



## HOUSE OF REPRESENTATIVES

H. No. 4585

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BY REPRESENTATIVES AGYAO AND ANGARA, PER COMMITTEE  
REPORT NO. 905

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AN ACT CONVERTING THE KALINGA-APAYAO STATE COLLEGE IN  
THE CITY OF TABUK, PROVINCE OF KALINGA INTO A STATE  
UNIVERSITY TO BE KNOWN AS THE KALINGA STATE  
UNIVERSITY 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 Kalinga-Apayao State College in the  
2 City of Tabuk, Province of Kalinga, including its extension campuses in  
3 Barangay Bulanao in the City of Tabuk and Barangay Dagupan in the  
4 Municipality of Rizal, all located in the Province of Kalinga, is hereby  
5 converted into a state university to be known as the Kalinga State University,  
6 hereinafter referred to as the University. The main campus of the University  
7 shall be in the City of Tabuk.

8           SEC. 2. *General Mandate.* – The University shall primarily provide  
9 advanced education, higher technological, professional instruction and training  
10 in the arts, agriculture, forestry, social and natural sciences and technology,  
11 and other relevant fields of study. It shall also promote and undertake research  
12 and extension services, and provide progressive leadership in its areas of  
13 specialization.

1           SEC. 3. *Academic Freedom and Institutional Autonomy.* – The  
2 University shall enjoy academic freedom and institutional autonomy, pursuant  
3 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of  
4 the Philippines.

5           SEC. 4. *Curricular Offerings.* – The University shall offer  
6 undergraduate and graduate courses in the fields of arts, agriculture, forestry,  
7 social and natural sciences and technology, and other degrees within its areas  
8 of specialization and according to its capabilities as the Board of Regents may  
9 deem necessary to carry out its objectives and in order to meet the needs of the  
10 Province of Kalinga and the Cordillera Administrative Region.

11           The University shall maintain and operate a reasonably-sized laboratory  
12 school under its College of Education in the main campus.

13           SEC. 5. *Administration.* – The University shall have the general  
14 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,  
15 otherwise known as “The Corporation Code of the Philippines”. The  
16 administration of the University and the exercise of its corporate powers shall  
17 be vested exclusively in the Board of Regents and the President of the  
18 University.

19           SEC. 6. *The Governing Board.* – The governing body of the  
20 University shall be the Board of Regents, hereinafter referred to as the Board,  
21 which shall be composed of the following:

22           (a) The Chairperson of the Commission on Higher Education (CHED),  
23 Chairperson;

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

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

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

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

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

5 (g) The President of the federation of faculty associations of the  
6 University, member;

7 (h) The President of the federation of student councils of the  
8 University, member;

9 (i) The President of the federation of alumni associations of the  
10 University, member; and

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

14 The Board shall appoint the two (2) prominent citizens from among a  
15 list of at least five (5) qualified persons in the Province of Kalinga, as  
16 recommended by the search committee constituted by the University President,  
17 in consultation with the Chairperson of the CHED and the other members of  
18 the Board, based on the normal standards and qualifications for the position.

19 The term of office of the President of the federation of faculty  
20 associations, the President of the federation of student councils and the  
21 President of the federation of alumni associations shall be coterminous with  
22 their respective terms of office, as set forth in their respective constitutions and  
23 bylaws.

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

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

5           (a) To promulgate and implement policies in accordance with the  
6 declared State policies and the provisions of the Philippine Constitution on  
7 education, agriculture, science and technology, as well as the policies,  
8 standards and thrusts of the CHED under Republic Act No. 7722, otherwise  
9 known as the “Higher Education Act of 1994”;

10           (b) To promulgate rules and regulations not contrary to law as may be  
11 necessary to carry out the purposes and functions of the University;

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

15           (d) To import economic, technical and cultural books and/or  
16 publications;

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

21           (f) To fix the tuition fees and other necessary school charges such as,  
22 but not limited to, matriculation fees, graduation fees and laboratory fees, as  
23 the Board may deem proper to impose, after due consultations with the  
24 involved sectors.

