



## HOUSE OF REPRESENTATIVES

H. No. 5641

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BY REPRESENTATIVES DEL MAR, CUENCO, GULLAS, SOON-RUIZ, GARCIA (P.),  
DURANO, GARCIA (P.J.), SALIMBANGON, VILLAR, CUA (J.), JAVIER,  
REMULLA, PADILLA, MADRONA, NICOLAS, AMATONG, AQUINO, MITRA,  
DE GUZMAN, GARAY AND ANGPING, PER COMMITTEE REPORT NO. 1587

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AN ACT CONVERTING THE CEBU STATE COLLEGE OF SCIENCE  
AND TECHNOLOGY SYSTEM IN THE CITY OF CEBU AND ALL  
ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF  
CEBU INTO A STATE UNIVERSITY TO BE KNOWN AS THE  
CEBU TECHNOLOGICAL UNIVERSITY (CTU) AND  
APPROPRIATING FUNDS THEREFOR

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

1           SECTION 1. *Conversion.* – The Cebu State College of Science and  
2   Technology System in the City of Cebu, including all its existing satellite  
3   campuses namely: the College of Fisheries in the Municipality of Moalboal,  
4   the Agro-industrial and Forestry College in the Municipality of Argao, the  
5   Polytechnic College in the Municipality of Tuburan, the College of Fisheries in  
6   the Municipality of Daanbantayan, the Fishery and Industrial College in the  
7   Municipality of San Francisco, the College of Industrial Technology in the  
8   Municipality of Danao, the College of Fisheries Technology in the

1 Municipality of Carmen, the Abellana College of Arts and Trades in the City  
2 of Mandaue, the College of Agriculture in the Municipality of Barili  
3 (previously located in Sudlon, Lahug of Cebu City) and the Experimental  
4 Station in the Municipality of Sibonga, all municipalities located in the  
5 Province of Cebu, are hereby converted into a state university to be known as  
6 the Cebu Technological University (CTU), hereinafter referred to as the  
7 University. The main campus of the University shall be in Cebu City.

8       SEC. 2. *General Mandate.* – The University shall primarily provide  
9 advanced professional and technical instruction for special purposes, advanced  
10 studies in industrial trade, agriculture, fishery, forestry, aeronautics and land-  
11 based programs, arts and sciences, health sciences, information technology and  
12 other relevant fields of study. It shall also undertake research and extension  
13 services, and provide progressive leadership in its areas of specialization.

14       SEC. 3. *Curricular Offerings.* – The University shall offer  
15 undergraduate and graduate studies in the fields of industrial trade, agriculture,  
16 fishery, forestry, aeronautics, arts and sciences, health sciences, information  
17 technology, nontraditional courses and other degrees/courses within its areas of  
18 specialization and according to its capabilities, as the Board of Regents may  
19 deem necessary to carry out its objectives, in order to meet the needs of the  
20 Province of Cebu and Region VII.

21       The existing high schools shall be transferred to the jurisdiction and  
22 supervision of the Department of Education (DepEd): *Provided*, That the high  
23 schools shall be allowed to remain and operate within the campus of the  
24 University until the students, who are currently enrolled, shall have completed  
25 their high school education: *Provided, further*, That the University may  
26 operate a reasonably-sized laboratory school, if it has a College of Education.

27       SEC. 4. *Administration.* – The University shall have the general powers  
28 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise

1 known as “The Corporation Code of the Philippines”. The administration of  
2 the University and the exercise of its corporate powers shall be vested  
3 exclusively in the Board of Regents and the President of the University.

4 SEC. 5. *The Governing Board.* – The governing board of the  
5 University shall be the Board of Regents, hereinafter referred to as Board,  
6 which shall be composed of the following:

7 (a) The Chairperson of the Commission on Higher Education (CHED),  
8 Chairperson;

9 (b) The President of the University, Vice Chairperson;

10 (c) The Chairperson of the Committee on Education, Arts and Culture  
11 of the Senate, member;

12 (d) The Chairperson of the Committee on Higher and Technical  
13 Education of the House of Representatives, member;

14 (e) The Regional Director of the National Economic and Development  
15 Authority (NEDA), member;

16 (f) The Regional Director of the Department of Science and  
17 Technology (DOST), member;

18 (g) The President of the federation of faculty associations of the  
19 University, member;

20 (h) The President of the federation of student councils of the  
21 University, member;

22 (i) The President of the federation of alumni associations of the  
23 University, member; and

24 (j) Two (2) prominent citizens from the private sector who have  
25 distinguished themselves in their profession or fields of specialization of the  
26 University, members.

27 The Board shall appoint the two (2) prominent citizens from among a  
28 list of at least five (5) qualified persons in the Province of Cebu, as

1 recommended by the search committee constituted by the University President,  
2 in consultation with the Chairperson of the CHED and the other members of  
3 the Board, based on the normal standards and qualifications for the position.

