

CP - Senate

TCM - Education, Arts and Culture
Civil Service & Government Reorganization,
Cooperatives, Environment and Natural Resources,
Labor, Employment and Human Resources Development,
National Defense and Security, Public Order and Illegal Drugs,
Public Services, Science and Technology, Trade and Commerce,
Tourism, Youth, Women & Family Relations,
Ways and Means, and Finance, (TWG)

Date - Dec. 10, 2007

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Mr. Simeon Ebol

Ms. Marion Grace Murillo

Dr. Thelma Cruz

Ms. Luisa Roberto

Ms. Leonila Josen

Ms. Jemina Pacasum

Ms. Imelda Macarambon

Ms. Lorena Sarmiento

Mr. Antonio Tinio

Ms. Francisca Castro

**COMMITTEE ON EDUCATION, ARTS AND CULTURE
JOINT WITH THE COMMITTEES ON WAYS AND
MEANS AND FINANCE
(Technical Working Group)**

DATE : Monday, December 10, 2007
TIME : 9:00 a.m.
VENUE : Sen. Ambrosio T. Padilla Room
2nd Floor, Senate of the Philippines
Pasay City
AGENDA : SBNS 132, 158, 792, 1236, 1540, 1700 and
1871- PROPOSED AMENDMENTS TO THE U.P.
CHARTER

Mr. Philip N. Lina - Presiding Officer

GUESTS/RESOURCE PERSONS:

Mr. Clodualdo Cabrera	- National President, All-UP Workers Union
Ms. Judy Taguiwalo	- National President, All-UP Academic Employees Union
Mr. Ed Villegas	- University of the Philippines, Manila
Ms. Leticia S. Tojos	- All-UP Academic Employees Union
Mr. James Mark Terry Ridon	- Student Regent, University of the Phils.
Mr. Albert Domingo	- OIC-UP Charter, Medical Student Council
Mr. Ramon Arcadio	- Chancellor, UP Manila
Ms. Arlene Samaniego	- VP for Administration, University of the Phils.
Mr. Marvic Leonen	- Legal Office, University of the Philippines
Ms. Erlinda Echanis	- Dean, UPCBA
Ms. Amelia Guevara	- OIC/VP for Academic Affairs, University of the Philippines
Ms. Cristina Hidalgo	- VP for Public Affairs, University of the Phils.
Ms. Miriam T. Tasarra	- Supervising Tax Specialist, Department of Finance
Ms. Sylvia A.S. Umbac	- Legislative Liaison Officer, Civil Service Commission
Mr. D.C. Abaya, Jr.	- College of Arts and Sciences, UP Manila

SENATORS' STAFF:

Ms. Lanie B. Ramos - Office of Sen. Trillanes /

Mr. Peter Navarro	- Office of Sen. "Compañera" Pia Cayetano
Ms. Peachy Dulay	- Office of Sen. Pangilinan
Mr. Ricardo T. Sibug	- Office of Sen. Alan Cayetano
Ms. Joy Miranda	- Office of Sen. Alan Cayetano
Mr. Mario Delos Reyes	- Office of Sen. Madrigal
Ms. Rosevic Sevilla	- Office of Sen. Alan Cayetano
Mr. Jorge Bocobo	- Office of Sen. Alan Cayetano
Mr. Ranjit Rije	- Office of Sen. Alan Cayetano

SENATE SECRETARIAT:

Ms. Helen S. Gayapa	- Committee Stenographer
Ms. Ma. Rosalinda J. Catadman	-do-
Ms. Jocelyn A. Dela Cruz	-do-
Ms. Lilia A. Sapida	-do-
Ms. Sonia N. Tupaz	-do-
Mr. Rino C. Baltazar	- Clerk
Mr. Eriberto C. Caña	-do-
Mr. Raul C. Balansag	- Page
Mr. Hizar B. Sarmiento	- Audio Tech.

(FOR COMPLETE LIST, PLEASE SEE ATTACHED ATTENDANCE SHEET) *fb*



Republic of the Philippines
CONGRESS OF THE PHILIPPINES
SENATE
Pasay City

COMMITTEE ON EDUCATION, ARTS AND CULTURE
joint with the
COMMITTEE ON WAYS AND MEANS AND FINANCE

TECHNICAL WORKING GROUP MEETING

Monday, 10 December 2007 @ 9:00 AM
Sen. Ambrosio Padilla Room, 2nd Floor
Senate of the Philippines, Pasay City

AGENDA: SBNS 132, 158, 792, 1236, 1540, 1700 and 1871 –
PROPOSED AMENDMENTS TO THE U.P. CHARTER

ATTENDANCE

MEMBERS	REPRESENTED BY
1. SEN. ALAN PETER COMPAÑERO S. CAYETANO, <i>Chairman, Committee on Education, Arts and Culture</i>	
2. SEN. JOKER P. ARROYO	
3. SEN. JUAN PONCE ENRILE	
SEN. MIRIAM DEFENSOR SANTIAGO	
4. SEN. EDGARDO J. ANGARA	
5. SEN. COMPAÑERA PIA S. CAYETANO	
6. SEN. FRANCIS G. ESCUDERO	
7. SEN. RICHARD "Dick" J. GORDON	
8. SEN. GREGORIO B. HONASAN	
9. SEN. JUAN MIGUEL F. ZUBIRI	
10. SEN. MANUEL "Lito" M. LAPID	
11. SEN. RAMON "Bong" REVILLA, JR.	
12. SEN. RODOLFO G. BIAZON	
13. SEN. PANFILO M. LACSON	
14. SEN. LOREN B. LEGARDA	
15. SEN. M.A. MADRIGAL	
16. SEN. MAR ROXAS	
17. SEN. ANTONIO F. TRILLANES IV	
18. SEN. JINGGOY EJERCITO ESTRADA, <i>Ex-Officio Member</i>	
19. SEN. FRANCIS N. PANGILINAN, <i>Ex-Officio Member</i>	
20. SEN. AQUILINO Q. PIMENTEL, JR. <i>Ex-Officio Member</i>	
GUEST SENATORS	
21.	

SENATE SECRETARIAT

[illegible]

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GUEST/ RESOURCE PERSONS

[illegible]

**COMMITTEE ON EDUCATION, ARTS AND CULTURE JOINT
WITH THE COMMITTEES ON WAYS AND MEANS AND FINANCE
(TWG)**

HSGayapa I-1 December 10, 2007 9:23 A.M. 1

**AT 9:23 A.M., MR. PHILIP N. LINA,
PRESIDING OFFICER OF THE
COMMITTEE ON EDUCATION, ARTS AND
CULTURE (TWG), CALLED THE MEETING
TO ORDER.**

THE PRESIDING OFFICER. Good morning everyone for your presence. This is a technical working group on the amendments to the UP Charter. To my left... I am the committee secretary. I'm Philip Lina. I'm the committee secretary on Education. To my left is Peachy from the Office of Senator Pangilinan. The guests are Professor Judy Taguiwalo from the All-UP Academic Employees Union; Mr. Clodualdo Cabrera from the All-UP Workers Union; Dr. Leticia Tojos from the-- representative for Admin Union of UP; Mr. Albert Domingo from the Medical Student Council; Dr. Arlene Samaniego, VP, Administration, UP; Professor Marvic Leonen, Legal Office, UP; Dr. Erlinda Echanis, dean, the College of Business Administration, UP; Dr. Amelia Guevara, vice president for academic affairs, UP; Dr. Jing Hidalgo, Public Affairs, UP. We are expecting more to arrive hopefully because we invited some more guests.

Now, straight to the point. More or less the bills are similar in content. There are only some provisions which need to be ironed out. 7

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Hopefully, we could come up with a happy agreement or compromise on the final version of the committee report.

Now, if I may say so, the bills of Senator Escudero and Senator Villar are similar in content. It's actually a copy of the House version, more or less. That of Senator Pangilinan has similar provisions with those of Senator Escudero and Senator Villar it's just that there are major provisions that are not in the versions of Senators Escudero and Villar. That of Senator Revilla also has some provisions but more or less the major differences could be narrowed down into the version of Senator Pangilinan and those of Senators Villar and Escudero.

Now, let us-- I suggest let's glance direct to the major differences. Is that okay with you so that we could save time? And if there are issues that we really could not resolve, then we just leave this to our principals. Okay.

So, as a way of starting the discussion, may we call on the representative from the administration, Professor Marvic Leonen.

MR. LEONEN. Mr. Chair, the University of the Philippines has negotiated the version of the Senate in its proposal to the bicameral committee during the Thirteenth Congress. That version is the product of a lot of inputs, including the taking into consideration of many of the

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proposals that are now in the bills of Senator Escudero and Senator Villar. Our position is that the bicam version, Thirteenth Congress, and the contents of the bill of Senator Pangilinan are already what the University of the Philippines recommends and we think that it is a well-crafted bill and it is difficult for us to go beyond it.

Mr. Chair, let me just mention a few other things. The Board of Regents of the University of the Philippines is represented here. Although the composition, the numbers may not be satisfactory to some but then the Board already contains membership of some of the significant sectors within the university. The University of the Philippines also exists not outside the technological vacuum. It is now being wired and therefore, there are many other ways by which the democratic aspirations of the university can be addressed, including e-mail messages, including conferences online, and therefore, the principal proposal of having an assembly in order to democratize the university has already been met. Also the jurisdiction of the Asemblea is not very clear. If it is only a discussion forum, then considering the resources of the university, it might be difficult to implement. As a matter of fact, we have the chancellor of UP Manila and a member of the former student council of UP Manila and they can perhaps cite the

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example of UP Manila in terms of the assembly. Also I would like to state that there are already two unions within the university and out of the discussions, there will be another collective negotiating agreement for faculty and REPS and there is already an existing collective negotiating agreement but it is going to be renegotiate-- it is in the process of renegotiating with the administrative personnel. So, there are many other venues through which the other concerns of different other constituencies can be brought to the university. Mention was made of several other universities abroad like Munich University, Oxford, Cambridge. But we'd like to point out that in all of those, their board-- their governing boards are large simply because they are rich. And if you look at their composition too, their sectoral representation mimics that of the Board of Regents. So, we feel that having a university council dealing with academic matters and having a board that is the governing body, a president, several chancellors, executive committees of chancellors, deans, executive committees of deans, departments and department chairs, two unions within the university, a lot of leeway for discussion forums in the net and then electronic mail given to specific individuals. We have the grievance committee of the Civil Service and during the negotiations with the academic union, we

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are very open to amending it so that it can work and therefore we think that there is just too many institutions for democratic governance. Still and all, I think we have a lot of common points in relation to the university. While it is important to look at the equity, we should never forget that the university is an academic institution and therefore merit must also be taken and excellence must also be taken into consideration.

Thank you, Mr. Chair.

THE PRESIDING OFFICER. One of the rules we have to observe here is that we listen first to the points to be raised by the guests then after all have said their piece, we go into questions and discussions. So, we call on the next representative from the administration. Who wants to speak next?

MR. LEONEN. Maybe we'd rather, Mr. Chair, that after the administration perhaps the other guests can speak so that we can have a lively exchange.

THE PRESIDING OFFICER. Who wants to speak from the other group? Professor Taguiwalo. *tb*

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MS. TAGUIWALO. We have submitted last time to the Senate Committee the position of UP Wide Democratization Movement regarding the various bills, you know. So, you have mentioned.../hsg *ft*

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MS. TAGUIWALO. ... So you have mentioned the three-- actually, the three major groupings-- the Pangilinan and other bills, which is-- the Pangilinan bill which is basically the one passed by the bicameral committee; the Escudero and the Villar bills, particularly the Villar bill which was passed by the Lower House last October. So, this is the House version which will be carried to the bicameral committee, and then the Revilla version, which contains the additional provision on having Senate as the conglomeration of various university councils at the system level.

Our concern really is ensuring the positive provisions in the Villar and Escudero versions brought into the Senate version. The Pangilinan bill which passed the 13th Congress contained versions which we didn't know about like the extension of the term of the U.P. President for another six years. Nobody in the university knew about it, at least it wasn't disseminated until we saw the final version. It is there, you know, in terms of the President of the U.P., it may be extended under special circumstances, which I think even President Roman said she didn't know that there was such a provision. We think that it is unnecessary given the length of the six-year term of the President. We are now very much concerned

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about the provision which opens a bit the issue of democratization in the university. After 100 years of being a university the opening up to include consultative assemblies is but minor concession. So, when you say, "Oh, only the universities abroad can have that, they're rich." Does that mean that democracy is only for the rich nations? You know. So, we support the consultative assemblies being proposed by the Villar and the Escudero versions and the Lower House versions. The question of expenses can be discussed so that it won't be as expensive as having the Board of Regents meeting all over the system, but we are open to ensuring that it won't be a heavier burden to the university but democracy always has its costs.

Okay, second, in terms of the REPS regent, again in the university there are three sectors-- the employees' sector, you have the administrative staff, which in the various versions are now represented by the staff regent, you have the faculty, and then the REPS-- the REPS comprised the research and extension professional staff. In the Pangilinan version they're lumped with the staff regent. So, the question would be, REPS are academic personnel, they are the non-teaching academic personnel of the

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university. So, there is no clear provision about who represents them. The question of having the union-- the worker's union, the academic union, are matters that are different from having a charter. The existence of the unions and the ongoing process of negotiations are in consonance with Executive Order 180 and the Constitution of the Republic of the Philippines. So, it is an issue outside of the U.P. Charter. So, it cannot be used as an argument against having a democratic assembly, okay.

The question of the national state university. Again, it's a question in the other version, U.P. is called the national university. In the Villar-Escudero version, it is called the national state university. We would like to put on record that we prefer the term "national state university" as it captures both the national character of U.P. as elucidated by President Roman last time, but at the same time retains the public character of U.P. as a state university, and hence, should be supported by the government of the Republic of the Philippines.

The second issue is the issue of outright sale. So, again we see the provisions of the Villar and Escudero bills as more consistent with our stand that U.P. as a state university should be supported

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by the Republic of the Philippines. Whatever earnings it generates from other sources should not be used to replace in part or in whole the allocation of the State. So, these are the two concerns that we keep on saying. These are all democratization issue in terms of governance, in terms of democratic access. By the way, in terms also of governance, we are happy with the Escudero and Villar bill which spells out the provisions on Student Councils and on Student Publications. The provisions are more precise in terms of giving recognition and protection to the councils. We are also happy with the provision in the Villar bill which explicitly states that affirmative action, affirmative policy should be given to graduates from public high schools, especially valedictorians from the public high schools, provisions which are not present in the Pangilinan bill. So...

THE PRESIDING OFFICER. Are you through, Professor Taguiwalo? For now?

MS. TAGUIWALO. For now.

