

RECORD OF THE SENATE

THURSDAY, OCTOBER 24, 1991 RESUMPTION OF THE SESSION

At 9:20 a.m., the session was resumed, with the Honorable Aquilino Q. Pimentel, Jr., presiding.

The Presiding Officer [Senator Pimentel]. The session will please come to order.

Pangungunahan tayo sa panalangin ni Senador Wigberto E. Tañada.

PRAYER

Senator Tañada.

Mahal na Panginoon:

Naritong muli kaming Inyong mga anak
Nagpapasalamat sa pagkakataong ibinigay Mo
Upang kami ay makapaglingkod
Sa bansang sa amin ay ipinagkaloob Mo.

Marahil, sa maraming pagkakataon,
Kami ay hindi naging matapat,
Kami ay naging mahina,
Dinaig ng takot at mga pangamba,
Minahalaga ang pansariling kapakanan,
Kinalimutan ang sumpa sa sambayanan.

Subalit, Ikaw ang DIYOS NG KATARUNGAN.

Ipina-aalala Mong kami ay may pananagutang dapat
naming gampanan,
Tinatawag Mo kami kung kami ay naliligaw,
Hinahamon Mo kami kung kami ay nag-aalinlangan,
Inaakay Mo kami sa landas ng katotohanan.

Maraming pagsubok ang aming dinaanan,
At kami ay nagsikap upang maging matapat sa sambayanan,
Nilabanan namin ang mga may lakas at kapangyarihan,
Hinamon namin ang pangdaigdigang batas
Upang ang Iyong mga anak ay maibalik na muli sa kasaysayan,
At angkinin ang lubos na pagkatao at tunay na kasarinlan.

Sapagkat Ikaw ang DIYOS NG PAG-IBIG AT
PAGKAKAISA.

Isinasamo namin sa Iyo,
Ilayo Mo kami sa tukso,
Pagtibayin Mo ang aming mga damdamin,
Palakasin Mo kami
Sa harap ng maraming mga balakid sa aming
pagkakaisa.

Sa maikling panahon ng aming pamamahinga,
Itulot Mo na kami ay magkaroon ng
Panibagong lakas ng loob
Panibagong tibay ng dibdib
Panibagong pagmamahal at pag-asa,
Upang makamtan namin ang tunay na pagkakaisa,
At maipakita naming kami ay lubos na karapat-dapat
Sa pagtitiwala ng sambayanan.

Sa Iyo ang lahat ng ito ay aming idinadalangin.

Amen.

The Presiding Officer [Senator Pimentel]. The Majority Floor Leader.

Senator Guingona. There is an Additional Reference of Business.

The Presiding Officer [Senator Pimentel]. The Secretary will read the Additional Reference of Business.

ADDITIONAL REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Acting Secretary [Atty. Raval].

October 15, 1991

Mr. President:

I have been directed to inform the Senate that the House of Representatives on October 14, 1991, passed House Bill No. 841, entitled

AN ACT INCREASING THE BED CAPACITY OF
THE PRES. CARLOS P. GARCIA

Senate Bill No. 1286 is approved on Second Reading.

BILL ON SECOND READING
Senate Bill No. 1702 - Conversion of PNC
Into A State University

Senator Guingona. Mr. President, I move that we consider Senate Bill No. 1702 as reported out under Committee Report No. 1425.

The President Pro Tempore. Consideration of Senate Bill No. 702 is now in order.

With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 1702, entitled

AN ACT CONVERTING THE PHILIPPINE
 NORMAL COLLEGE INTO A STATE
 UNIVERSITY TO BE KNOWN AS THE
 PHILIPPINE NORMAL UNIVERSITY.

The following is the full text of the proposed Senate Bill No. S. 1702:

EXPLANATORY NOTE

This bill provides for the conversion of the Philippine Normal College into a state university.