4 The term of office of the President of the federation of faculty  
5 associations, the President of the federation of student councils and the  
6 President of the federation of alumni associations shall be coterminous with  
7 their terms of office, as set forth in their respective constitutions and bylaws.

8 The two (2) prominent citizens shall serve for a term of two (2) years  
9 from the date of appointment.

10 SEC. 6. *Promulgation and Implementation of Policies.* – The Board  
11 shall promulgate and implement policies in accordance with the declared State  
12 policies on education and other pertinent provisions of the Philippine  
13 Constitution on education, agriculture, science and technology, as well as the  
14 policies, standards and thrusts of the CHED under Republic Act No. 7722,  
15 otherwise known as the “Higher Education Act of 1994”.

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

20 (a) To promulgate rules and regulations not contrary to law as may be  
21 necessary to carry out the purposes and functions of the University;

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

25 (c) To import duty-free economic, technical and cultural books and/or  
26 publications, upon certification by the CHED that such imported books and/or  
27 publications are for economic, technical, vocational, scientific, philosophical,

1 historical or cultural purposes, in accordance with the provisions of the Tariff  
2 and Customs Code of the Philippines, as amended;

3 (d) To receive in trust legacies, gifts and donations of real properties of  
4 all kinds and to administer and dispose of the same when necessary for the  
5 benefit of the University, subject to the limitations, directions and instructions  
6 of the donor, if any.

7 Such donations shall be exempt from the donor's tax and the same shall  
8 be considered as allowable deductions from the gross income in the  
9 computation of the income tax of the donor, in accordance with the provisions  
10 of the National Internal Revenue Code (NIRC) of 1997, as amended: *Provided,*  
11 That such donations shall not be disposed of, transferred or sold;

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

16 Such fees and charges, including government subsidies and other  
17 income generated by the University, shall constitute special trust funds and  
18 shall be deposited in any authorized government depository bank, and all  
19 interests that shall accrue therefrom shall form part of the same funds for the  
20 use of the University.

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

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

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

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

11           (h) To appoint, upon recommendation of the President of the  
12 University, Vice Presidents, deans, directors, heads of departments, faculty  
13 members and other officials and employees of the University;

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

22           (j) To approve the curricula, instructional programs and rules of  
23 discipline drawn by the Administrative and Academic Councils as herein  
24 provided;

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

26           (l) To award honorary degrees upon persons in recognition of their  
27 outstanding contribution in the fields of agriculture, public service, arts,  
28 science and technology, education or in any field of specialization within the

1 academic competence of the University; and to authorize the awarding of  
2 certificates of completion of nondegree and nontraditional courses;

3 (m) To establish and absorb nonchartered tertiary institutions within  
4 the Province of Cebu as branches and extension centers in coordination with  
5 the CHED and in consultation with the Department of Budget and  
6 Management (DBM), and to offer therein programs or courses to promote and  
7 carry out equal and greater access to educational opportunities as mandated by  
8 the Constitution;

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

11 (o) To establish professorial chairs in the University and to provide  
12 fellowships for qualified faculty members and scholarships to deserving  
13 students;

14 (p) To delegate any of its powers and duties provided for hereinabove  
15 to the President or Officer-in-Charge and/or other officials of the University as  
16 it may deem appropriate, so as to expedite the administration of the affairs of  
17 the University;

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

22 (r) To collaborate with other governing boards of state universities and  
23 colleges within the Province of Cebu or Region VII, under the supervision of  
24 the CHED and in consultation with the DBM, and work towards the  
25 restructuring of the University to become more efficient, relevant, productive  
26 and competitive;

27 (s) To enter into joint ventures with business and industry for the  
28 profitable development and management of the economic assets of the

1 University, the proceeds from which shall be used for the development and  
2 strengthening of the University;

3 (t) To develop consortia and other forms of economic linkages with  
4 local government units (LGUs), institutions and agencies, both public and  
5 private, local and foreign, in the furtherance of the purposes and objectives of  
6 the University;

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

11 (v) To set up the adoption of modern and innovative modes of  
12 transmitting knowledge such as the use of information technology, the dual  
13 learning system, open learning or distance education and community  
14 laboratory for the promotion of greater access to higher education and graduate  
15 studies, as the case may be;

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

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

21 (y) To extend the term of the President of the University beyond the  
22 age of retirement, but not beyond the age of seventy (70), whose performance  
23 has been unanimously rated by the Board as outstanding, based on the  
24 guidelines, qualifications and/or standards set by the Board, after unanimous  
25 recommendation by the search committee.

26 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at  
27 least once every quarter. However, the Chairperson of the Board may, upon



1 three (3) days' prior written notice, call a maximum of two (2) special  
2 meetings whenever necessary.