THE PRESIDING OFFICER. May we also acknowledge the presence of Professor Ed Villegas and Professor-- Dr. Abaya, Jr., both from U.P. Manila, also to my left, Dr.-- Atty. Sibug, he is with the office of Senator Allan Peter Cayetano.



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Okay, from the administration again, Mr.-- Atty. Leonen.

MR. LEONEN. On valedictorians and salutatorians. First, we just want to state that there is what is called "academic freedom," "institutional academic freedom". This includes the power of a university to choose who to teach, according to the Constitution. And the moment that there is a lot more intrusion into the prerogative of a university, it ceases to be able to decide for itself, and this is very important. You see, academic freedom includes the possibility for debate within the campuses, among the faculties, as to who would be allowed entry into the university, and therefore, we have consistently said that naming valedictorians and salutatorians as immediately having a privilege to enter into the University to the Philippines would not be fair to those who are number three, number four, number five, and for one reason or the other might not have made it into the first or the second place. And we are not certain whether the Senate is very aware of how valedictorians are chosen in all high schools, and therefore, our preference would be to state it in a more principled way, which is that we have committed to affirmative action, and that's in the language of both the House and the Senate version.

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The university is committed to equity. In fact, the formula for admissions includes geographical spread, includes other considerations as well as ethnicity and other factors in the computation. It's a balance between merit, aptitude, and equity. Student Councils and Publications, it's in the bill. And it's very fairly spelled out, except of course that the university took the position that the rules of the selection for the student regent should be by referendum of all the members of the students-- all students. However, that was taken out for one reason or the another, and not being-- I think there are representatives of the student body here, they can speak for democracy, if they want to.

Third, sale. It's already also included in Section 22 or 23. Outright sale is not allowed for academic core zones, but the University of the Philippines has 24,000 plus hectares. We have 1,000 square meters in Basilan, very rarely visited by any person, including administrative staff. I know personally because.../mrjc

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MR. LEONEN. ... I know personally because I've requested administrative staff to visit the area themselves. They don't want to. And, therefore, there are certain conditions like this that you should allow certain leeway with the proper safeguards and the safeguards have been negotiated and it's very clear also, I think in the version of Senator Pangilinan, that there needs to be advice in terms of the sale of property within the university.

The contribution of government is not only money but also land, and land is an investment asset given to the University of the Philippines and the University of the Philippines should be given the wherewithal in order to be able to make this land earn. And these lands were not given to the University of the Philippines in order to include it in the Comprehensive Agrarian Reform Program or for any social services. Of course -- And, therefore, there needs to be some leeway on the part of the university. You see, you give money to a person and ask that person to spend, it comes back to Congress the following year and in Congress, of course, there will be, of course, some considerations for further budgets given to the university. But



with land also there, you have to give a lot of leeway to the university for land. Twenty-four thousand hectares is more and more than enough for a seven constituent university system. We have already 12 campuses and our -- you have to take a look at UP, not only as UP Diliman but also we have land in Tuguegarao, in Cagayan Valley, in several other places. We have land in Forbes Park, we have land in Pandacan which are already earning for the UP quite substantially.

Unions are by law. The UP is, by law, required to recognize unions if they have 50 percent plus one. So, therefore, they are part of the law already. And when you talk about unions, the agenda is very clear: employee rights and welfare. Of course, where to draw the line? At least with the academic union still the subject of negotiations but we should allow those negotiations to foster.

When you talk about democratization, you have to talk about what do you want to democratize? Do you want to democratize the curriculum? That's impossible. Do you want to democratize how the land is going to be used within the university? That's also impossible because the university also has a corporate personality which means

that you have to give it to the managers to determine where to put the land subject to the academic definition of the academic war zone. Do you want a forum to bash administrators? Is that the role of the academic... of the consultative assembly? Do you want to second-guess the chancellor of a university? Then, there is a process of appeal to the Board of Regents. And in the Board of Regents again, there is faculty, there is student, there is a representative of the Senate, there is a representative of the House of Representatives. What do you want to talk about in a democratic assembly? Do you want to talk about the transparency and accountability of the university? Then fine, we have the Grievance Committee... grievance process, we have unions that have sent a lot of letters to the administration and have been acted upon. If it is not acted upon, then they can work collectively. Students have barricaded the Quezon Hall, and Quezon Hall has not responded with disciplinary actions but instead have accepted that as part of the tradition of the university and, therefore, has been very tolerant. What will a consultative assembly add? It is wrong to equate democratic consultation with institution like a consultative assembly because if we



do so, then we just keep on creating barangays, local governments and that's not democracy. Democracy is that there is good faith dialogue and the forums and the structures are only there to facilitate it. With the consultative assembly then, therefore, can you imagine the president, the chancellor, the deans would be talking to unions. Chancellors might want to talk to sectors specifically rather than the entire community. Therefore, they would want to talk to the REPS only. For REPS concerns, they would want to talk to the students only for student concerns. Perhaps the chancellor, at one point, might want to have a consultative assembly. But then isn't it too constraining on the part of an academic leader to actually tell him besides all of these institutions. You are attending monthly presidential advisory council meetings, you are attending university councils, you are attending to your deans, you are attending to your unions, and then attend consultative assemblies. What's the value added? And that's why we mention costs. True, there are costs to democracy but there are just too many things. Unless, of course, we close the unions, close the grievance assemblies, grievance mechanisms, then we can talk about

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a consultative assembly. But I think the unions have a very ... they are very efficient in terms of delivering messages to the administration already. The student councils are very efficient and the student councils will take a position regardless of what the consultative assembly will say. And even informal settlers will take a position regardless of what the consultative assembly will say.

So again, national university. When you say national, it already means government. When you are considered as the national university, there is already the implication that you are supported by government. And yes, the position of the current administration is that never will government subsidy be replaced by its capacity to earn because it is very difficult to earn enough in order to meet the needs of the university. It proposed 11 billion for our budget and I think this year it's about 6. So, therefore, 5 billion is not something that you can earn overnight even if you put up a lot of businesses around the university which, of course, the university does not have the tolerance to do. But in any case, our point is that it's very clear that we are not to substitute the subsidy given by appropriations. The only reality that

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we have to deal with on a daily basis is that we need to be able to fill in the gap. I mean, we asked for 11, the Senate and the House, in spite our lobbies can only give us half of it and, therefore, we have to be able to meet it. I think the concern of the administration is not 100 years from now, but it is for today.

REPS as a sector. There are two unions. The administration -- I think the academic union will bear us out -- has taken the position that if the REPS is a separate sector, then there should be three unions instead of two. But instead, we have an academic union of REPS and faculty. Therefore, again, there's a lot of duplication here in terms of democracy. You have representation in the board, then you have representation in terms of the union. We're willing to meet all of that.

If you want a consultative assembly, let's close all of these avenues and focus on the consultative assembly. But let's not keep on adding a consultative assembly here, a consultative assembly there. There will be too much miscommunication at stake.

And then let me just emphasize jurisdiction. Can you imagine the number of law suits? What do we pass through the consultative

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assembly? What if the board decides and the consultative assembly did not meet? Today, the university is faced with so many kinds of law suits. People that do not get an MBA sued, a person that got an MBA sued the university, a person that attended the class where a faculty preyed sued UP, a person who has grievances about AWOLS sued UP, informal settlers have been suing UP left and right, claimants to our land have been suing UP left and right. Okay, now what if there is an important matter in the university which passes through the university council then the Board of Regents and bypassing the consultative assembly? There's no definition of what the consultative assembly will talk about and if you just create it, then what will happen is that people will know that there is a consultative assembly. It's nice on paper but to actualize it, I do not know. What are they going to talk about?

Again, let me just emphasize, we are for democratic governance but not institutions ... not the creation of institutions. We are for democratic governance genuinely and sincerely. There may still be

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complaints against the administration but creating a consultative assembly does not remove it.

Thank you.

THE PRESIDING OFFICER. Okay, Professor Villegas.

MR. VILLEGAS. Magandang umaga sa mga taga-UP.../jad

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**COMMITTEE ON EDUCATION, ARTS AND CULTURE JOINT WITH
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L. Sapida IV-1 December 10, 2007 9:53 A.M. 1

MR. VILLEGAS. ... Magandang umaga sa mga taga-UP.

Itong consultative assembly ay isang produkto ng kasaysayan ng UP-Manila. Noong panahon ni Presidente Abueva ay may anim (6) na estudyante galing sa College of Medicine na hindi nakapasa doon sa kanilang entrance exam 'no, 'yong grade nila ay medyo mababa. Pero dahil sa may influence 'yong kanilang pamilya, ay napilitang ipasok. Pero 'yong mga faculty sa College of Medicine ay medyo hindi masaya sa nangyari. Kaya nga 'yong ga-graduate na, ay dinis-approved ng University Council 'yong graduation noong anim na estudyante na ang mga angkan ay mga mayayaman – isang huwes, isang head ng PNP. At nuong mga panahon na 'yon, ay talagang hina-harass 'yong mga faculty 'no. Kaya nga doon sa College of Medicine, nag-walkout nga 'yong dean at saka mga faculty. 'Yong hindi na-apruba sa University Council, 'yong pag-graduate noong anim na iyon dahil talagang pilitang ipinasok eh, ay nagkaroon ng mga protesta 'yong mga constituency sa UP-Manila. Noong iniharap ito sa University Council ng Board of Regents na ang namumuno ay si President Abueva, kanilang idinidiin na may kapangyarihan ang BOR na plenary power. Kaya nga in spite of the fact na hindi na-apruba ng University Council 'yong graduation ay inapruba na ng BOR. Mula



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noon ay nagkaroon ng reorganization dahil sa protesta nga ng iba't-ibang sector sa UP-Manila – ang guro, estudyante, non-academic, na ibahin 'yong istruktura ay nagawa nga sa UP-Manila. Binuo 'yong constituent o tawag namin Pambansang Assemblya 'no, Pamantasang Assemblya, University Council.

So doon sa amin, ipinangako ni Abueva, dahil sa para 'yong to please – dahil sa ginawa nilang hindi maganda dahil ginamit nila 'yong plenary power na equivalent to absolute power, na gagawin daw, kasi may ibang campus 'yan. Pero sa aming unit, natuloy 'yong pamantasang assemblya. Itong istruktura ng pamantasang assemblya ay nag-e-elect kami ng mga representante mula sa guro, sa estudyante, non-academic, duon sa isang kabuuang assemblya sa UP-Manila. Tapos bawat college, mayroong mga college council at nag-e-elect din kami ng mga officer. Nangako si Abueva na ito ay gagawin sa buong UP, pero hindi natuloy.

Itong pamantasang assemblya ay katumbas ng mga assemblya sa mga nangungunang mga universidad sa Europa kagaya ng Oxford, Cambridge, na inihahalal sa pinakamataas na gumagawa ng mga desisyon 'yong mga representante mula sa estudyante, faculty, mayroon din sa librarian.



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Halimbawa, sa kasaysayan ng Europa, 'yong democratization ng mga universidad doon ay dumaan din sa ebolusyon. Nuong una ang nagde-decide lang doon 'yong council ng – Inquisitorial Council 'no. Kaya nga 'yong mga ibang professor doon ay pinaparusahan dahil mga bishop eh, kagaya noong panahon ng 'yong pagpaparusa sa mga heretics. Kaya nagkaroon ng democratization doon. Kaya ngayon sa Sorbonne ngayon, inalis na 'yong council ng mga faculty lang na nagiging parang inquisition noong panahon ng medieval age sa University of Paris dati. Kaya sa Sorbonne ngayon, 'yong pinakamataas na assemblya diyan ay may mga estudyante din at saka faculty na ang kanilang ini-elect.

Kaya hindi ako sumasang-ayon sa sinasabi na ang democratization sa university ay para maging barangay dahil ito nagagawa namin sa UP-Manila na hindi naman tinupad ni Abueva, President Abueva, na gagawin n'ya sa buong campus na ire-structure n'ya. Wala kaming suporta, pero talagang gumagana pati na ang university – pamantasang assemblya dito sa amin lalo na sa College of Nursing at minsan sa College of Medicine dahil -- 'yan, dahil isa sa mga talagang mga nangunguna 'no. Pero mas malakas sa College of Nursing. At kahit na wala kaming opisina at saka hindi



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masyado kaming sinusuportahan ng administrasyon ng UP dahil natatakot nga sila baka 'yong check and balance sa BOR ay maganap, at 'yong masaklap na karanasan na ipinasa 'yong anim na estudyante in spite of na dinis-approved ng university council ay nagkaroon uli ng ganoong conflict. So pumayag kami na maging consultative assembly lang 'yong pamantasang assemblya dahil hindi dati ganoon eh.

Ngayon, ipinasok namin doon sa House version na sana hindi lang consultative assembly, kagaya ng dati sa UP-Manila na talagang may equal na kapangyarihan sa chancellor. Pero nagkaroon ng bagong resolution ang UP Central na gawing consultative assembly lamang sa UP-Manila na pumayag naman kami. Ngayon, 'yong aming unang version sa House ay batay doon sa ang pamantasang assemblya ay kasing pantay mismo ng papalit sa BOR, pero hindi na naapruba 'yon, lumabas na consultative assembly. Kaya kami ay pumapayag na din, kaya susuportahan namin itong pagre-restruktura sa buong UP ng isang consultative assembly na para sa check and balance 'no.

Kagaya ng mga karanasan sa mga progresibong universidad – sa Cambridge, meron din silang congregation na may mga representative na halal sa iba't-ibang sector. Sa Oxford, ganuon din. Sa Munich.



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Hindi naman kami ipapasok namin 'yan kung wala kaming research eh, na ang ebolusyon ng mga university tungo sa demokratisasyon. At pag nanatili na 'yong BOR gaya nang ginawa ng mga Amerikano para talagang i-direct ang education ng Pilipinas, hindi tayo makakawala sa ating colonial past. Hindi tayo makakasabay sa evolution ng demokrasya sa buong daigdig.

'Yong sinasabi na ang universidad kailangan elitist na ang nagde-determine na lang 'yong mga faculty, ay tumataliwas 'yan sa kasaysayan ng pag-progreso ng syensya sa daigdig dahil ang mga scientist, mga researcher, mga inventor hindi naman na karamihan nanggagaling doon lang sa faculty. Nanggagaling 'yan sa mga estudyante na in spite of the fact na being elitist, kanilang ina-assert 'yong kanilang mga research, research outputs, kagaya ni Faraday, isang student assistant. Pero mabuti na lang 'yong kanyang faculty ay medyo democratic. Ibig kong sabihin, talagang huwag maging elitista ang isang university dahil sila ang sinasabi ay ang mga faculty meron sila talagang monopoly sa knowledge. Dahil sa history ng science at saka technology, 90 percent galing talaga sa mga ordinaryong mga miyembro ng university.



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Ngayon, lalo na kung bibigyan mo ng boses 'yan, lalaganap 'yong knowledge. Hindi 'yong sabihin na kami ang may alam lang, magiging barangay lang ito dahil ang evolution ng demokrasya ay tungo sa representative – representation ng mga iba't-ibang sector. At kami ay pumapayag na lamang kahit na maging consultative assembly na dahil dati gusto namin talagang equal 'yong level. Ngayon -- 'yong tungkol sa consultative assembly. Kaya nga tingin namin, ang Universidad ng Pilipinas ay manguna sa pagsulong ng halaga ng demokrasya sa ating lipunan, value ng demokrasya. At 'yong mga nagsasabi na magiging parang pulitiko ang akademiya ay hindi nila pinagtitiwalaan ang responsibilidad mag-isip ng mga university students, na sila talaga 'yong inaasahan ng bayan maging responsible. Kung hindi sila bibigyan ng practice ng democracy doon mismo sa kanilang akademiya, at manatiling elitista, ano'ng klaseng mga estudyanteng ga-graduate noon? Baka pumunta uli tayo sa authoritarianism kagaya ng mga dating produkto ng UP.

Kaya nga importanteng pati 'yong practice ng demokrasya ay maranasan ng mga mag-aaral bukod doon sa mga kanilang karapatang akademiya na lumabas ang knowledge, karunungan, na sa kasaysayan ng daigdig nanggagaling sa mga ordinaryong mga



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estudyante. Kahit na 'yong mga assistants sa laboratory, kagaya ni Faraday, kung mag-aaral tayo ng history of science and technology, na hindi naman galing sa mga faculty ang 90 percent ng imbensyon at teyorya na lumabas sa West.

So ang point namin, gawing -- ipasok ang demokrasya sa universidad. .../las

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MR. VILLEGAS. ... pasok ang demokrasya sa unibersidad nakikita natin kung paano lalaganap ang karunungan at ang mga estudyante pati faculty matututo ng tunay na practice ng demokrasya at pumapayag na kami kahit consultative assembly nga ang una naming version na pinas (pass) doon, pinas namin pero hindi na-apruba (approve). Gusto namin equal responsibility, decision-making powers gaya ng BOR. Dahil sa masaklap na karanasan na kahit na hindi nakapasa 'yong anim na estudyante hindi ga-graduate na hindi naaprubahan ng University Council ng Manila in-override ng BOR dahil sa tinatawag na plenary power nang tingnan namin ay absolute power na ito ay nanggaling sa struktura na in-impose o pinataw ng panahon ng kolonya ang Pilipinas sa ilalim ng Amerikano.

Ang isa pang punto na gusto kong sagutin ay doon sa bill ni Villar at saka ni Escudero ay wala doon 'yong karapatan ng BOR. Nandoon sa kay Pangilinan na 'yong U.P. ay lilista sa stock market 'yong securitization at saka 'yong joint ventureship ng U.P. pwedeng mag-partner sa mga private business. Tingin namin pumupunta ito sa corporatization at saka privatization. Dahil kung bibigyan mo ng karapatan ang BOR na ilista 'yong U.P. sa stock market o 'yong karapatang securitization, baka mangyari sa atin ang nangyari sa U.E.



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binili ni Lucio Tan ang U.E. sa stock market. At kung bibigyan mong karapatan ang BOR mag-joint partnership, halimbawa, sa Ayala Foundation, baka maging dominant na 'yong Ayala, maging business corporation na ang U.P. Kaya doon sa bill ni Villar at saka ni Escudero wala 'yong karapatan, dagdag 'yon dahil dati wala. Dati pwede lang ibenta at saka i-lease mga lupa. Nandiyan na 'yon. Pero ang dinagdag nila joint ventureship, securitization. Parang ano ang kaibhan ng U.P. sa business corporation kung ilalagay mo hindi naman business ang U.P. Kapag ginawa business ang edukasyon, bababa ang standard of education. Tingnan ninyo ang La Salle. Dati akong nagturo sa La Salle. Yumayaman nga ang La Salle bawat estudyante mayroong mga computer pero ang standard niyan bumaba kaya umalis ako diyan. See. Ang yaman-yaman niyan. Si ... Torres taga-La Salle pero ako I was a faculty there for 20 years. Alam ko, ang yaman-yaman nila. Sa computer, sa library tigi-tigisa. Ano ang pinapanood ng mga estudyante doon? Dahil profit ang mentality at kami ng aming dean, "Huwag ninyong ibabaksak 'yan dahil..." Kaso, 90 percent ng kanilang pondo galing sa tuition. Kaya nga naiinis ako. Kaya nakaalis ako diyan dahil kami pini-pressure ipasa 'yong mga mayayaman. Gagawa pa ng special committee para na ipasa 'yong

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mga mayayaman. No way. Sabi ko taga- U.P. tayo. Huwag tayong papayag diyan. Kaya ako nag-alis na diyan dahil 'yong sabing pera nang pera bababa ang standard. 'Yong mga university na umunlad, nilalabanan 'yong commercialization. 'Yon ang kasaysayan ng mga unibersidad. Dahil ang knowledge kapag dinuktong po sa pera 'yon, hindi lalabas ang tunay na kalayaan ng scientist o ng manunulat dahil nagiging profit conscious na 'yan. So, concrete experiences ang sinasabi ko. Hindi 'yong baka maging ano, ganoon, ano, ano, ganyan-ganyan. Concrete, batay sa karanasan ng U.P. Manila, batay sa karanasan ng daigdig at saka batay sa karanasan ng La Salle. So, 'yon lang. At saka doon sa tungkol sa student's rights. Doon sa Villar at kay Escudero, nanduon 'yong consent ng estudyante bago itaas ang tuition fee, consent and consultation with the students. Kaso, ayaw naming consultation lang na nandoon kay Pangilinan. Dahil konsulta nang konsulta ka, you'll just make an appearance na may democracy pero ikaw din ang nagde-decide. Okay. Gusto namin 'yong talagang consultation and consent dahil sa panahon nga ni Marcos, si Imelda Marcos panay consult nang consult. Ang tawag namin dia-loko, dialogue, dia-loko. Ngayon, so, 'yong gusto namin consultation at consent para talagang definitive, 'yon ba parang sa mga estudyante

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na sila naman ang hahawak. Sila ang mabibigatan sa pagtaas ng tuition fee, 'yong pamilya nila, hindi naman 'yong U.P. Bakit consultation lamang. Pero kami sa Pamantasang Asambleya payag na kami, consultative assembly dahil 'yon nga 'yong inaprub (approve). So, we might as well be contented with that. 'Yong una ayaw namin talaga consultative assembly. Pinaglaban namin 'yong alisin ang BOR ipalit na doon 'yong university system assembly kagaya sa Cambridge, Oxford at saka Sorbonne. Pero dito, well. pumayag na kami ma-retain 'yong elitist structure para at least check and balance kaso ang democracy, ang tunay na democracy hindi mo sabihing barangay politics 'yan dahil sa ibang university ginagawa ay may check and balance. 'Yon ang pinasok nina Montesquieu na bagong pananaw sa freedom ng mga tao. Check and balance inimbento ng mga Kano. Tapos pati sa European Parliament 'yan mayroon din. Ganoon pero sa Kano may check and balance, tatlong branches of government in-introduce ng mga nagpasok na mga reforms sa democratic – scientific democracy. Ngayon, kung sasabihin natin na tayo, U.P. we should stay in the old way without progress ganyan at dahil ito ay may mga grievance committee hindi naman umubra kaso kahit na ginamit namin ang grievance committee pinasa din 'yong anim na estudyante

Gregory

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noong 1989. At saka ang dami-daming mga karanasan na may grievance, grievance committee na hindi nako-concretize sa talagang isang democratic entity na siyempre mas malakas ang dynamism na kung talagang representative 'yong body na 'yon sa U.P. Sabihin na lang sa mga kasama namin na 'yong mga faculty natatanggal without giving proper investigation. Mga iba pa diyan magsasalita. Ito lang ang masasabi ko na it's about time U.P. advance na towards the modern world. Naiiwanan tayo ng mga unibersidad gaya ng Oxford, Cambridge, Sorbonne. Gusto natin na may world-class. Gusto natin palaganapin ang science at technology. Let the ordinary members university have a venue. Hindi naman nagugulo-gulo 'yan. Dahil ibig sabihin gugulo-guluhin ano ang tingin mo sa mga university, tanga parang mga bakya. 'Yan nga mga scholar very responsible sila sa bayan at they should practice democracy and theory. 'Yan ang masasabi ko.

Magandang umaga sa inyong lahat.

THE PRESIDING OFFICER. Let us proceed to Mr. Cabrera.

MR. CABRERA. Magandang umaga po.

Mula po sa All-UP Workers, tatlo po 'yong aking concern na gusto kong ipaabot sa ating Chair at sa ating mga kasama dito. 'Yong



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una po ay 'yong usapin ng democratic – demokrasya. At pangalawa po, 'yong usapin ng benepisyo para sa mga kawani at mga reps at 'yong representation.

'Yong una po, bagamat tama naman si VP Leonen na marami ng mga forum o mga grupo ang mga structures sa loob ng university at sinasabing sasapat na dito 'yong mga consultation, sa amin pa ring pananaw ay napakahalaga pa rin ma-institution ito dahil may mga konkretong karanasan tayo na ang Board of Regents pa rin siyempre ang pinakamataas na magde-decision at hindi sasapat 'yong representation sa loob. Kung titingnan natin sa mga karanasan ay isa halos tatlo lamang 'yan at karamihan niyan sa structure ngayon ay appointee ng Malacanang. Ano man debate sa loob kaagad ay hindi mananalo ang mga sector na ito lalo sa mga issues na para sa kanila. Kaya't mahalaga na may isang institution pa na kung saan ay alam ng BOR na hindi lang sila 'yong pinaka-makapangyarihan sa loob ng university kung hindi may isang body pa na titingin at magkakaroon ng interaction o pag-uusap ang mga sector na kung saan ay accountable din 'yong Board of Regents at hindi sila magkakaroon ng sole na power. Mahalaga na tama na itong ating pagbabago ng ating Charter ng U.P. ay isang daang taon so bakit hindi natin gamitin ang



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pagkakataong ito na ma-institutionalize nga ang demokrasya sa loob
ng U.P. na palagi nating sinisigaw sa loob ng university at 'yon pa rin
ang problema natin sa ngayon hanggang sa ating bansa ang usapin ng
partisipasyon ng mga tao sa pagde-decide sa mahalagang
aspeto.../snt

Singay

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MR. CABRERA. ...sa mahalagang aspeto ng polisiya ng university at ng ating pamahalaan. Gamitin natin itong pagkakataon na maging modelo ang UP sa pagsulong ng ganito dahil yun naman kaya tayo tinawag na UP. At malaki din ang maitutulong nito sa ating pag-unlad at ganon din naman hindi dapat din ang board-- sabi nga namin sa mga kawani, ang hiras kung board mo binigyan mo ng kapangyarihan mag-usap sa usapin ng pagpapatakbo ng negosyo sa UP. Sabi namin baka sa bandang huli niyan ang pinag-uusapan niyan kumusta ba yung kita natin sa Mindanao, kumusta yung kita natin sa Los Baños. Hindi na usapin na pag-ukulan ng academic. Dapat doon lamang nakatuon ang pag-uusap ng mga board kundi doon sa usapin ng pagpaunlad hindi sa usapin ng negosyo at alam naman natin na may susulpot na mga interes diyan na puwedeng ibenta yung lupa dito at yung mga board ay may koneksiyon sa mga business groups at yan ay posibleng mangyari sa atin. At ganun din sa benepisyo na ... kami noon na tama naman ang ating mga guro ay may malaking role sa loob ng university sa academic na programa pero dapat hindi isinasantabi ang ibang mga sector katulad ng REP at mga Admin na may mahalagang papel. Tingnan natin sa PGH yan. Tatlong libong kawani ang nandiyan sa PGH na siyang pangunahing tagapangalaga ng ating mamamayan sa 46

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buong Pilipinas na kung saan ay nakakatuwa at mayroong 200 porsiyento na puwedeng ibigay na allowances sa ating mga guro doon sa ating bill pero papaano naman yung mga kawani at mga REPS na kung saan ay may malaking papel doon sa pagsusulong ng university katulad nga nung nabanggit hindi tayo puwedeng umunlad at sumulong kung hindi kumpleto ang sector na ito. Bagamat hindi naman namin sinasabing puwedeng pantay, sa usapin nga ng suweldo hindi tayo pantay pero sa mga benepisyo naman kinakailangan palaging tingnan papaano kaya kung ang pagtingin ng administrasyon at ng ipapasa nating batas ay para sa faculty? Paano kung yung mga driver ninyong mga VP hindi na mag-drive sa inyo, ano na ang mangyayari sa inyo? Puwede ba kayong ihatid sa Senado? Hindi naman kayo puwedeng mag-drive, 'di ba? So, mahalaga ang papel, kahit maliit pero tingnan natin sa kabuuan ang magiging role ng mga administrative staff. Papaano kung huminto ang mga manggagawa sa PGH dahil sa ganitong usapin na ang mga benepisyo lang para sa mga guro? Ano ang mangyayari sa ating lipunan na inaasahan ng mahihirap na mamamayan para maglingkod?

Ikatlo ay ang representasyon ng kawani at ng REPS doon sa-- ng kawani doon sa Board of Regents. Dapat sana ay awtomatiko na ang

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representasyon na ito ay kung sino ang union na recognized at duly recognized at exclusively union ay dapat awtomatikong mula sa kanilang hanay ang maupo at hindi na dadaan sa iba pang proseso katulad ng proseso na sinasabing i-elect pa yan ng iba't ibang mga kawani dahil siya na ang kinatawan ng mga kawani. Dapat automatic na doon sa ating charter mailagay na kung sino po yung exclusive representative, awtomatiko doon po sa kanilang hanay manggagaling yun pong uupo doon sa presentasyon para po sa admin.

Magandang umaga at maraming salamat.

THE PRESIDING OFFICER. Okay. Professor Leonen.


MR. LEONEN. May I ask that before I speak that we ask Vice President Guevara of Academic Affairs and also the Chancellor of UP Manila to speak?

MR. DOMINGO. Maraming salamat po at magandang umaga sa kanilang lahat.

I have been very respectfully tolerant of the way that my time to speak has been pushed down because I want to illustrate the point. This is exactly what would happen in a large assembly where there is only one is to one or a few student representatives that have-- example, we have some issues to bring to the body, there will always *to*

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be a faculty, an administration representative, an employee, a union representative who will speak at length and what happens last? Sino po ang hindi naririnig? The lone voice in the wilderness, ang estudyante. That's the opening of my statement. And another thing that caught my attention before I go on to my main points, the way that our colleague here from the All-UP Workers Union mentioned that the PGH what will happen if there are no-- kung walang mga kawani na magpapatakbo. Mawalang galang po pero may mga unit na wala talagang kawani at nakikita n'yo po yung nagpapatakbo. Tulad ng sinabi ko dati kami mismo yung nagtutulak ng mga oxygen tank kasi nga walang resources. So, kahit man gusto nating magkaron ng utility worker, for example, if I may mention the neonatal intensive care unit kung saan yung mga maliliit na bata na may sakit, bagong panganak, ay nilalagay, intern po, medical doctor to be specific, intern ang nagpapatakbo nung mga-- bababa kami, akyat baba. Bubuhatin namin yung equipment kasi wala pong kawani sa ganong oras. I'm not saying that PGH can live without staff but what I'm saying is because of contingencies some things have to be done including to make students work. 

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Now, to move on to the main points of my delivery, as the representative of the Medicine Student Council, I would like to focus on three main points in this technical working group. The first is our focus, our appreciation and gratitude for SBN 132 by Senator Pangilinan which we think barring a few minor provisions sums up most of what we have been campaigning since 2004 when we first made our manifestation in this august chamber of the Senate. Now, when it comes to the three points that I would like to mention, first is on student welfare, second is on administration and the third is on financial independence.

When it comes to student welfare, we are happy to emphasize that the version of Senator Pangilinan actually included the provision on student councils and publications and as a segue in reply to Dr. Villegas' claim that students should be given the practice of democracy, I think that is what is needed, the inclusion of a provision that allows for official recognition. By the way, student councils have always been in UP. The fact that we were given a forum to speak here on behalf of students, in my case on the-- in the College of Medicine is the fact that we are allowed to practice democracy very much on campus and even off campus. 16

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Next is on the matter of the student regent selection. With due respect to my colleague to the left who is a student regent, I think he will also have to say some points here. We support the version of Senator Pangilinan and I would like to-- I think Professor Leonen did not see this but Senator Pangilinan did actually include a referendum in letter (g) of that concerned section and saying that we support this particular provision, we would like to emphasize that there is no better way to democratize the way that the student regent is selected than by asking each and individual UP student to actually vote in a referendum on how the student regent should be selected. Moving on to our next item on the matter of administration, I already mentioned that the vote of a student in a proposed university assembly is quite small versus that of a full student regent in a smaller man board. If you do the math, my regent Terry Ridon is one out of 12, if I'm not mistaken, approximate number, and that is a greater fraction than one out of 80 or if we put four students, four out of 80, the proportionality of his vote as regards the whole is much higher in the BOR for which I would be personally grateful. The medicine students would be grateful because we'll have a stronger voice. And when it comes to assertions that at the present setup again in segue to Professor Villegas claim that *fb*

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students cannot contribute knowledge, I beg to differ. In the College of Medicine, student researches are very much promoted and actually given awards by the faculty who at the very minimum just attach their names for the sake of formality because as he qualified when Faraday in the olden times made this discovery, he had to be supported also by a liberal faculty member because in the official scientific forum, publications by non-degree holders will never be recognized. Students need the name of a faculty member as a mentor to be attached to their research work. But that is perfectly fine because the faculty mentor does not, well, in our case, at least, does not tamper very much with the work. In fact, he or she will leave the students to do much of the work and the thinking and the research project. And moving on also it has been mentioned the case of the six medical students in the early '90s. I was still in grade school at that time. I cannot comment on the circumstances because I was just playing at that time but in retrospect, I already said this also before in 2004 at the same technical working group, can there be other cases cited apart from this? In a university which has functioned for close to 100 years already given the present setup which has been modified throughout the years, I think this is an isolated case. While deplorable, it is really deplorable, I would not want

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to be treated by these physicians na nilakad lang po ang pagka-doctor. Hindi ako magpapagamot sa kanila. Pero ang sinasabi ko lang po when you look at the general picture, when you look at the statistical significance of the event, it is only one and I think as admitted then President Abueva tried although failed to make a few responses to the issue.

So, next on financial independence.../hsg

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MR. DOMINGO. ... and so next on financial independence. We, as we mentioned earlier in the committee hearing last, I think two or three weeks ago, we are for the recognition of realities. Being medical students, junior physicians in the hospital, we see what happens when a patient comes in the emergency room. Actually, I am supposed to be on duty right now at the Pediatric Emergency Room, but by the graces of my colleagues, my co-interns, who are covering for me right now I can appear in the Senate. I would like to use as an example our pediatric emergency room-- two or three days ago in my previous duty there was a patient, there was a young boy who was already congesting. Ibig sabihin po ang dami nang tubig sa kanyang бага. Punong-puno na ang бага niya ng tubig, hindi na siya makahinga. Inaantok-antok na. Kung бага ang sensorium diyan na sinasabi, malapit na siyang mamatay. Hindi siya magising. Umiiyak na 'yung magulang. The logical course for that particular case was to call for a certain drug, an emergency drug, and it is Famotidine. Famotidine is very cheap. It can be bought easily. So, sumigaw po ang Residente para sa nurse at saka sa amin, "Ma'am, pahingi po ng Famotidine stat." Ibig sabihin ngayon na, namamatay na 'yung pasyente, and lo and

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behold, wala pong stock ng Famotidine. So, anong ginawa namin? Nagdadasal na lang kami na sana umihi 'yung bata para mawala 'yung tubig sa kanyang baga. Such realities shake us to the core. Nangyari 'yon madaling araw. Malayo kami sa Senado, malayo sa ganitong mga debate nang democracy, accountability, public service. Pag kaharap mo ang pasyente buhay ng tao ang nakasalalay, iba na ang iisipin mo. Ang iisipin mo na lang, kailangan hindi siya mamatay. And this happens a lot of times, and the way this irregularity occurs is because of our lack of financial resources. That's why sabi ko kailangan talaga pumunta sa Senado tapos hingin ng U.P. Charter that would give financial independence. The Student Council of the College of Medicine does not, by asking for financial independence, we do not give up the clamor for a higher state subsidy.

In fact, if you will look at the bill of Senator Pangilinan, when it comes to the Appropriations Provision, there is a phrase there that says, "the amount needed to carry out the implementation of this Act, so and so, thereafter such lump sum representing the national government's responsibility for the continued growth,

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operation, and maintenance of the University shall be included in the annual General Appropriations Act."

When the U.P. Charter started in 2004, that version in 2004, wala pa po 'yang "continued growth operation," nakalagay lang, "for the maintenance of the university." And this has been a big issue because every time the State issues subsidy for U.P., lagi pong napupunta sa Maintenance and Other Operating Expenses, MOOE. So, as 2004, when we made our first manifestation sabi namin, "Please include the words, "continued growth and operation..." I'm sorry, "continued growth" rather para magkaroon ng expansion ang U.P. That proves our clamor for higher state subsidy, but still alam namin ang reality tulad ng sinabi na pagkanag-propose tayo ng 11 billion, kalahati lang po ang ibibigay. So, ano nang gagawin natin ngayon para doon sa batang naghihingalo sa loob ng emergency room? Saan nanggagaling 'yong pambili ng gamot? Sa bulsa namin. Pero hindi naman kami forever po nandoon eh, we have to look long term, and that is why we support the way that idle assets are going to be allowed to be invested, to be commercialized. Okay, take note of the word "commercialization." Another thing I noticed, this is again the nth time that we have been having this



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hearing is that we are all coming from different language games. Whenever we hear the word "commercialization" iba 'yung nag-a-aalarm sa side na ito. Iba 'yung nag-aalarm sa gitna. Iba 'yung nag-aalarm doon. Whenever we hear the word "corporate" iba ang iniisip nung mga abogado, 'yung mga doktor na walang pakialam sa batas, hindi namin alam kung ano 'yon, and then even the employees will think it's a business. So, prior to coming here, please correct me if I am wrong, I think when you say "corporate" doesn't it only define a juridical or a judicial entity that is actually a group of people given a personality-- something like that. And it does not necessarily mean a business. For example, if I'm not mistaken, even non-profit organizations are called "corporations" because they have to be given the personality. My point being, let us all please go to the base definitions of the words and not use them as buzzwords. Kasi po sa hanay 'nang mga estudyante napaka-favorite gamitin 'yung salitang "commercialization" para panakot sa bagong U.P. Charter. Lagi pong kina-campaign on the ground, eto ang pinaka-favorite example-- kapag nagkaroon ng commercialization, magkakaroon daw ng malaking mall sa gitna ng Sunken Garden. Ang Robinson's daw sa Manila ay mag e-expand sa

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loob ng U.P. Manila. Of course, that is a scary prospect. We would not want to have that. And I think Senator Pangilinan's bill addresses that-- that the core academic zones cannot be touched by such attempts to commercialize the land. And we are not selling education here. Never will I personally allow and will the medical students allow the sale of education. Because I will become a doctor in a few month's time and I would want to look back at an alma mater that actually promotes knowledge and not financial gain. And, lastly, as a way of closing for now our comments, the mention of the words "joint venture". In 2003, when I graduated, my thesis for molecular biology was sponsored by San Miguel Corporation. We were asked to research on a specific variant of yeast. That is the general topic. I'm sure I would not want to bore you with the details-- technical details. Now, the fear of the private corporation coming in and eating up the university in that particular case of my thesis has no foundation. San Miguel Corporation, while having gained from the knowledge that we researched as students, not as faculty, as students actually made the information publicly available. Anyone can do a Google search and can come up with the journal, I think Science Diliman, that has



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the full research paper that we made. In fact, we are not also restricted in giving out, I can give you copies if you are interested in the topic. Point being-- let us not always strike up pictures of fearful events, of fearful consequences later on if we do not have statistical knowledge. Ika nga nila sa medicine bago kami magsimula ng isang treatment, ng isang diagnostic intervention na bago laging nire-review 'yung literature, 'yung history. That's why I appreciate the way that Dr. Villegas cites history. Laging nire-review ang kasaysayan in terms of scientific knowledge for that particular proposal. And I would like to end by saying na sana po sa technical working group na ito and later on we always become objective on what we say.

Thank you very much.

THE PRESIDING OFFICER. Okay, Professor Leonen.

MR. LEONEN. Mr. Chair, there are many points that we want to, again, go back to-- Reyes versus Board of Regents, that was the Supreme Court case relating to the medical students, and the forum there was the University Council. The University Council is not the consultative assembly. The University Council is comprised of faculty members. Its duty, mainly, is to act on academic



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matters. It approves curricula submitted by the departments through the colleges and discusses the formulation of courses, the course description, the chronology of courses, the prerequisites, discusses student discipline, and therefore, rightly it is comprised of faculty members because it is part of the function of teaching. It cannot be democratized such that there are students in it that will decide on whether you take Legal Method first before you take up Obligations and Contracts. We must be careful with name-calling. You do not call it "elitist", you call it a body that's academic because it is comprised of people who are experienced enough, who are familiar with the disciplines. I wouldn't know whether Political Geography should be part of Geography as an undergraduate course, but I will rely on the department. And, of course, a first year student going in the university, even a second, third, or fourth year who has not yet earned the degree cannot participate in that forum. And, therefore, there are simply forums which cannot be participated in even by the Board of Regents-- Reyes versus Board of Regents. Supreme Court said, "That the Board of Regents cannot act on admissions which are not recommended by the University Council, clarifying the jurisdiction of the University



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Council and the power of the Board of Regents." Morales versus U.P.— another Supreme Court case, "Courts cannot decide on graduations of students." The process is that the University Council approves and recommends the graduation, and the Board of Regents approves. The language is very carefully crafted, the jurisdictions are very clear, and therefore it is really a very dangerous experiment. In the name of democracy very abstractly held, not democracy in the real concrete way when you say that it should be the Board of Regents should have an equal power with the Consultative Assembly or the Chancellor have an equal power with the Consultative Assembly. We are crafting law, and definitely it cannot be worked. If it will be put in the bill.../mrjc

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MR. LEONEN. ... If it will be put in the bill, then it is one of those laws that's going to be the subject of a lot of litigation, ambiguity and, therefore, you guaranty that the university will come to a standstill. Apart from the representational issues that have just been discussed, again, we repeat, what will the consultative assembly talk about? Now, if you want to create these kinds of assembly because of an issue like the medical students, then you don't need a permanent forum in the law. All you have to do is create that forum, and there are so many task forces, forums, organizations within UP. And as a matter of fact, at certain times, even administrators would call forums for sectoral consultations, etcetera. Please do not shackle the ability of the university to be able to define what it means by democratic consultation. I think what is being... the game being played here, the language being played here is that when you are administration, you cannot be democratic, you are elitist which is not true. And when we are not in the administration, we are the only people that can talk about democratization. So listen to us. Put this institution and, therefore, it is going to be democratic. Please let's go to the basics.

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Okay. Let's look at empirical reality. How many universities have that kind of an assembly throughout the world? Are those universities within the top ten of the Times Higher Education Survey or whatever survey that you want to make use of? Are we in the guise of removing colonization, therefore, going to follow another colonial master, namely England, Oxford, Cambridge; namely, Germany. Or what about the University of Tokyo? What about the National University of Singapore? What about other universities? Well, let me mention Columbia University or for instance, Harvard University. Now, which colonial master do you want to follow? Or is this bill unique enough that we can say it is truly Filipino? Yes. It may have come from our past laws. But you do not radicalize by not building from the past. And we have built from the past. You see, the American governor general did not see it fit that a student sit as a student regent. But the UP now has a student regent. It did not see fit that even a faculty regent will sit. Now we have a faculty regent. And Act 1870 had to be amended by a presidential decree by the dictator himself in order to democratize

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the university. Again, just because you are in administration does not mean that you do not know the meaning of what democratization is.

So again, 90 percent of all knowledge does not come from the faculty. I would like to take that back to my constituency and to my principals. And my principals are the constituencies the University of the Philippines. That's care less. And I think a lot of faculty members toil everyday to create knowledge in spite of the salaries that is being given by this government and to tell them that 90 percent of the knowledge did not come from them is pure hogwash. And I'm sorry but I have to take that back to my constituency and that came from a particular group within the university and I'm sorry or being emotional about it because I cannot accept that.

The next point is, heto pag puro tayo hingi ... hingi nang hingi ng pera. Oo that's right, the government should give us money. But then, how do you think we're going to develop that 1,000 square meters in Basilan? Are we going to leave it there? It's a drain on our resource. We're spending for lawyers to protect it. We're spending for administrative personnel to try to fence it. After fencing it, then what?

Twenty-four thousand hectares of land given by this government to the university and given by private individuals. What do you do with that? How can that earn income? Are we going to be irresponsible by saying because UP must be a national -- nationalistic university we should not even earn from our land? And how do you earn from land? Do you expect the academics to build businesses? Then that's commercialization. And therefore, you get business that is expert in business to try to help us out and, therefore, enter into some mechanism by which you don't sell it but you enter into a joint venture or lease it out. Maybe that's even easier. Kung iiwanan mo lang iyon, I think it's going to be very irresponsible on the part of the university.

There is just too much being expected of the charter. I think it all will boil down to are the institutions enough? And our submission is it is. The consultative mechanisms may not -- Hindi sapat, tama. Hindi sapat pag meron kang gustong specific na sagot. Hindi sapat kapag once in a while you lose in the Board of Regents, as I have personally lost in the Board of Regents. And some of us, in terms of our advocacy, we have lost even within the administration. But that's what

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democracy is all about. You put it to a vote eventually unless they will say that the university has not made it within the past 100 years, the system simply didn't work. The thing wrong with the university is that we do not recognize the merit of people that are in it. It's time that we look at compensation rates within the university. It is time that we give flexibility to the university to be able to raise its own resources, to be able to address the lack of medicines in the PGH, to the lack of laboratories in some science libraries. Democracy -- There will always be a feeling of democracy in any institution. But you just don't add institutions just so that you meet that conscience because it might not simply work.

Thank you.

THE PRESIDING OFFICER. Professor Villegas, could we listen first to the others still haven't spoken?

Yes, ma'am. Dr. Guevarra.

MS. GUEVARRA. I just want to comment on the valedictorians and salutatorians given affirmative action regarding admission. I just want to make mention that there are over 12,000 high schools in the



Philippines. About 6,000 of which are public high schools. So if we give them some benefit into entering UP, salutatorians and valedictorians...6,000 times two, that's 12,000. Now, the actual capacity of UP system-wide is 7,000. So which means that system-wide, we cannot even accept all valedictorians and salutatorians. Of the 70,000 who take UPCAT, about 50,000 want to enter UP Diliman. At most, the capacity of UP Diliman is 3,000. So which means that if everyone wants to enter UP Diliman all valedictorians and salutatorians and this is to be expected, it can even be taken care of not only in Diliman but system-wide and that also means that no other students like good students of Philippine Science High School, the other science high schools, the other private universities which are also very good, UP Integrated School, which means that they can no longer ...they no longer have the chance to be admitted in UP, not just in Diliman but any of the UP campuses.

THE PRESIDING OFFICER. Professor...Dr. Echavis.

MS. ECHAVIS. Good morning.



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I would like to just make some clarifications and then at the end of my presentation maybe some requests for better budgeting system for the University of the Philippines.

First, I would like to put on record that there is already a consultation process in the university and I would like to discuss these various levels of consultation. At the college level, there are departments. And at the department level, we have what we call a Department Academic Personnel Committee that discussed academic matters. The membership of this Department Academic Personnel Committee is elected. We have rules for election already. Then the Department Academic Personnel Committee recommends to the dean any recommendations they have for hiring, firing, promotions, renewal of contracts. At the dean's level, there is a College Academic Personnel Committee which had a representation from ... it varies from college to college. I am talking of my college. The membership is made up of two chairs who are appointed based on consultation process. And then the other members are .../jad



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MS. ECHANIS. ... And then the other members are the academic directors who are appointed by the dean. Then beyond the college level, after the college academic personnel committee recommends to the dean, the dean either decides "Yes, I agree with the recommendations." "No, sorry."

Now, I think that prerogative of the dean must be maintained. Recommendations come from the department APC and the CAPC. But the dean must be allowed to make a decision whether it is a "go" or "no go." Why? We are accountable. We are accountable to the alumni, we are accountable to the Board of Regents, to the President, to the Chancellor, to the nation. If our students do not do well in examinations given by the government, the Certified Public Accountancy Examination, we have to explain. Okay.

So beyond the college level, we also have – beyond the Dean's Office, we also have the general faculty. We are accountable to the general faculty. The general faculty makes a decision, they vote. Anything that we want to pass, they vote. If it's not voted upon, it cannot pass. And I'm talking about programs and other academic policies.



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Now, outside the college, we go to the University Council. The University Council is composed of all assistant professors and higher. And again there, we have various committees. We can give you a copy of how we make decisions there, the numbers of committees. We have a finance committee in the University Council. It was able to block the commercialization of our UP land during the presidency of President Javier, and so it did not pass. That's why we have a new project, it's on science and technology, not on commercialization.

So at the university level, again, we vote. And everybody has one vote, whether you are an assistant professor or you are a professor, one vote each. Okay.

So for the past 100 years, we have been doing consultations. It's already hard enough for a dean to, you know, to deal with all these consultation points and it is a challenge to be able to make something out of what we have already.

Now, regarding the democratization of admission, I think we should not forget that we already have UP nationwide. We have UP in Mindanao, We have UP in Tacloban, we have UP in Cebu, UP in San Fernando, UP in ... somewhere in Leyte, 'yong Palo, Leyte. I think we have nine campuses. So when we say we want to democratize, we are



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already, in fact, present in all these areas. So what do we want, displace some people from certain areas? It's already expensive to be in all of these areas with the same amount of money. So I don't know what we really mean by democratizing some more. We are already present there and spending a lot of money building all these CUs.

And lastly, on the automatic union membership in the Board of Regents, I think it is more democratic if we say that we vote on the faculty regent who will sit there, not only the union president, because many of us are not members of any union. So if you make the president of a union as an automatic member of the board, that is also not democratic.

MR. RIDON. Sir.

THE PRESIDING OFFICER. Mr. Ridon, do you want to say something?

MR. RIDON. Okay. Magandang umaga po sa inyong lahat. Pasensya na kayo kung medyo nahuli po ako sa pagdating dahil may klase pa ho ako kanina sa College of Law.

Sasagutin ko lang 'yong ilang mga punto at sa tingin ko naman napag-usapan na naman ng mga kasama ko po rito 'yong mga



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binabanggit 'no. Pero siguro dadagdagan ko na lang po 'yong ilang mga punto 'no.

'Yong sa usapin ho ng 'yong tinatawag na commercialization of idle assets, sa totoo lang naman parang hindi naman po sagad-sagarang ipinagbabawal 'yong kinakatigan po naming proposal, 'yong pagpasok ho sa joint ventures, pagpasok sa – ang long-term leases with private corporations. Pero 'yong mahalagang-mahalaga pong punto rito, ano ba 'yong policy direction na gusto nating tunguhin 'no? Ang ibig sabihin n'yan, mahalagang-mahalaga ba na maipakita po ng UP na sa kadulu-duluhan 'yong academic progress pa rin po talaga 'yong tinatahak po nitong landas. Ibig sabihin po n'yan, sa usapin ng – halimbawa, 'yong development, for example, ng binabanggit po natin kanina na malaking lupain sa Basilan. Dapat mag-exercise po ng matinding restraint 'yong university administration sa paggalaw po ng lupa na ito. Ibig sabihin po n'yan, kailangan n'ya munang bigyan ng priority – for example, kaya ba nating mag-develop ng academic program sa Basilan? Halimbawa, magtayo tayo ng Peace and Development Extension Program d'yan bago natin galawin pa para tayuan natin ng real estate o tayuan natin ng Science and Technology Park para 'yong mga batang mga Moro hindi na sila magiging MILF.



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Parang ganoon po. Ibig sabihin, kailangang maging malinaw – maging malinaw sa UP administration na hindi porke out outside the academic core zone 'yong lupain po natin, agaran na po nating magagamit ito para sa kung anupamang mga bagay na labas po doon sa academic development po natin.

Maganda po 'yong binabanggit kanina ni Dean Echanis sa usapin nga ho ng democratization insofar as 'yong pagkakaroon po ng UP units sa iba't-ibang mga bahagi ng bansa. Magaling po 'yon. At sa totoo po, patungo ho 'yon sa democratization po talaga ng UP education. But at the end of the day, it should not stop there eh. Ibig sabihin po n'yan, for as long as we have further lands in a lot of areas in the country, 'yon dapat po talaga ang pinagtutuunan ng pansin. At 'yong una muna na dapat nating itatanong d'yan, kaya ba nating magtayo pa ng maliit na extension program d'yan. At natutuwa po ako sa UP administration na ito na nagtayo sila ng UP extension sa Aurora ng school of health. Magtatayo po sila ng School of Health Sciences sa Aurora sa panahon po na ito. At walang better way for us to really utilize our lands than do these kinds of things 'no.

Kasi 'yong usapin naman po talaga ng ano – 'yong usapin po talaga ng commercialization of idle assets, ano 'yan eh -- lalo as a



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general policy presumption na parang okay na sa UP administration. O, kung wala naman pala kayong pera, gamitin n'yo na lang itong mga lupa na ito. Kahit sabihin pa po natin na iyon talaga ang pinaglalaanan naman talaga, na ang lupa na ito ay para gamitin naman daw talaga according, I think, to Senator Angara noong nakaraang usapin, para gamitin, para i-develop, alam po ninyo ano eh, sabi ko mas magandang isipin po natin na kaya ibinigay po 'yang lupa na 'yan para mas paramihin pa po 'yong mga extension services na puwede pong itayo ng Pamantasan ng Pilipinas higit pa doon sa usapin ng real estate development, higit pa doon sa usapin ng joint ventures, higit pa doon sa usapin ng long-term leases 'no.

Iyon po. Kasi sa kadulu-duluhan naman po, nothing precludes, for example, the University of the Philippines in opening up their "tiangges" in UP-Diliman. Sa tingin ko nga po, to a certain extent, maganda nga po 'yon kasi at the very least ina-affirm mo 'yong importance ng small and medium enterprises 'no. Pero at the end of the day, kung, halimbawa, naked na 'yong pagpasok, for example, ng UP administration sa joint ventures with large corporations kung saan, halimbawa, baka ma-held hostage, for example, 'yong research development po natin, mukhang medyo may problema na po ako



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doon. Eh di syempre this is not to say naman that the UP administration shall enter into such kinds of contracts 'no. Pero I think at the very best, that the law that we will have to pass for the next centenary of the University of the Philippines should really take into consideration - ano ba talaga 'yong gustong mangyari ng Pamantasan ng Pilipinas? Kasi po, kung 'yong gusto po talaga natin, for example, is to really make the University of the Philippines a global university as far as its high academic standards, making it compete with other universities abroad, alam po ninyo mga kaibigan, we need all the lands that we can have for use in academic development. Ibig sabihin po n'yan, 'yong institute po, for example, for molecular biology and biotechnology in UP-Diliman, hindi po 'yan sasapat, 'yong ganuon po kaliit na institution sa UP-Diliman. ... /las



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MR. RIDON. ... in U.P. Diliman, hindi po 'yon sasapat, 'yong ganoon pong kaliit na institution sa U.P. Diliman. Kung gusto po natin maging at par po siya doon sa Cornell University at sa Massachusetts Institute of Technology, 'yong maliliit po nating mga building, hindi po 'yan sasapat para doon sa 'yong tunguhin po natin para sa susunod pong sentenaryo na talagang kaya na po nating makipagsabayan kahit man lang sa National University of Singapore. Kaya nga po gusto ko po talagang banggitin at the very best ano talaga maging malinaw po sa batas ito na 'yong primary - 'yong major policy presumption po talaga ng batas ay ang mga lupain po ng U.P. is not -- shall not be used for any other purpose than academic purposes at 'yong paggamit, for example, 'yong pag-enter, for example, into joint ventures long-term leases shall be more of an exemption to the rule. Parang ganoon po 'yon. I appreciate also 'yong binabanggit na the student councils are part of the U.P. Charter of Senator Pangilinan. Pero sa tingin ko po - sa tingin ko po, it is a given already na dapat whichever U.P. Charter that shall be passed, dapat kasama po naman talaga 'yong students council.

'Yong binabanggit po kanina doon sa usapin ng ano, 'yong democratization even ng 'yong Board of Regents of which I am part

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of, sa tingin ko hindi naman po masama 'yong hinihingi po ng ano, pagkakaroon ng consultative assembly. At 'yong consultative assembly po naman po na ito hindi naman ito papasok doon sa binabanggit kanina na intrusion into the academic programs of each unit. Kasi, 'yong consultative assembly naman po na ito ay mas para lang naman po doon sa check and balance insofar as 'yong general policies and the general policy directions of the University of the Philippines is concerned. Kasi, sa tingin ko malinaw naman po sa atin na talaga namang may usapin talaga ng collegiality, and the College of Medicine and which other college mas alam po nila 'yong sitwasyon po sa mga kolehiyo. At sa tingin ko, 'yong mga ganitong mga consultative assemblies na binabanggit po natin shall not intrude into these prerogatives of the colleges. 'Yon.

Sa binabanggit naman po sa usapin ng affirmative action insofar as entry sa para sa freshmen, 'yong valedictorians at salutatorians ng public schools, sa tingin ko when we speak of affirmative action, hindi naman po ito ibig sabihin na automatic entry into the University of the Philippines. At the end of the day, they shall have to pass the UPCAT also and 'yong sa tingin ko 'yong magiging mensahe lang naman po ng batas insofar as the U.P. administration is concerned would be, dapat



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ano talaga patindihin pa rin po natin 'yong equity factor insofar as accepting these kinds of students lalo in the light of pataas nang pataas na matrikula po ng Pamantasan ng Pilipinas. 'Yong kaninang heated yata 'yong discussion ni Dr. Villegas on the point ng -- ano ang tawag dito -- consultation with consent ng mga estudyante, sa tingin ko po maganda na pong ipasok 'yon ng batas dahil sa katotohanan naman po kung malalim po 'yong pang-unawa naman ng U.P. administration doon sa kakayanan ng mga estudyante para unawain 'yong pangangailangan halimbawa ng pagtaas ng matrikula. Sa tingin ko kakatigan naman po nila 'yong mga ganoong pagtaas. So, ang ibig sabihin 'yong pagkakaroon po ng consent hindi na po 'yon masamang measure na ilalagay po sa ating batas. 'Yon at sa kadulu-duluhan naman po mga kaibigan, sa tingin ko malinaw naman po talaga na 'yong lahat na nagsasalita dito 'yong best interest of the University of the Philippines 'yong hino-hold high. At sa tingin ko 'yong binabanggit ko na naman po na mga bagay po na ito hindi rin naman po ito sa tingin ko gravely objectionable proposals especially insofar as the commercialization of assets is concerned. 'Yon lang naman po para sa bahaging ito po at maraming salamat.



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THE PRESIDING OFFICER. Professor Taguiwalo and Professor Villegas allow first to – that we finish the round first before we call on...

MS. TAGUIWALO. It is also a response to the presentation of Dean Echanis and VP Leonen.

THE PRESIDING OFFICER. Yes, ma'am. Kindly hold on to your comments first. Let us call on the representatives from the Civil Service Commission, then the Department of Finance.

MS. UMBAC. Thank you, Mr. Chair.

On the part of the Civil Service Commission, we have no objection to these bills. In fact, we are here to just help you refine it. But since the focus is more of the financial – the fiscal autonomy as well as the benefits for the faculty who are not covered by the Civil Service Commission maybe after the technical working group, I could go and talk to Mr. Cabrera and we will talk about the employees who are under the Civil Service.

Thank you, Mr. Chair.

THE PRESIDING OFFICER. Did I hear you say that you will submit a more extensive comment...

MS. UMBAC. Yes, sir.

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THE PRESIDING OFFICER. ... paper next time?

MS. UMBAC. Yes, sir. And we will discuss union.

THE PRESIDING OFFICER. Professor Leonen.

MR. LEONEN. We wonder whether the Civil Service will also consult the administration or is it only between them and the union in terms of coming out with their own proposal?

MS. UMBAC. I am sorry, Professor VP Leonen. Yes, we will consult with you. But since the bill is on -- focuses on the faculty which are part of the closed career, we don't know how we can improve it more. Maybe we can -- yes, sir, we will consult with you as well as with the union.

THE PRESIDING OFFICER. What do you -- anyway, I may be preempting your position paper but for today's purposes, what do you think of the proposal to exempt U.P. from the Standardization Law?

MS. UMBAC. As it is, sir, since it is already part of the closed career, we do not interfere with how they run things especially when it comes to the faculty who are considered not the usual members of the bureaucracy. I am part of the Civil Service and we are considered part of the bureaucracy but the academic -- the faculty, they are in a league of their own and we cannot set standards for them because we

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do not have that kind of expertise. So, yes, we will come up with a position paper and we will discuss it with the stakeholders, sir.

THE PRESIDING OFFICER. From the Department of Finance, Ms. Miriam Tasarra.

MS. TASARRA. Thank you, Mr. Chairman.

As far as the Department of Finance is concerned, we are focusing our comment on the tax exemption provisions and the Department of Finance position is that the tax exemption provision be aligned with the constitutional and the codal provisions. It means that the revenues and the assets of U.P. must be directly, actually and exclusively for the educational purposes. But we acknowledge – we recognize the institutionalization of the U.P. Charter.

THE PRESIDING OFFICER. That is also what you said last meeting during the public hearing.

MS. TASARRA. Yes, Mr. Chairman.

THE PRESIDING OFFICER. Now, we presume that you've read the provisions on taxation.

MS. TASARRA. Yes.

THE PRESIDING OFFICER. Yes. Are you in agreement with the provisions?



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MS. TASARRA. We find the provision of the bill – the proposed provisions of the bill, there is a statement that it is to be directly, exclusively and actually used for – the revenues and the assets are actually, exclusively and directly for educational purposes. The exemptions will be applied to the revenues and assets that are directly for educational purposes.


THE PRESIDING OFFICER. We have no problem with the Department of Finance in the tax provision.

MS. TASARRA. It is provided by the proposal.

THE PRESIDING OFFICER. Okay. Professor-Dr. Arcadio, Chancellor, U.P. Manila.

MR. ARCADIO. Thank you, Mr. Chairman.

Yes, on two items. The U.P. Manila is the only campus with a Pamantasan Asamblea or a university assembly. It has two levels, a college assembly and the university assembly. Out of the nine colleges during the last 20 years, it has only worked in one out of nine colleges. At the university level, it has not been successful during the last 20 years. We hardly could get a quorum. In the rules, students are only given one-fourth vote instead of one full vote. In the very, very few meetings.../snt


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MR. ARCADIO. ...in the very, very few meetings that were held, you could hardly tackle concerns of the students and the REPS because of the voluminous concerns of the faculty. But this does not mean that there were no consultations done in the UP Manila because the deans and the previous chancellors including the present called for dialogues with the various groupings like if you wanted to talk with students, we call the student councils. If you wanted to talk to the REPS, then we call the REPSA. If we've wanted to talk with the admin, then the administrative grouping's called. When the chancellor or the dean would like to call the whole academic community, then an invitation is sent to the whole academic community and people come and we hold a dialogue. So, I-- there seems to be no-- by experience, there seems to be no necessity for calling for a pamantasang asemblea but those existing sectoral groupings are sufficient.

With regard to the second point-- with regard to the six students, my recollection is they were trying to enter when the college insisted on the cut-off of 90th percentile. However, it is the university council that determines the admission cut-off and the cut-off at that time when it was verified was only 70th percentile and the students, the six students were on the 80th percentile. So, my recollection is they were

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legitimately admitted because they were way above the cut-off of 70. The 90 was restored much later. It was not appropriately in existence at the time of the admission of the students and this was, I think, brought to the courts, in the Regional Trial Court, in the Court of Appeals and in the Supreme Court and these courts sustained the university in these admissions. And I just want to mention that in the college council of the College of Medicine, there are student memberships. The presidents of classes are invited to every college council meeting or faculty council meeting in the College of Medicine.

Thank you, Mr. Chairman.

MS. TAGUIWALO. Phil. Sir.

THE PRESIDING OFFICER. Madam Chair, no more from the administration group? Ma'am, could we first deal with... Professor Taguiwalo.

MS. TAGUIWALO. Thank you. Because this is in response to the presentations of the representatives from the administrative-- administration. So, in terms of the consultations, I would agree with Dean Echanis that there are processes in UP Diliman involving consultations but the process you mentioned involved only faculty members, involved only faculty members when you talk of the *fb*

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academic personnel committee from the department, to the college, to the university council. These do not involve the participation of the REPS, of the administrative staff or of the students.

Second, this is not true for all constituent units. Okay. There are various practices. What we would want institutionalized would be practices similar to the College of Medicine or in our case, the College of Social Work and Community Development where the strategic planning of our college involved everybody, including student representatives. And that is what the-- Section 18 of the Villar version or the House of Representatives, the role and functions of the consultative assemblies. I am surprised by VP Leonen's repeated statement that, you know, the roles and functions of the consultative assemblies are not clear. It is essentially consultative consensus building, democratic and collegial bodies. Principal forum where faculties, students, REPS, and administrative personnel shall address nonacademic issues affecting the university, its thrusts and directions and issues relating to long, medium-term development plans for the university. To promote direct interaction among the various unit constituencies of the university, faculty, REPS, administrative personnel and students in the discussion of issues and grievances which

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heretofore have been mainly sectoral. (c) To serve as a multisectoral forum to recommend policies and administrative and nonacademic matters in consultation with the chancellors for approval by the board. And (d), to act as a consultative body in the search process for deans, directors and equivalent positions in the units of the university as may be necessary. I cannot see for the life of me how it's going to impinge on the academic prerogative of the university councils or of the faculty members. It is simply institutionalizing, you know, the practice which is now dependent on the generosity or enlightened-- or the presence of enlightened administrators because this is not true for all of the constituent units or for all the colleges. So, we have already the embryo of a practice that allows the various sectors to participate not even the decision making directly in terms of only consultations. Right now we have a process for the chancellor if he or she wishes to consult REPSA, consult-- now, we're saying let's go beyond the individual generosity or enlightenment. Let's institutionalize it. And it is not going to go against the academic prerogative of faculty or the university council. It is very much a forum for the various sectors to interact and to input in the policy making body. What's wrong with this 2008 compared to 1908? What's wrong with having this? So, finance, 17

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then let's talk about making it-- let's have-- discuss it with the consultative assemblies. How can we make the cost lower? Can it be confederal? But in terms of the basic principle, do we agree with this? Second, this is basic, 2008; 100 years after. Retain the Board of Regents but we open up a new mechanism for consultation. I cannot see. I am a member of the university council. I am a professor. I come from a college which allows consultations. So, I cannot see for the life of me why we cannot have this in the new charter, you know, and this is not anti-administration or anything. It is institutionalizing good practice. Second, in terms of democratization of access, again, I would like to ask the UP administration representatives to please read Section 9, "Democratic Access." It is not automatic admission. "The University shall take affirmative steps to enhance the access of disadvantaged students to its programs and services while maintaining its standards of excellence. Provided that valedictorians of public high schools not even salutatorians accredited by the Department of Education shall likewise be afforded affirmative action for their admission." This came from the congressman himself. Actually, this was not part of our submission. We're just so happy to have one congressman during the plenary and this one included during the

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second reading. No, not the Committee. So, we're just happy that some congressmen still hold dear to the fact that UP should have space for academically qualified but poor students like me, I come from public high school. I could not have attended UP if UP didn't have affirmative action for valedictorians. Right now we have to have this because with the 1,000 per unit tuition in the university, I don't know what the profile of UP is going to be. I would like to ask the Vice President for Academic Affairs to supply us with the changing profile of the university with the current-- with the new policy on tuition, you know, from P300 last year to 1,000 per unit this year. How is it going to make to affect the profile.../hsg *h*

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MS. TAGUIWALO. ... to affect the profile of the Iskolar ng Bayan who are iskolar ng bayan and who are iskolar ng kanilang pamilya. Third, in terms of commercialization. I agree with my colleague-- the Student Regent, that there should be limits to what the University can do with its idle-- with its land and idle assets. We are particularly concerned, again, we didn't know that there was this such thing until we saw the version passed by the Senate last time. That the entry of such entities as Bankers Association of the Philippines, Investment House Association of the Philippines, and Financial Executive Institute of the Philippines in the University's management. Who are these and why are they there? This was never discussed in the version of the U.P. Charter disseminated among the faculty or even the constituents and posted on the University website. So, we didn't get to see this. And when we saw it, it's like-- why is there a necessity for private entities to come into the management of U.P. And, lastly, while I can commensurate with my colleague again, my young colleague from the PGH, about the situation of the health service in UP-PGH, I would like to remind him that this is not limited to PGH. This is the sad state of the public health system of the whole Philippines. You go to the public hospitals how little and how bad the services are in terms of the

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budget allocation, in terms of the medicines and the supplies. So, I just hope that he won't limit his advocacy to the UP budget, but his advocacy to include the budget for the health budget in this current deliberation on the 2008 budget. Basically, those are some of the points I'd like to raise.

MR. VILLEGAS. Response to the comments made on my presentation. 'Yung sinasabi na ano ba 'yung mga function ng Consultative Assembly, actually 'yung karanasan namin sa Pamantasang Asembleya, hindi lamang reactive ito, ngunit nagpo-propose ito ng mga patakaran-- halimbawa 'yung "No Smoking Policy," nanggaling 'yan sa Pamantasang Asembleya 'no. So, 'yung dinamismo ng Pamantasang Asembleya na gagawin sana bilang Consultative Assembly sa sistema ay magiging pro-active. Hindi lamang 'yung masasabi na iko-convene 'yan tapos konsultahin. Bagaman naaprubahan na ng BOR 'yung being a "consultative body" nung panahon ni Chancellor Reyes, at kami ay pumayag na din doon. 'Yung komento na hindi aktibo itong Pamantasang Asembleya na matagal ay hindi ako sumasang-ayon dahil ako'y isang officer diyan at nung panahon ni Dr. Marita Reyes, nung dating Chancellor, 'yan ay nag-meeting ng mga around six times bukod pa doon sa mga meeting ng mga opisyal. At 'yung mga dean

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puwedeng dumalo diyan. Ngayon si Chancellor Arcadio, I think dumalo ka ng once or twice during the meeting of the Pamantasang Asembleya at marami kaming ginawang mga paninindigan tungkol sa patakaran ng unibersidad. Halimbawa, nagkaroon kami ng position paper tungkol doon sa national issue ng impeachment, ano, at saka sa Charter. So, gumagawa kami ng mga rekomendasyon din para isang-ayon ng administrasyon ng buong U.P. So, kung gagawin ding consultative body 'yan, maaring 'yon ay i-convene ng Chancellor. Actually, sa kasalukuyan, consultative body 'yan ngayon. Ngayon kaya nga hindi naging aktibo sa panahon ni Chancellor Arcadio dahil hindi naman sinasabi ano ba ang patakaran na tatalakayin ano. So, hindi tama na sabihin, ito naging inactive for 20 years dahil nandoon ako since it was founded in spite of the fact na hindi masyado kami sinusuportahan ng administration kasi natatakot nga eh baka kami ay lampasan 'yung kanilang mga patakaran kagaya noon tungkol doon sa pagsasarado ng isang unit sa Bisaya. Aming tinutulan 'yon. Kinonsulta kami pero siyempre hindi rin kami nagwagi. Pero, at least, nalaman ng constituency so, kaya nga maayos 'yung pagsasarado ng isang unit. Panahon ni President Javier 'yon. At nagiging talagang aktibo din 'yan sa mga— hindi lang 'yon sa larangan ng konsultasyon pero larangan

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ng pagpalabas ng mga patakaran kagaya ng patakaran ng "No Smoking Area" ng U.P. ay na-adopt. Ang sinasabi ko ay sa katunayan ito ay inaprubahan na ng BOR bilang consultative body sa U.P. Manila. Ngayon nasa Chancellor din 'yan dahil ito ganoon ang kanyang katayuan na consultative body na gawing mas maaktibo 'yan, not necessarily na aasa lang. Kaso na-downgrade eh sa consultative aspeto eh, kaya nga sinasabi namin na in spite of the fact na hindi ito sinusupportahan, wala kaming opisina, kung ikukumpara sa Student Council ito ay katawan na talagang naandoon lahat ng representative mula sa estudyante, sa non-academic at saka iba pa, ay kami ay gumagana. Matagal na naming hinihingi 'yung mga resources sa administration pero alam naman ng mga tao na ito ay kinatatakutan kaya hindi kami binibigyan ng ganoong suporta, pati office. So, 'yan ang masasabi ko sa Pamantasang Asembleya na sana bagaman na-downgrade na ito being a consultative entity ay mapasok din sa bagong Charter.

Ngayon, ito namang punto ko naman tungkol sa sagot ko doon sa mga komento-- 'yung sinasabi ni Mr. Domingo na isolated case 'yung sa graduation ng six students-- actually, ginamit ko lang 'yan bilang jumping point para ipaliwanag kung bakit natatag 'yung Pamantasang Asembleya, 'no. Kung sabihing isolated case,

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kailangan eh mayroon ding mga facts na sabihin si Mr. Domingo kung bakit. Eh marami namang kaso hindi lang 'yan na ganito na medyo nilalampasan ng BOR 'yung mga desisyon nung mga maliliit na unit. So, ginamit ko lang 'yon bilang jumping point para ipaliwanag bakit natatag 'yung Pamantasang Asembleya. Hindi lang dahil 'yun ang sinasabi ko na 'yun lang ang case. At 'yon namang sinasabi na inaprubahan ng BOR 'yan, ang BOR hindi academic entity basically, ang nag-aapruba talaga ng graduation ng mga estudyante University Council. Sumasangayon ako na talaga 'yung University Council academic matters ang tinatalakay. Siya na talaga ang nag-aapruba ng graduation. Dito sa six students na ito, bakit dinis-approve ng University Council pero nang pumasok sa Supreme Court sa itaas ay inaprubahan. Ibig sabihin mas marunong ba ang BOR at saka 'yung Supreme Court tungkol sa kung naka--talagang ito ay qualified. Kaya nga itong mga faculty hindi nila sinayin (sign) 'yung diploma nitong mga gumraduate. So, ang last say diyan sa tingin ko, kaso tingin ko ito lang ang case na ganitong anim, tapos inaprubahan ng University Council tapos dinis-approve (disapproved) naman ng BOR dahil nakapila sila. Malalakas sila eh. So, sumasang-ayon ako na academic matter lang ang tinatalakay ng University Council. Na ito ang kaibahan ng University Council sa

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aming pino-propose na University Assembly. Kaso ang University Assembly administrative matter puwede din na magbigay ng mga proposal, at konsultahin tungkol sa mga iba pang aspeto. So, hindi lang nalilimit sa faculty or academic matter. Hindi naman sinasabi na dito papalitan mo... /mrjc



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MR. VILLEGAS. ... May mga nagsasabi na dito papalitan mo ang curriculum eh, consultative nga eh. Pero bukod na konsultahin, kailangan pro-active kagaya ng sinabi ko na merong isang policy kami na inadopt(adopt) na bilang -- 'yung "No Smoking Area" ang UP Manila. So ito ang kaibahan ng university assembly duon sa university council na may mga function na administratibo. Bagaman pwede ding magsalita ang mga estudyante tungkol sa academic matter, kaso walang mga miyembro sa university council ang mga estudyante eh. Kung sasabihin na "Ay, ang mga faculty lang ang may alam."

At yung lastly, yung binabanggit ni Vice President Leones na... uy 90 percent lang pala, na 10 percent lang ang galing sa faculty. Well, kung meron siyang mga nabasang datos na to disprove what I am saying na yung progress sa science technology, sa west ha, kaya pati ang UP sinali. So hindi ko sinasabi yun kanina kung nakikinig yan sa akin ha. Sabi ko yung progress sa science technology sa west, 90 percent batay sa mga inventors-scientists ay galing sa mga non-faculty, okay? So for him to go back to earth, dahil sabi niya emotional siya, let him present to counter my claim na history of science and

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technology, from history ha. Baka contemporaneously baka iba na dahil na-democratize na ang maraming university. Let him present his facts. Do not be emotional, go back to earth. At ang isa pa, do not guess on mga data without having concrete facts dahil kung magbabasa talaga siya ng history of science and technology makikita niya na ganun ang proportion, talagang 90 percent imbes na magi-guess lang because emotion. Ha? Sabi nga niya, inadmit(admit) n'ya eh. So we are here to look at the empirical data of history, history of science. I am only talking about the west ha. Baka sa Pilipinas, iba dito. Eh wala pa akong facts sa Philippines eh kung ilan ang mga scientists, mga technician na mula sa faculty o sa mga estudyante o non-universtiy students eh. Baka iba dito. Pero generally, sabi ko sa west ganun, based on my reading of history of science and technology duon. Contemporarily baka iba na.

So yun lang ang my statement against mga observation ng mga kasama natin sa UP.

Okay.



THE PRESIDING OFFICER. Okay. Hanggang 12 lang kasi ang ating reservation dito eh.

Professor Leonen then we go to the staff because they have some questions for the guests.

MR. LEONEN. On the consultation process, precisely as Dr. Taguiwalo was enumerating it, we saw a lot of contradictions in terms of the powers. The consultation process with academic... with non-academic personnel is very simple, which is talk to the unions because they are recognized, the administrative union. Well not now, but they will be the recognized sole and exclusive bargaining unit. They just went through a certification election. And, therefore, our deal is that whenever there is a problem, then therefore besides addressing it at the unit level, we talk to them and they are in charge of consulting with their sector. When we have a problem with the academic union, rank and file, then therefore, that's the same process. And it goes two ways. When they want...when a particular faculty has a problem in terms of welfare, they go directly to the union and the union can communicate with us and it becomes a matter in the agenda of the

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union management consultative body and then we feed it back to the administrative personnel.

For students, they are represented by their student councils. In fact, beside student councils we get hit also by various student publications. And the various student publications are also very critical of some student councils. So again there is already this check and balance process going on. Now, if all non-academic issues are going to be consulted at the consultative assembly, then do we have to violate our collective negotiating agreement and our position that the unions are the sole and exclusive bargaining unit because then, we are going to put it again on the table. Example, sick leave -- supposing that we agree to 100 days of sick leave with the unions. Now, can this be matter to be opened up with the consultative assembly?

The other one is the creation of units. According to the present charter and the proposals that are on the table, the creation of academic units involve not only, well, academic prerogative but there is already a mix of administrative prerogative there. The creation of an extension unit, even academic always have an administrative



component to it. Now, will we have that discussed in the consultative assembly too?

Now, what kind of consensus building is required? Do we have to get 100 percent consensus within the university of the Philippines where each individual's point of view -- as you may have seen, Professor Villegas has a legitimate perspective. He has his own reading of history and I have my own reading of my own history. And it is not true that I did not read science and technology history but then that's beyond the agenda that is now on the table. Can you get a consensus even among us? What kind of a consensus is required? Consensus building, therefore, is an exercise, it's a process. You cannot force people to elect someone to speak for them. Some members of the community would rather go up, talk to a chancellor, sit down with the chancellor and debate face to face. In consultative assembly, you elect one member and you expect that one member speaks for you but then, of course, you always have the avenue of going to a chancellor or a dean. Again, a lot of overlaps is happening now. If there are so many overlaps of these jurisdictions and you put that into the law, my



point only is that it is not going to be -- not only is it going to be vague but it is going to be legal problem in the future. This does not mean that the chancellor cannot create its own consultative mechanisms. I am sure that many chancellors, many deans, in fact, have that. College of Law students sit in the full faculty meeting. But that's out of the discussions coming out of the faculty-student workshops that we've had in the past. We cannot, of course, be so arrogant in saying that this should be what is happening in the College of Engineering because students there, we do not know, might not want to sit in that particular body and, therefore, we hope that you can acknowledge that there is a certain degree of autonomy per unit and then also Manila is different from Mindanao... from Davao. The capabilities of UP Mindanao are certainly different from that of, let's say, UP Tacloban. And therefore, it is very difficult at a system level -- well, even in a legal/law level -- to fix the prerogatives of the administrators and, therefore, tying their hands in terms of development.

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The "No Smoking" policy was not recommended to us, that's at the system level by UP Manila. It came from the UP system upon reading RA 9211, Republic Act 9211.

The participation of a committee to review the commercial decisions of UP was not the recommendation of the administration but it came from some senators during the floor deliberations. And for the record, so is the extension of the term of the president and, therefore, it is not for us to speak for it but we will just want to say that the original version, I think, was a supervisory body of the secretary of the DTI, the Director General of the NEDA, if I am not mistaken. And we thought if they want some oversight, then it could come also from business because government already exercises oversight through the senator and the member of the House of Representatives plus the chair of the CHED sitting in the body.

We are aware of the provisions on affirmative action. We are only reacting to the suggestion that we automatically include valedictorians, but that having been clarified, then we are now more



enlightened that there is no insistence that valedictorians will have an automatic seat in the body.

By law, we are required to consult with the union and even though by law we are not required to consult with the union, it has been the policy of this administration, not out of largess but to recognize that they are the sole and exclusive bargaining unit because they have 50 percent plus one.

But let me just state our position regarding the Board of Regents. The Board of Regents is part of a governing body. From a commercial point of view, if I use the word commercial, it's management and, therefore, the person that sits there must undergo elections of their own constituents. The senator that sits underwent election, there are only a few members that do not.

And in the proposal that we have now, there is a vetting process, there is a search committee .../jad



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MR. LEONEN. ... there is a search committee that creates a short list from where the president can only choose to select members of the Board of Regents. I think this has been a far development from the original charter of Act 1870.

I acknowledge the statement of Student Regent Ridon, coming from our college, that all of us are working for the best interest of the University of the Philippines. You see, a university by definition means that we cannot agree on a lot of things, but at least we agree on the ultimate goal. We may not agree on the method and therefore what we are just hoping for is that the Senate come out with a version that will allow some flexibility but at the same time not compromise the broad universal principles that all of us agree upon.

THE PRESIDING OFFICER. Maiksi lang ha.

MR. RIDON. Maiksi lang, maiksi lang.

Para lang matapos lang po natin siguro 'yong diskurso tungkol sa pamantasang assemblya 'no. 'Yong mahalagang makita din po talaga ng mga senador po natin sa usapin po talaga ng pamantasang assemblya ay 'yong – kasi dahil napag-uusapan po nito 'yong mga non-academic matters, napag-uusapan din po nito 'yong mga panlipunang usapin na dapat hinaharap din po ng Pamantasan ng



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Pilipinas. Kasi malinaw naman din po siguro sa ating lahat na halimbawa ang Board of Regents, siguro kahit ang UP administration, hindi siya puwedeng magsalita, halimbawa, outright dito sa mga usapin, halimbawa, na nag-i-involve ng corruption in government. Hindi din siya puwede, halimbawang magsalita outrightly sa mga usapin ng human rights violations particularly, for example, 'yong abduction ng dalawang UP students who have yet to be found. 'Yong pamantasang assemblya po, ito po 'yong nagbibigay noong venue para sa lahat po ng mga sector na i-air out po 'yong ganitong mga grievances at demokratikong – magtakda ng mga paninindigan sa mga usapin pong katulad nito. At iyon din po, sa tingin ko ayaw na rin po naming i-burden 'yong Board of Regents para i-problematize din po 'yong ganitong mga usapin dahil sa tingin ko mayroong malaking mga administrative at political implications kapag ganuon po 'yong hinaharap po nating kaganapan.

Kaya nga po 'yong pamantasang assemblya, maganda po talaga itong venue para, you know, kahit 'yong mga ganitong mga usapin napag-uusapan at natitindigan ng mga sector. And all of these naman are really in pursuit of 'yong po, 'yong role really ng University of the Philippines, not only to produce scientists, professionals but also



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to provide social criticism to the excesses of government. At sa tingin ko naman, magandang kompromiso na po 'yon lalo't higit kung 'yong lupon ng mga rehente at ng UP administration baka matatali po 'yong kamay sa ganoon pong mga paninindigan.

Iyon na lang po at maraming salamat.

THE PRESIDING OFFICER. Let us entertain statements, questions from the staff. We start with Peachy, from the Office of Senator Pangilinan.

MS. DULAY. This is not really a question, Mr. Presiding Officer. I would just like to also air the side of our office and also the side of my principal.

The bill that was passed, the committee report that was passed last Congress, and it is the bill that Senator Pangilinan filed in this Congress, is a product of several consultative meetings, it's a product of several public hearings, several technical working group hearings, and also bicameral meetings. So if as what we have heard from the different resource speakers, so to speak, it has been shifted and it has been drained of its imperfections, of a lot of inconsistencies. It's not a perfect bill, but so far it is a version that is flexible, is workable and acceptable to most of us 'no.



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Yes, we agree that there are opinions and recommendations from the UP administration that we did not include -- a lot of them we did not include. And there are also some versions from those who were opposing it that we did not include, but there are several that we included which did not come from us anymore and did not come from you. It was a product of the bicameral meeting which the congressmen and some senators put in place. All right. So it passed through scrutiny, it was approved by critical minds and vigilant enough to protect the UP from any commercialization, any of our fears and agam-agam.

But we also know that we cannot include everything and we cannot satisfy all the opinions of different sectors. Senator Pangilinan included safeguards to make sure that the student-sector is represented, considered also provisions that will protect also the REPS.

And if you look at the bill, there are new provisions like protecting the funds and assets of the university. This was not included before, it was not included in any version filed before. But in the version of Senator Pangilinan, we included. It was, I believe, also a radical thing to include a third party, a body that will look into the assets of the university if that is the main fear of many of the sectors.



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It's an independent body composed of experts, financial experts, financial managers, to look and protect the assets of the university.

With regard to the fiscal resources of the university, many are very sensitive about that because I believe it's the idealism that we have to protect the university from commercialization. Pero ang opinion lang ho namin is, sumabay naman ho tayo sa pag-usad ng – sa pag-progress ng ibang mga bagay-bagay. The world is starting to be global, bigyan naman ho natin ng konting chance ang UP to also progress 'no. Kasi ho we cannot allow UP to forage for funds from government kasi hindi po talaga siya kumakasya. UP requests how many billions of pesos from Congress, but it's not being given. So where will we get that? Other SUCs are given the leeway and the flexibility to also look for their resources, to invest their funds, to invest their assets. Let's also give that to the university. Kasi ho 'yong charter that covers all SUCs, pinattern (pattern) lang din ho natin doon ang mga provision na nandito. Because kung kaya nga ng ibang SUCs, bakit naman hindi natin pagbigyan ang UP?

And then also 'yong safeguards, yes, mayroon doon that it will allow UP to invest its assets, but we also put in place safeguards that will protect the UP. Ang ano lang ho is, let's not wait for another 10

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years bago ho natin ipasa ang bill na ito. It's because the UP bill has evolved eh. After each Congress, there are additional inputs and very vital issues that we include. But we cannot just go on hearing and hearing because we know that there are bright minds who will introduce a lot of amendments and revisions.

Let's support and pass this bill and then maybe after 10 years, because there is a lot of progress going on, then we can seek to amend it. But let us support it now. After 100 years, I think ganyan siguro natin kamahal ang unibersidad ... /las



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MS. DULAY. ... I think ganyan siguro natin kamahal ang unibersidad bigyan naman ho natin siya ng legislation that will support it – support its programs and projects. And sayang nga ho, last Congress, we already ratified in the Senate the Bicameral Conference. It was just due to a lack of quorum in the House that the House was not able to ratify it. So, you can imagine that. Senator Pangilinan and a lot of other people were chagrined by the turn of events. We were there but we were so close pero hindi pa rin siya nakaabot. So, ang sa amin lang po, the U.P. community is very vigilant and critical with regard to its policies that it passes, the Board of Regents with regard to programs. Ganoon din ho ang Senado and ang Congress, ang House. All the more they are more critical pero pumasa ho itong version na ito kasi nga po ito ang they believe that it is flexible enough, it's workable and it's acceptable. So, I hope that this time, it's 100 years of U.P. sana po tulungan naman po natin to preserve the proverbial U.P. education that it has been known for. We all love the University. Most of us come from there. So, ganoon na lang ho ang ating pagtatrabaho na magkaroon naman tayo ng magandang selebrasyon next year ng centennial.

Maraming salamat po.



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THE PRESIDING OFFICER. Okay. Mr. Ranjit from the Office of Senator Alan Peter Cayetano.

MR. RIJE. Okay. Good morning. First of all, I would like to apologize for being late. I just came from class in U.P. and the traffic is really bad. This is really a journey for U.P. faculty to just come over to the Senate. I am an adviser to Senator Cayetano and just like all of you and together with the Senator, we have been observers and active participants in trying to push a new charter for the last few years. I remember when we were both student council leaders in U.P. in 1989, okay, we had only been talking about pushing for a new charter. So, as far as commitment is concerned, you have a Senator here at this point in time very committed to making sure that this law passes. But like all parchment institutions and we talk about institutions all the time and laws are institutions, we are only on paper. This should be a product of consensus and like all process and all democratic processes, it takes time. And aside from the commitment to pass this law, the Senator wants to get as much commitment and consensus – build consensus from all stakeholders because in the end, the U.P. Charter is a product of consensus built by the community. We may not agree on details – on all details but on

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principles, we do agree. And the process of consulting and going back, going to this process again is important to building that community to support the bill for the next 100 years. So, the Senator is very keen and he's also cognizant of the hard work that people have done in the past. But the fact of the matter is, he is the Committee Chairman at this time and the history of this process and he wants to make sure that this commitment to pass the bill will push through this time. It can only happen if we all work together and the process of consulting I know is for the nth time for it is almost more than a decade of consulting and this is the process that we have to go through. And I think from his point of view and I am speaking from his perspective, this is an enriching process. We will try our best to push this bill together with the help of other senators. And we do recognize the hard work done by the office of Senator Pangilinan for the longest time pushing for this bill. But we are coming in here new and we want to get new and fresh perspectives on this issue. We are going to most likely organize with our consultations forthcoming and be rest assured that the commitment is to pass this bill together with the help of the Senate in this particular congressional year.

Thank you.



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instance, on joint venture, on partnership and even on long lease, don't you think that this is – is this commercialization if all of the revenues that may be generated out of these business ventures provided they will – all the revenues will be channeled to the improvement of academic instruction of the University of the Philippines commercialization. So, those are only the things that we would like to – I would like to bring out. Because although I did not graduate from the University of the Philippines, I graduated from another state university, but we know that if the University of the Philippines is finding it difficult to fund their academic development and improvement, it is also true with other state universities and colleges. It is more serious among other state colleges and universities. But we have to start and really make the University of the Philippines as a national university that can compare to the best in the world.

'Yon lang po at maraming salamat.

THE PRESIDING OFFICER. Atty. Joy Miranda also from the office of Senator Cayetano.

MR. MIRANDA. Actually, this is more of a request. If you guys would like to submit a position paper with regard to the issues that


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THE PRESIDING OFFICER. Atty. Dr. Sibug also from the office of Senator Cayetano.

MR. SIBUG. Kaunti lang ho ang sasabihin ko.

We are all agreed that there is a need to enact a new charter for the University of the Philippines so that the university will be responsive and relevant to the next century. It's only how we should go there is identifying some disagreements. There are only some points that I would like to address to our colleagues from the University of the Philippines. I spent 44 years of my life in education and retired as Regional Director from the Department of Education. I am more concerned with our honor students in the public schools. Yes, it is true that the number is too large. But can we not consider the 20 percent of them with graduates of 600 and above? They are even less than 20 percent of the total graduates of the public secondary schools. Can we not give them the presumption that they are qualified anyway they are given one semester to prove their worth? Would that violate the mandate of the academic council? Okay. With respect to commercialization, we are now in a world of constant changes and there are better practices now in business that will generate more income for the University of the Philippines. For


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were raised today and if you have any further things that you would like to put on paper, we would gladly appreciate it from our office.

Thank you.

THE PRESIDING OFFICER. Atty. Leonen. Professor Leonen.

MR. LEONEN. This is in response to the question of 20 percent. There are graduate programs and undergraduate programs. There are professional programs like law and medicine and perhaps engineering vetmed. For instance, the college of law enters about 250 individuals. That is less than 20 percent of the total that the U.P. brings in. So, when we say 20 percent, that has to be clarified because if it is 20 percent of the entire incoming students, then that would be difficult to work. That is why in the House of Representatives, we were agreeable to an affirmative action program rather than fix into a particular percentage. The other thing is, 20 might be too fixed because subsequent years, perhaps, the figure might be 21, 22, 19, 18 percent. So, we would rather that some direction is given by the law and the law does not specify the limit of the prerogative. Let me give an example. In the College of Medicine, there used to be a 50 percent quota for women, if I am not mistaken. In fact, I think there is still a 50 percent quota for women except that

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out of their – and math, if I am not mistaken, there are more women that are able to make it more than men. In the College of Law there are more women than men. And I think the Student Regents would agree that men in the College of Law are a very small minority.../snt

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MR. LEONEN. ...small minority now of the-- So, what I'm just saying is when we fix ourselves to percentages, we have to be more forward-looking and that is why our request was that in the House of Representatives agreed I do not know whether the Senate can similarly agree that we be mandated and commanded to have a strong affirmative action program.

On the second point, on commercialization, yes, of course, like the student regent, I think most of those in the academic community and the administration acknowledge that whenever we have plan, the first thing that we have in mind is whether we will need it for academic purposes. But there are simply lands within UP, I mean, we're not talking about square meters. We're talking about 24,000 hectares and out of the 24,000 hectares, let me just say that our geodetic surveyors tell me that when you stand on a plain as far as the eye can see on clear day on a flat land, it's only about 400 hectares. So, 24,000 hectares is-- we're one of the largest landed estates. And, by the way, the 24,000 hectares is both public donations which have ripened into private title and also private lands granted to the university. There are some very kind souls that have given us land. For instance, in Talisay, in various parts of our country out of their own estates. And definitely

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our position is to make it as productive as possible. Now, productivity does not mean profit and I do not claim that anyone on the board would be interested because there is a safeguard in our charter and that is even board members do not get the same honoraria as board of regents members in other state universities and colleges. They do not participate in any benefits given to its employees. They are only reimbursed their actual expenses and I think the only thing given free to them is their academic regalia which I'm sure they are not going to make use of in ordinary days. Our point again is that yes we consider that as a possibility. The other thing is, of course, when you deal with the market, you have to take a look at what is possible in terms of investments and when you have areas to be developed such as land where you have to put up a building and the government does not give us enough capital outlay, then certainly the kind of negotiations that take place would have a horizon on the medium term. UP is very much aware of its history. The CPDP was one very important part of our tradition and history and therefore the administrators are very aware not be beholden to a particular corporate group and therefore it's very diversified. Again, let me just point that the bill that was crafted through the wisdom of the senators during the Thirteenth Congress and

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after the committee hearings and after the bicameral committee meetings is not the way that we envisioned the process of monitoring and safeguarding but it's a process that I think the administration can live with because we think based on our experience as administrators, it is flexible enough yet providing for the prevention of the fears coming from all sectors from the university.

MR. SIBUG. With respect to the 20 percent that you are asking me, I based it from the number that was given by Dr. Guevara at 6,000. So, we are dealing only about with 1,200 graduates of public high schools with graduates of 600 and above. Maybe it's even less. Assuming that there are 1,200, they will not be clustered in one discipline. They will be spread out in different disciplines in the university or actually if you will quantify that, maybe it's even less than 100 per discipline. But that's only a question that I am asking. I am not saying that it should be placed in the law. I am only saying that we presume that they are already qualified at any rate. They are given one semester to prove their worth. It's only food for thought that I am trying to drive at. Now, we don't have any quarrel about the commercialization insofar as I am concerned. My concern is that the University of the Philippines should be allowed to generate income out

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of the 24,000 hectares that you have. The only limiting factor is that whatever amount that may be generated, that whatever revenues that may be generated they shouldn't be channeled to the development, improvement of academic instruction of the University of the Philippines. So, maybe the different discipline should sit together and let's craft a bill that is really forward-looking, that will give flexibility to the incoming generation of administrators of the University of the Philippines so that truly the University of the Philippines will become a national university or a national state university, whatever it is being called.

THE PRESIDING OFFICER. Okay, Mr. Xerxes Nitafan from the Office of the Senate President.

MR. NITAFAN. Yes, good morning po to everyone. This is just to add to the statement coming from the Office of Senator Cayetano, Alan who is the Chair of the Committee on Education, Arts and Culture. I'd like to say before this group that the Office of the Senate President is committed to come up with this version of the UP Charter bill which could be a counterpart for the House of Representatives. As you well know probably that in the last Congress we did our very best on the part of the Senate to pass the bill but then this has not been acted /s


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upon by the House of Representatives because of their lack of quorum in the last days of the sessions of the Thirteenth Congress. We have actually approved the bicam at that time. So, at this point since the bill right now is at the level of the committee, it's actually coming up with its version. Once it is reported out at the plenary, you will be rest assured that the leadership of the Senate would have its commitment to pass it. In fact, the UP Charter is one of the priority measures listed in the agenda of the Senate right now and if the version coming from the Committee would be reported out, it would make a headway into coming up with the approval and later on probably by next year or if it's possible still for this year, then we could have bicam. And if the bicam panels would agree, then a law would be enacted. So, be rest assured that the leadership under the Senate President Villar will be committed into this endeavor.

Thank you very much.

THE PRESIDING OFFICER. Angie. Final statement from Professor Taguiwalo.

MS. TAGUIWALO. This is just in response to the statements of the various representatives of the senators particular sa representative ni Senator Pangilinan. Kinikilala namin ang mga pagsisikap ni Senator 

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Kiko na mapasa yung UP Charter pero Fourteenth Congress na tayo ngayon. So, dapat magbukas rin si Senator Pangilinan sa bagong proseso dahil may mga bagong senador, may bagong version din yung Lower House. Particularly, natuwa ako na si Senate-- si Senator Villar ay nag-sponsor ng House version ng pinasa ng House sa second reading nung October 11 na ang mga provisions nito ay mas suportado namin kaysa maraming provision nung kay Senator Pangilinan na nakasama din namin sa UP bilang student regent at chair, ano. Nagpapasalamat kami kay Senator Cayetano sa ganitong pananaw na bagamat dumaan sa isang proseso na halos natapos na nung Thirteenth Congress ang pagsabatas ng bagong UP Charter na sa bagong proseso tayo, bago ang Senate, bago ang Lower House. Kaya magbukas tayo para mapaganda pa, maipasok ang anong maaari nating maipasok not because we are against the march of progress, the march to progress. Bahagi nga ito ng pagtingin natin.../hsg

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MS. TAGUIWALO. ... ng pagtingin natin saan patutungo ang UP, 'no. Paano natin ini-interpret ang Unibersidad ng Pilipinas sa 21st Century. So, ito lang ang kahilingan namin. Kinikilala namin na may bago tayong proseso. Hinihingi namin sa opisina ni Senator Pangilinan na maging bukas din katulad ng pagiging bukas ni Senator Villar na bumoto noong 13th Congress sa version na 'yan at ngayon ay nag-sponsor ng bagong version. Sa ganoong proseso siguro ay mapapabilis natin ang pagkakaroon nga ng isang U.P. Charter.

THE PRESIDING OFFICER. Okay, my reaction to that? Rest assured bukas ho kaming mga taga-Senate, especially the staff, but it doesn't necessarily mean that we have to agree with what you guys are saying here. We also have equal concern for the passage of this new U.P. Charter. We are critical of your opinions or insights, but in the end it's the dominance of the correct proposals and ideas that we really put into, in our case the committee report. So, as a final statement, you know already of the process we narrow these bills down into one single document, and that will be the committee report from our end, particularly on the committee of Senator Allan Peter Cayetano would endeavor to come up with a

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committee report that would faithfully reflect, mirror, all the provisions in the different bills. But, of course, you have to take into consideration the insights being given in this technical working group. So, if there are sections in the individual bills which will not be included in the committee report, rest assured we have considered the exclusion of such provisions.

Okay, Albert Domingo.

MR. DOMINGO. Just one sentence, Mr. Chair. The only thing we would like to say is, we would like to thank the Senator and their staff for always continually hearing us and in hearing us we'd also like, as representative of the students, to say that there is no monopoly on who has the voice of democracy. Not a single party in this meeting here can claim na sila ang tanging boses ng demokrasya; na sila ang tamang bersyon; na sila ang dapat pakinggan at sila lang ang naaapi. Salamat po.

THE PRESIDING OFFICER. Okay, finally before we...

MR. RIDON. Final, ay hindi pa final statement 'yung kanina, sir. Pero sa tingin ko wala namang pinag-uusapan po dito— there is no claim naman na mayroong may monopolyo ng demokrasya. Pero 'yung pinaka punto ko lang po dito, wala naman pong

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nagsasabi na pigilan po natin 'yung pag-unlad ng Pamantasan ng Pilipinas. At sa tingin po namin in the face of the two bills that we are talking about today dapat iinclude po talaga sa committee report kung ano ba talaga 'yung magpro-protect ng interest ng U.P. as an academic institution over and above 'yung mga particular exigencies na kailangan po niyang tugunan. Ibig sabihin po niyan 'yung binabanggit ko po paulit-ulit kanina na there is nothing to preclude the U.P. administration from entering into joint ventures from opening up their lands for "tiangges", parang ganoon po. Pero maging malinaw lang po 'yung command ng batas sa U.P. administration, di ba. At the very best dapat gamitin mo ang mga lupa mo para sa educational institutions at as an exception kung kailangang-kailangan mo talagang gamitin 'yan para sa commercial purposes, di sige gawin mo 'yan, basta malinaw 'yung batas. Malinaw 'yung mandate po nang batas sa U.P. administration para hindi naked 'yung ano, hindi naked na lang po 'yung pagpasok sa joint ventures at saka sa long-term basis.

'Yun lang naman po at sana po by the next year po talaga mayroon na tayong bagong batas na talagang mag-i-incorporate po ng lahat ng paninindigan and I would wish to make the statement



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today na sa tingin ko po 'yung Pangilinan bill for the longest time since the 12th Congress did not really incorporate much of the assertions of some of the parties present here today.

'Yun lang naman po. Maraming salamat.

THE PRESIDING OFFICER. Again, okay, thank you for your presence. We will keep in touch with you. I call this meeting adjourn. I move for the adjournment of this meeting.

(THE MEETING WAS ADJOURNED AT 12:08 P.M.)

.../mrjc

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