The Philippine Normal School was established in 1901 by virtue of Act. No. 74. It was converted into a college in 1949. Through the years, it has become the premier training center for teachers in the country, because of its strong faculty development program, which is reason enough for its conversion into a university, just like the teacher training universities in other jurisdiction. Increasing demands for competent teachers has resulted in the establishment of branches in the Municipality of Prosperidad in the Province of Agusan, Municipality of Alicia in the Province of Isabela, Cadiz City in the Province of Negros Occidental and Municipality of Lopez in the Province of Quezon.

Viewed in the light of national development, there is now an imperative need to convert the college into a university. As a university, the institution will be able to update its facilities, improve its finances, strengthen further its faculty

development program and intensify research projects, to produce teachers of high calibre. The new status will certainly demand the pursuit of basic and applied research and such studies as will expand the role of the teachers as facilitators of national development and as instruments for developing the youth into worthy, dignified, and productive citizens of the country.

In view of the foregoing, approval of the bill is requested.

(Sgd.) SANTANINA T. RASUL
 Senator

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

SECTION 1. The Philippine Normal College in the City of Manila with branches in the Municipality of Prosperidad in the Province of Agusan, Municipality of Alicia in the Province of Isabela, Cadiz City in the province of Negros Occidental and Municipality of Lopez in the province of Quezon is hereby converted into a state university to be known as the Philippine Normal University, hereinafter referred to as the University. The main campus of the University shall be in the City of Manila.

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

SEC. 3. The University shall offer undergraduate and graduate courses in the fields of education and other degree courses as the Board of Regents may deem necessary to carry out its objectives.

SEC. 4. The University shall have the general powers of a corporation 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 University insofar as authorized by the Board.

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:

Secretary of Education, Culture and Sports, Chairman
 President of the University, Vice Chairman
 Chairman of the Committee on Education of the Senate,
 Member

Chairman of the Committee on Education of the House of Representatives, Member
Representative of the National Economic and Development Authority, Member
President of the Federation of Faculty Associations of the University, Member
President of the Federation of Supreme Student Councils of the University, Member

In addition, the Board may appoint as members, the following when deemed necessary:

President of the Federation of Employees Associations of the University

Two (2) prominent citizens who have distinguished themselves in the fields of specialization of the University.

The Presidents of the Federation of Alumni Associations and of the Federation of Employees Associations, as well as the two (2) prominent citizens so appointed by the Board shall have the same powers, authority and privileges as the regular members of the Board.

The Secretary of Education, Culture and Sports, the President of the University, the Education Committee Chairmen of the Senate and the House of Representatives, and the representative of the National Economic Development Authority shall have an *ex officio* term of office, while the Presidents of the Federation of the Faculty Associations and the Federation of Student Councils and, when deemed necessary, the Presidents of the Federation of Alumni Associations and the Federation of Employees Associations shall serve for one (1) year, and when likewise necessary, the two (2) prominent citizens shall serve for four (4) years and two (2) years, respectively.

For the purpose of the provision of this Section, the associations of faculty, alumni and employees associations and student councils in each campus of the University shall organize their respective federations.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared state policies on education and other pertinent provisions of the Philippine Constitution on education, arts, culture and sports.

SEC. 7. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws:

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 essential commodities, materials and equipment for educational or technological programs as an exception to existing laws, provided such commodities, materials and equipment are not available locally.

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 exempt from all taxes and shall be considered as deductible items from the income tax of the donor.

e) To fix the tuition fees and other necessary school charges, such as but not limited to matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose. Such fees and charges, including government subsidies and other income generated by the University, constitute special trust funds and shall be deposited in any authorized government depository bank. Any 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 to the contrary notwithstanding, incomes generated by the University, may at the discretion of the Board be disbursed for the professional growth and development, health, welfare and other similar benefits of the faculty members and personnel, for the acquisition, construction, maintenance and repair of urgently needed instructional and auxiliary facilities, equipment, buildings and other infrastructures and for expenses necessary for the attainment of its purposes under this Act. If for any reason, the University shall not be able to pursue any project for which funds have been appropriated for reasons beyond control 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, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the University through the

Board shall be exempt from all taxes and duties.

g) To confirm appointments of vice-presidents, deans, directors, heads of departments, faculty members and other officials and employees of the University made by the President of the University.

h) To fix and adjust salaries of faculty members and administrative officials and employees.

