The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997," shall form as an integral part of this Act and together shall serve as the governing charter of the University.

SEC. 23. The amount necessary for the implementation of this Act shall be charged against the current year's appropriations of the Cebu State College, except the sum needed to continue the operations of the existing high school. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Cebu Normal University shall be included in the annual General Appropriations Act.

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

SEC. 25. All provisions of law inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 26. This Act shall take effect fifteen (15) days

following its publication in the *Official Gazette* or in two (2) newspapers of general circulation, whichever comes first.

Approved,

CONSIDERATION OF P. S. RES. NO. 1147
(Commending Comelec Commissioners Fernando and Masambong)

Senator Tatad. Mr. President, with the consent of the Chamber, I move that we now consider Proposed Senate Resolution No. 1147.

I ask the Secretary to read the full text of the resolution.

The Secretary. Proposed Senate Resolution No. 1147, entitled

RESOLUTION COMMENDING HONORABLE REMEDIOS A. S. FERNANDO AND HONORABLE REGALADO E. MAAMBONG FOR FAITHFULLY PERFORMING THEIR DUTIES WITH HIGHEST DISTINCTIONS AND UNSELFISH DEDICATION AS COMMISSIONERS OF THE COMMISSION ON ELECTIONS FOR THEIR ASSIDUOUS AND INVALUABLE SERVICE TO THE NATION AND THE FILIPINO PEOPLE

WHEREAS, the Commission on Elections as a constitutional body is instituted as the guardian of clean and honest election and a bastion of Philippine democracy;

WHEREAS, the Honorable Commissioners Remedios A. S. Fernando and Regalado E. Maambong of the Commission on Elections before entering public service demonstrated integrity, brilliance and commitment in their field of endeavors as outstanding and multi-awarded lawyers;

WHEREAS, they have exhibited selflessness and dedication in discharging their duties as public officials by faithfully enforcing and administering all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall, and also exercising quasi-judicial functions related to election matters;

WHEREAS, these fearless guardians of democracy