25           Such fees and charges, including government subsidies and other  
26 income generated by the University, shall constitute special trust funds and  
27 shall be deposited in any authorized government depository bank, and all

1 interests that shall accrue therefrom shall form part of the same funds for the  
2 use of the University.

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

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

16 (g) To adopt and implement a socialized scheme of tuition and school  
17 fees for greater access to poor but deserving students;

18 (h) To authorize the construction or repair of its buildings, machinery,  
19 equipment and other facilities, and the purchase and acquisition of real  
20 property, including necessary supplies, materials and equipment;

21 (i) To appoint upon recommendation of the President of the  
22 University, vice presidents, deans, directors, heads of campuses, faculty  
23 members, and other officials and employees of the University;

24 (j) To fix and adjust salaries of faculty members and administrative  
25 officials and employees, subject to the provisions of the Revised Compensation  
26 and Position Classification System and other pertinent budget and  
27 compensation laws including those governing hours of service and such other  
28 duties and conditions as it may deem proper; to grant them, at its discretion,

1 leaves of absence under such regulations as it may promulgate, any provision  
2 of existing law to the contrary notwithstanding; and to remove them for cause  
3 in accordance with the requirements of due process of law;

4 (k) To approve the curricula, instructional programs and rules of  
5 discipline drawn by the Administrative and the Academic Councils herein  
6 provided;

7 (l) To set policies on admission and graduation of students;

8 (m) To award honorary degrees upon persons in recognition of their  
9 outstanding contribution in the fields of education, public service, arts, science  
10 and technology, agriculture or in any field of specialization within the  
11 academic competence of the University; and to authorize the awarding of  
12 certificates of completion of *nondégree and nontraditional courses*;

13 (n) To establish and absorb nonchartered tertiary institutions within the  
14 Province of Kalinga as branches and centers in coordination with the CHED,  
15 and in consultation with the Department of Budget and Management (DBM),  
16 and to offer therein programs or courses to promote and carry out equal access  
17 to educational opportunities as mandated by the Constitution;

18 (o) To establish research and extension centers of the University where  
19 such will promote the development of the latter;

20 (p) To establish professorial chairs in the University and to provide  
21 fellowships for qualified faculty members and scholarships to deserving  
22 students;

23 (q) To delegate any of its powers and duties provided for hereinabove  
24 to the President and/or other officials of the University as it may deem  
25 appropriate, so as to expedite the administration of the affairs of the  
26 University;

1 (r) To authorize an external management audit of the University, to be  
2 financed by the CHED, subject to the rules and regulations of the Commission  
3 on Audit (COA); and to institute reforms, including academic and structural  
4 changes, on the basis of the audit results and recommendations;

5 (s) To collaborate with other governing boards of state colleges and  
6 universities within the Province of Kalinga or the Cordillera Administrative  
7 Region, under the supervision of the CHED and in consultation with the DBM,  
8 and work towards the restructuring of the University to become more efficient,  
9 relevant, productive and competitive;

10 (t) To enter into joint ventures with business and industry for the  
11 profitable development and management of the economic assets of the  
12 University, the proceeds from which shall be used for the development and  
13 strengthening of the University;

14 (u) To develop consortia and other economic forms of linkages with  
15 local government units (LGUs), institutions and agencies, both public and  
16 private, local and foreign, in the furtherance of the purposes and objectives of  
17 the University;

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

22 (w) To set up the adoption of modern and innovative modes of  
23 transmitting knowledge such as the use of information technology, the dual  
24 learning system, open or distance education and community laboratory for the  
25 promotion of greater access to education;

26 (x) To establish policy guidelines and procedures for participative  
27 decision-making and transparency within the University;

1 (y) To privatize, where most advantageous to the University, the  
2 management of nonacademic services such as health, food, building or grounds  
3 or property maintenance and such other similar activities; and

4 (z) To extend the term of the President of the University beyond the  
5 age of retirement but not beyond the age of seventy (70), whose performance  
6 has been unanimously rated by the Board as outstanding, based on the  
7 guidelines, qualifications and/or standards set by the Board, after unanimous  
8 recommendation by the search committee.

9 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene  
10 once every three (3) months. Whenever necessary, the Chairperson of the  
11 Board may call, upon three (3) days' prior written notice, a maximum of two  
12 (2) special meetings within the same period.

13 A quorum of the Board shall consist of majority of all its members  
14 holding office at the time of the meeting: *Provided, however,* That the  
15 Chairperson of the Board or the President of the University is among those  
16 present in the meeting. If the Chairperson of the CHED is unable to attend, a  
17 Commissioner may be designated as representative to the meeting with all the  
18 rights and responsibilities of a regular member: *Provided, however,* That  
19 during this meeting, the President of the University as Vice Chairperson shall  
20 be the Presiding Officer: *Provided, further,* That this *proviso* notwithstanding,  
21 the Chairperson of the CHED is hereby authorized to designate a CHED  
22 Commissioner as the regular Chair of the Board, in which case the said CHED  
23 Commissioner shall act as the Presiding Officer.

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



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

6           SEC. 9. *The University President.* — The University shall be headed  
7 by a President, who shall render full-time service and who shall be appointed  
8 by the Board, subject to the guidelines, qualifications and standards set by the  
9 Board, upon recommendation of a duly constituted search committee. The  
10 University President shall have a term of four (4) years and shall be eligible for  
11 reappointment for another term: *Provided*, That in order to effect a smooth  
12 transition to a state university, the incumbent President of the Kalinga-Apayao  
13 State College shall serve as the first President of the University.

14           Within three (3) months from the approval of the law establishing the  
15 University, the Board shall constitute the Search Committee for the Presidency  
16 (SCP).

17           In case of vacancy in the Office of the President by reason of death,  
18 compulsory retirement, resignation, removal for cause or incapacity of the  
19 President to perform the functions of the office, the Board shall designate an  
20 Officer-in-Charge of the University within six (6) months from the date of  
21 vacancy, pending the appointment of a new President. The successor or the  
22 Officer-in-Charge shall serve only the unexpired portion of the term.

23           The powers and duties of the President of the University, in addition to  
24 those specifically provided in this Act, shall be those usually pertaining to the  
25 Office of the President of similar universities, and those delegated by the  
26 Board.

1           The salary of the President of the University shall be in accordance with  
2 the Revised Compensation and Position Classification System, as modified by  
3 Joint Resolution No. 4 dated June 17, 2009 and other pertinent budget and  
4 compensation laws, and shall be comparable to that being received by the  
5 Presidents of similar educational institutions.

6           The President of the University shall be assisted by a Vice President for  
7 Academic Affairs and a Vice President for Administration, who shall be  
8 appointed by the Board upon recommendation of the President.

9           SEC. 10. *Heads of University Campuses.* – Each extension campus  
10 in Barangay Bulanao in the City of Tabuk and Barangay Dagupan in the  
11 Municipality of Rizal shall be referred to as University Campus.

12           A Campus Administrator shall head each University Campus and shall  
13 render full-time service. The Campus Administrator shall be appointed by the  
14 Board upon recommendation of the search committee and the President of the  
15 University, subject to the guidelines, qualifications and standards set by the  
16 Board: *Provided*, That the incumbent college administrators of the extension  
17 campuses shall serve as the respective Campus Administrator.

18           SEC. 11. *The Secretary of the University.* – The Board shall appoint  
19 a Secretary, who shall serve as such for both the Board and the University and  
20 shall keep all records and proceedings of the Board. The Secretary shall serve  
21 upon each member of the Board the appropriate notice of the Board meetings.

22           SEC. 12. *The Treasurer of the University.* – The Treasurer of the  
23 Philippines shall be the *ex officio* Treasurer of the University.

24           SEC. 13. *The Administrative Council.* – There shall be an  
25 Administrative Council consisting of the President of the University as  
26 Chairperson, vice presidents, deans, directors and other officials of equal rank  
27 as members, whose duty is to review and recommend to the Board the policies

1 governing the administration, management and development planning of the  
2 University.

3         *Sec. 14. The Academic Council.* — There shall be an Academic  
4 Council to be composed of the President of the University, who shall act as  
5 Chairperson, and all academic staff with the rank of at least an assistant  
6 professor, as members.

7         The Academic Council shall have the power to review and recommend  
8 the curricular offerings and rules of discipline of the University, subject to the  
9 approval of the Board. It shall fix the requirements for the admission of  
10 students, as well as for their graduation and conferment of degrees, subject to  
11 review and approval by the Board through the President of the University. It  
12 shall have the disciplinary power over students of the University and shall  
13 formulate academic policies and rules and regulations on discipline, subject to  
14 the approval of the Board.

15         *SEC. 15. The Faculty.* — No political beliefs, gender preference,  
16 cultural or community affiliation or ethnic origin, and religious opinion or  
17 affiliation shall be a matter of inquiry in the appointment of faculty members of  
18 the University: *Provided*, That said appointment shall be subject to the  
19 guidelines, qualifications and standards set by the Board: *Provided, further*,  
20 That no member of the faculty shall teach for or against any particular church  
21 or religious sect.

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

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

1           SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
2 *and Detail of Personnel.* – The heads of the bureaus and offices of the  
3 national government are hereby authorized to loan or transfer, upon the request  
4 of the President of the University, such apparatus, equipment or supplies as  
5 may be needed by the University, and to detail employees for duty therein  
6 when, in the judgment of the head of bureau or office, such apparatus,  
7 equipment, supplies or services of such employees can be spared without  
8 serious detriment to public service.

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

12           SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and  
13 personal, personnel and records of the Kalinga-Apayao State College, as well  
14 as liabilities or obligations, are hereby transferred to the University. The  
15 positions, rights and security of tenure of faculty members and personnel  
16 therein employed under existing laws prior to the conversion into a University  
17 shall be respected.

18           All parcels of land belonging to the government occupied by the  
19 Kalinga-Apayao State College including its extension campuses are hereby  
20 transferred to the University, and shall be titled under that name: *Provided,*  
21 That should the University cease to exist or be abolished or should such  
22 parcels of land aforementioned be no longer needed by the University, the  
23 same shall revert to the LGUs concerned.

24           SEC. 19. *Tax Exemption on Importation and Donations.* – The  
25 importation of economic, technical and cultural books or publications, which is  
26 for economic, technical, vocational, scientific, philosophical, historical or  
27 cultural purposes made by the University, upon certification by the CHED,

1 shall be exempt from customs duties in accordance with the provisions of the  
2 Tariff and Customs Code of the Philippines, as amended.

3 Donations in any form to the University shall be exempt from the  
4 donor's tax and the same shall be considered as allowable deduction from the  
5 gross income in the computation of the income tax of the donor, in accordance  
6 with the provisions of the National Internal Revenue Code of 1997, as  
7 amended.

8 SEC. 20. *Appropriations.* – The amount necessary to carry out the  
9 provisions of this Act shall be charged against the current year's appropriations  
10 of the Kalinga-Apayao State College, except the sums needed to continue the  
11 operations of the existing high schools. Thereafter, such sums as may be  
12 necessary for the continued operation and maintenance of the University shall  
13 be included in the annual General Appropriations Act.

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

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

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

22 (c) Set up its organizational, administrative as well as academic  
23 structure, including the appointment of the key officials of the University.

24 SEC. 22. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of  
25 the second (2<sup>nd</sup>) month after the opening of the regular classes each year, the  
26 Board shall file with the Office of the President of the Philippines, through the  
27 Chairperson of the CHED and with both Houses of Congress, a detailed report  
28 on the progress, conditions and needs of the University.

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

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

9           SEC. 25. *Implementing Rules and Regulations.* – The Board, in  
10 consultation with the CHED, shall formulate the rules and regulations to fully  
11 implement the provisions of this Act.

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

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

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

Approved,

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