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.

k) To establish branches in the cities and provinces 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 to education opportunities as mandated by the Constitution.

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

SEC. 8. A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: *Provided, however,* That among those present are the Secretary of Education, Culture and Sports who is Chairman of the Board, or the President of the University who acts as presiding officer in the former's absence. The Board shall convene regularly once every two (2) months. The Chairman of the Board may call a special meeting whenever necessary.

The members of the Board shall not receive salary but shall be entitled for reimbursement for actual and necessary expenses incurred either in attendance in meetings of the Board or in other official business authorized by resolution of the Board subject to existing laws on honoraria and allowances.

SEC. 9. The University shall be headed by a President to be appointed by the President of the Philippines upon recommendation of the Board and shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or earlier removed for cause or incapacitated to discharge the duties of the office.

In case of vacancy in the Office of the President by reason of death, resignation, incapacity of the President to perform the functions of his office, or removal for cause, the Board shall have the authority to designate an officer-in-charge of the University pending the appointment of a successor. The new President shall hold office for the unexpired term but in no case shall his term be more than six (6) years subject to the provision of the preceding paragraph.

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 the University.

The salary of the President of the University shall be fixed by the Board and shall be comparable to that being received by the President of similar educational institution of like enrollment and standing.

SEC. 10. The President of the University, 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 consisting of the President of the University, as Chairman, the vice-president(s), deans, directors, and other officials of equal rank, whose duty is to implement the policies governing the administration, management and development planning of the University as approved by the Board.

SEC. 12. There shall be an Academic Council with the President of the University as Chairman and all members of the instructional staff with the rank of not lower than assistant professor as members. The Academic Council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for admission to the University as well as for graduation and the conferring of degrees subject to review and/or approval by the Board through the President of the University. It shall also have disciplinary power through the President over the students within the limits prescribed by the rules of discipline as approved by the Board.

SEC. 13. There shall be a Secretary of the University who shall be appointed by the Board upon recommendation of the President of the University. He shall also be the Secretary of the Board and shall keep such records of the University as may be determined by the Board.

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

SEC. 15. Members of the faculty of the University shall be exempt from any civil service examination or regulation as a requisite for appointment. No religious opinion or affiliation shall be a matter 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. 16. The President, the vice-president(s), the deans, the professors and all members of the faculty and other personnel of the University shall be exempt from the rules and regulations of the Office of Compensation and Position Classification and the Civil Service Commission.

SEC. 17. No student shall be denied admission to the University by reason of sex, nationality, religion or political affiliation.

SEC. 18. The University shall enjoy academic freedom.

SEC. 19. The incumbent head of the Philippine Normal College, if qualified under the rules and regulations of the Department of Education, Culture and Sports shall be the officer-in-charge of the University pending the appointment of the President.

SEC. 20. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board shall file with the Office of the President of the Philippines through the Secretary of Education, Culture and Sports and to both Houses of Congress a detailed report on the progress, conditions and needs of the University.

SEC. 21. All the assets, fixed and movable, personnel and records of the Philippine Normal College in the City of Manila and its branches in the Municipality of Prosperidad in the Province of Agusan, Municipality of Alicia in the province of Isabela, Cadiz City in the province of Negros Occidental and Municipality of Lopez in the Province of Quezon, as well as liabilities or obligations, are hereby transferred to the University: *Provided, however,* That the positions, rights, and security of tenure of personnel therein employed under existing laws prior to absorption by the University are not impaired: *Provided, further,* That the incumbent of the positions shall remain the same status until otherwise provided for by the Board. All parcels of land belonging to the government occupied by the Philippine Normal College in the City of Manila and its existing branches are hereby declared to be the property of the Philippine Normal University, and shall be titled under that name: *Provided,* That should the university cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the University,

the same shall revert to the provinces, municipalities or cities where they are located.