3 A quorum of the Board shall consist of majority of all its members  
4 holding office at the time of the meeting: *Provided, however,* That the  
5 Chairperson of the CHED or the President of the University is among those  
6 present in the meeting.

7 In the absence of the Chairperson of the CHED, a Commissioner of the  
8 CHED, duly designated by him/her, shall represent him/her in the meeting with  
9 all the rights and responsibilities of a regular member: *Provided, however,*  
10 That during this meeting, the President of the University as Vice Chairperson  
11 shall be the Presiding Officer: *Provided, further,* That this *proviso*  
12 notwithstanding, the Chairperson of the CHED is hereby authorized to  
13 designate a CHED Commissioner as the regular Chair of the Board, in which  
14 case said CHED Commissioner shall act as the Presiding Officer.

15 In case the Chairpersons of the Congressional Committees on Education  
16 shall not be able to attend the Board meeting, they may duly designate their  
17 respective representatives to attend said meeting, who shall have the same  
18 rights and responsibilities as a regular member of the Board.

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

24 **SEC. 9. *The University President.*** – The University shall be headed by  
25 a President, who shall render full-time service. He/She shall be appointed by  
26 the Board, subject to the guidelines, qualifications and/or standards set by the  
27 Board, upon recommendation of a duly constituted search committee. He/She  
28 shall have a term of four (4) years and shall be eligible for reappointment for

1 another term: *Provided*, That in order to effect a smooth transition to a state  
2 university, the incumbent President of the Cebu State College of Science and  
3 Technology System, if qualified, shall serve as the first President of the  
4 University.

5         Within six (6) months before the expiration of the term of office of the  
6 incumbent President of the CTU, the Board shall constitute the Search  
7 Committee for the Presidency (SCP).

8         In case of vacancy in the Office of the President by reason of death,  
9 compulsory retirement, resignation, removal for cause or incapacity of the  
10 President to perform the functions of his/her office, the Board shall designate  
11 an Officer-in-Charge of the University within six (6) months from the date of  
12 vacancy, pending the appointment of a new President.

13         In case of vacancy in the Office of the President as mentioned in the  
14 immediately preceding paragraph, his/her successor or the Officer-in-Charge of  
15 the University shall serve only the unexpired portion of the term.

16         The powers and duties of the President of the University, in addition to  
17 those specifically provided in this Act, shall be those usually pertaining to the  
18 Office of the President of similar universities, and those delegated by the  
19 Board.

20         The salary of the President of the University shall be in accordance with  
21 the Revised Compensation and Position Classification System and shall be  
22 comparable to that being received by the Presidents of similar educational  
23 institutions.

24         The President of the University shall be assisted by a Vice President for  
25 Academic Affairs, a Vice President for Administration and a Vice President  
26 for Research and Development, who shall be appointed by the Board upon  
27 recommendation of the President: *Provided*, That the incumbent Vice

1 . President of the Cebu State College of Science and Technology System shall  
2 serve as Vice President for Academic Affairs.

3         SEC. 10. *Heads of University Campuses.* – Campus Directors shall  
4 head the University campuses and they shall render full-time service. They  
5 shall be appointed by the Board upon recommendation of the search committee  
6 and the University President, subject to the guidelines, qualifications and/or  
7 standards set by the Board: *Provided,* That the incumbent college  
8 administrators of the extension campuses shall serve as Campus Directors of  
9 their respective campuses.

10         SEC. 11. *The Administrative Council.* – There shall be an  
11 Administrative Council consisting of the President of the University as  
12 Chairperson, Vice Presidents, deans, directors and other officials of equal rank  
13 as members, whose duty is to review and recommend to the Board policies  
14 governing the administration, management and development planning of the  
15 University.

16         SEC. 12. *The Academic Council.* – There shall be an Academic Council  
17 to be composed of the President of the University, who shall act as  
18 Chairperson, and all academic staff with the rank of at least an assistant  
19 professor, as members.

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

1           SEC. 13. *The Secretary of the University.* – The Board shall appoint a  
2 secretary, who shall serve as such for both the Board and the University and  
3 shall keep all records and proceedings of the Board. He/She shall serve upon  
4 each member of the Board the appropriate notice of the Board meetings.

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

7           SEC. 15. *The Faculty.* – No political beliefs, gender preference,  
8 cultural or community affiliation or ethnic origin, and religious opinion or  
9 affiliation shall be a matter of inquiry in the appointment of faculty members of  
10 the University: *Provided,* That said appointment shall be subject to the  
11 guidelines, qualifications and/or standards set by the Board: *Provided, further,*  
12 That no member of the faculty shall teach for or against any particular church  
13 or religious sect.

14           SEC. 16. *Scholarship Program/Admission.* – The University shall  
15 provide a scholarship program and other affirmative action programs to assist  
16 poor but deserving students who qualify for admission to the University.

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

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

23           SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
24 *and Detail of Personnel.* – The heads of the bureaus and offices of the national  
25 government are hereby authorized to loan or transfer, upon the request of the  
26 President of the University, such apparatus, equipment or supplies as may be  
27 needed by the University, and to detail employees for duty therein when, in the  
28 judgment of the head of the bureau or office, such apparatus, equipment,

1 supplies or services of such employees can be spared without serious detriment  
2 to the public service.

3 The employees so detailed shall perform such duties as required of them  
4 by the President of the University, and the time so employed shall be counted  
5 as part of their regular services.

6 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and  
7 personal, personnel and records of the Cebu State College of Science and  
8 Technology System, and its satellite campuses, namely: the College of  
9 Fisheries in the Municipality of Moalboal, the Agro-industrial and Forestry  
10 College in the Municipality of Argao, the Polytechnic College in the  
11 Municipality of Tuburan, the College of Fisheries in the Municipality of  
12 Daanbantayan, the Fishery and Industrial College in the Municipality of San  
13 Francisco, the College of Industrial Technology in the Municipality of Danao,  
14 the College of Fisheries Technology in the Municipality of Carmen, the  
15 Abellana College of Arts and Trades in the City of Mandaue, the College of  
16 Agriculture in the Municipality of Barili and the Experimental Station in the  
17 Municipality of Sibonga, as well as liabilities or obligations, are hereby  
18 transferred to the University. The positions, rights and security of tenure of  
19 faculty members and personnel therein employed under existing laws prior to  
20 the conversion into a University shall be respected.

21 All parcels of land belonging to the government occupied by the Cebu  
22 State College of Science and Technology System and its satellite campuses are  
23 hereby declared to be property of the University, and shall be titled under that  
24 name: *Provided, That should the University cease to exist or be abolished or*  
25 *should such parcels of land aforementioned be no longer needed by the*  
26 *University, the same shall revert to the LGUs concerned.*

27 SEC. 20. *Appropriations.* – The amount necessary to carry out the  
28 provisions of this Act shall be charged against the current year's appropriations

1 of the Cebu State College of Science and Technology System, including all its  
2 existing satellite campuses namely: the College of Fisheries in the  
3 Municipality of Moalboal, the Agro-industrial and Forestry College in the  
4 Municipality of Argao, the Polytechnic College in the Municipality of  
5 Tuburan, the College of Fisheries in the Municipality of Daanbantayan, the  
6 Fishery and Industrial College in the Municipality of San Francisco, the  
7 College of Industrial Technology in the Municipality of Danao, the College of  
8 Fisheries Technology in the Municipality of Carmen, the Abellana College of  
9 Arts and Trades in the City of Mandaue, the College of Agriculture in the  
10 Municipality of Barili and the Experimental Station in the Municipality of  
11 Sibonga, except the sums needed to continue the operations of the existing  
12 high schools. Thereafter, such sums as may be necessary for the continued  
13 operation and maintenance of the Cebu Technological University shall be  
14 included in the annual General Appropriations Act.

15 SEC. 21. *Development Plan, Management Audit, Organizational/*  
16 *Administrative/Academic Structure.* -- Within the period of one hundred twenty  
17 (120) days after the approval of this Act, the University shall accomplish the  
18 following:

19 (a) Submit a five (5)-year development plan, including its  
20 corresponding program budget to the CHED, for corresponding  
21 recommendation to the DBM;

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

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

26 SEC. 22. *Filing of Report.* -- On or before the fifteenth (15<sup>th</sup>) day of the  
27 second (2<sup>nd</sup>) month after the opening of the regular classes each year, the  
28 Board shall file with the Office of the President of the Philippines, through the

1 Chairperson of the CHED, and with both Houses of Congress a detailed report  
2 on the progress, conditions and needs of the University.

3 SEC. 23. *Suppletory Application.* – The provisions of Republic Act  
4 No. 8292, otherwise known as the “Higher Education Modernization Act of  
5 1997”, shall be an integral part of this Act and shall serve as part of the  
6 Governing Charter of the University.

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

11 SEC. 25. *Implementing Rules and Regulations.* – The Board, in  
12 consultation with the CHED, shall formulate the guidelines to fully implement  
13 the provisions of this Act.

14 SEC. 26. *Separability Clause.* – If, for any reason, any part or provision  
15 of this Act is declared invalid or unconstitutional, the remaining parts or  
16 provisions not affected thereby shall remain in full force and effect.

17 SEC. 27. *Repealing Clause.* – All laws, presidential decrees, executive  
18 orders, rules and regulations contrary to or inconsistent with the provisions of  
19 this Act are hereby repealed or modified accordingly.

20 SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after  
21 its publication in two (2) newspapers of general circulation.

Approved,

**O**