SEC. 22. All accounts and expenses of the University shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 23. 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 head of the Bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. 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 official service.

SEC. 24. It shall be a continuing policy of the University to accept the affiliation and/or integration within its operation of any existing national schools whose program can contribute largely and effectively to the attainment of its objectives: *Provided, however,* That in case of integration, the Secretary of Education, Culture and Sports is hereby authorized to determine and approve the specific existing national schools that are to be integrated as part of the University. In this particular case, it is understood that all funds, properties, and other assets as well as obligations of the integrated schools shall be transferred to the University.

SEC. 25. The appropriations for the Philippine Normal College and its existing branches, are hereby transferred to the University. Such amount as may be necessary for the continued operation and maintenance of the University shall be included in the annual General Appropriations Act.

SEC. 26. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 27. This Act shall take effect upon its approval.

The President Pro Tempore. Senator Maceda is recognized.

SPONSORSHIP SPEECH OF SENATOR MACEDA

Senator Maceda. Mr. President, within the few minutes that is allotted to us, may I just say that since the

Philippine Normal College was established in 1901, this is a measure that is not only deserving but long overdue. To the credit of the leadership of the Philippine Normal College in the past, they did not really push for this conversion into a university until recently when they felt that they were ready, able, and willing, and could justify, especially in comparison to previous state colleges that have been converted into universities much smaller than the Philippine Normal College.

Mr. President, the Philippine Normal College fulfills the major characteristic of a university in terms of scope, whether national or international, programs in all fields of specialization related to teacher, education, organizational structure, faculties, students, track records, and linkages.

The College has been restructured into six schools headed by deans, and has been ready for conversion into a university, as I said, for many years. Actually, it has been functioning as a *de facto* university.

The conversion of the College into a Philippine Normal University will make it a specialized university in keeping with practice and tradition in academic communities all over the world. Taking as specific examples, the Tokyo Normal University, Columbia University, and the Taiwan Normal University, to name a few.

The Philippine Normal College is truly a school that develops quality teachers and educators for the last 90 years, Mr. President. I can say, without fear of contradiction, that more than two thirds of our public schoolchildren have been directly or indirectly trained by graduates of the Philippine Normal College.

Mr. President, in the light of the foregoing considerations, as well as other points which we shall no longer advert to, in the interest of time, we ask the Senate to approve Senate Bill No. 1702, which is consolidated with Senate Bill No. 1759, and is a companion bill of House Bill No. 32888 which, I understand, has been approved on Third Reading in the House.

I ask the Senate to support the approval of this worthy and very meaningful measure.

Thank you, Mr. President.

Senator Pimentel. Mr. President.

The President Pro Tempore. Senator Pimentel again.

Senator Pimentel. Mr. President, I support the call of Senator Maceda asking for the approval of this bill, because I know the quality of teachers who passed through this institution. My mother was of the earliest graduates of this institution. [Applause]

Senator Maceda: Mr. President, by the same token, may I just make of record that Senator Rasul is the principal Author of this bill; and that, of course, my father was a graduate of Class 1917. [Applause]

The President Pro Tempore. The Majority Floor Leader.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1702

Senator Guingona. Mr. President, I move that we suspend consideration of this measure.

The President Pro Tempore. Is there any objection? [Silence] Hearing none, the same is approved.

BILL ON SECOND READING House Bill No. 27102 — Sta. Cruz National High School, San Miguel, Leyte

Senator Guingona. Mr. President, I move that we consider House Bill No. 27102 as reported out under Committee Report No. 1488.

The President Pro Tempore. Consideration of House Bill No. 27102 is now in order.

With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Acting Secretary (Atty. Raval). House Bill No. 27102, entitled: