



## HOUSE OF REPRESENTATIVES

H. No. 7131

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BY REPRESENTATIVES ARROYO (I.), ALVAREZ (G.), VILLAR, CUA (J.), JAVIER  
AND REMULLA, PER COMMITTEE REPORT NO. 2589

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AN ACT CONVERTING THE NEGROS STATE COLLEGE OF  
AGRICULTURE (NSCA) IN THE CITY OF KABANKALAN,  
PROVINCE OF NEGROS OCCIDENTAL INTO A STATE  
UNIVERSITY TO BE KNOWN AS THE CENTRAL PHILIPPINE  
STATE UNIVERSITY (CPSU) 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 Negros State College of Agriculture in  
2 the City of Kabankalan, including its extension campuses in the municipalities  
3 of Hinobaan, Cauayan, Ilog, Candoni, Moises Padilla and in the cities of San  
4 Carlos, Sipalay and Himamaylan, all located in the Province of Negros  
5 Occidental, is hereby converted into a state university to be known as the  
6 Central Philippine State University (CPSU), hereinafter referred to as the  
7 University. The main campus of the University shall be in the City of  
8 Kabankalan.

1           SEC. 2. *General Mandate.* – The University shall primarily provide  
2 advanced education, higher technological, professional instruction and training  
3 in agriculture/fisheries, animal science, forestry, education, computer studies,  
4 engineering, arts and sciences and other relevant fields of study. It shall also  
5 promote and undertake research, extension services and provide progressive  
6 leadership in its areas of specialization.

7           SEC. 3. *Curricular Offerings.* – The University shall offer  
8 undergraduate and graduate studies in the fields of agriculture/fisheries, animal  
9 science, forestry, education, computer studies, engineering, arts and sciences,  
10 short-term technical or diploma courses in agricultural technology, and other  
11 degrees within its areas of specialization and according to its capabilities, as  
12 the Board of Regents may deem necessary to carry out its objectives and in  
13 order to meet the needs of the Province of Negros Occidental and Region VI.

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

16           SEC. 4. *Administration.* – The University shall have the general  
17 powers of a corporation set forth in Batas Pambansa Blg. 68, as amended,  
18 otherwise known as the “Corporation Code of the Philippines”. The  
19 administration of the University and the exercise of its corporate powers shall  
20 be vested exclusively in the Board of Regents and the President of the  
21 University.

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

25           (a) The Chairperson of the Commission on Higher Education (CHED),  
26 Chairperson;

- 1 (b) The President of the University, Vice Chairperson;
- 2 (c) The Chairperson of the Committee on Education, Arts and Culture  
3 of the Senate, member;
- 4 (d) The Chairperson of the Committee on Higher and Technical  
5 Education of the House of Representatives, member;
- 6 (e) The Regional Director of the National Economic and Development  
7 Authority (NEDA), member;
- 8 (f) The Regional Director of the Department of Agriculture (DA),  
9 member;
- 10 (g) The President of the federation of faculty associations of the  
11 University, member;
- 12 (h) The President of the federation of student councils of the  
13 University, member;
- 14 (i) The President of the federation of alumni associations of the  
15 University, member; and
- 16 (j) Two (2) prominent citizens from the private sector who have  
17 distinguished themselves in their profession or fields of specialization,  
18 members.

19 The Board shall appoint the two (2) prominent citizens from among a  
20 list of at least five (5) qualified persons in the Province of Negros Occidental,  
21 as recommended by the search committee constituted by the University  
22 President, in consultation with the Chairperson of the CHED and the other  
23 members of the Board, based on the normal standards and qualifications for  
24 the position set by the Board.

25 The President of the federation of faculty associations, the President of  
26 the federation of student councils and the President of the federation of alumni  
27 associations shall serve in the Board only for the duration of their terms of  
28 office, as set forth in their respective constitutions and bylaws.

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

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

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

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

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

18           (c) To import economic, technical and cultural books and/or  
19 publications;

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

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

1           Such fees and charges, including government subsidies and other  
2 income generated by the University, shall constitute special trust funds and  
3 shall be deposited in any authorized government depository bank, and all  
4 interests that shall accrue therefrom shall form part of the same funds for the  
5 use of the University.

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

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

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

21           (g) To authorize the construction or repair of its buildings, machinery,  
22 equipment and other facilities, and the purchase and acquisition of real  
23 property, including necessary supplies, materials and equipment;

24           (h) To appoint upon recommendation of the President of the  
25 University, Vice Presidents, deans, directors, heads of departments/heads of  
26 campuses, faculty members, and other officials and employees of the  
27 University;

1           (i) To fix and adjust salaries of faculty members and administrative  
2 officials and employees, subject to the provisions of the Revised Compensation  
3 and Position Classification System as modified by Joint Resolution No. 4 dated  
4 June 17, 2009 and by such other law amendatory thereto which may hereinafter  
5 be enacted, and other pertinent budget and compensation laws governing hours  
6 of service and such other duties and conditions as it may deem proper; to grant  
7 them, at its discretion, leaves of absence under such regulations as it may  
8 promulgate, any provision of existing law to the contrary notwithstanding; and  
9 to remove them for cause in accordance with the requirements of due process  
10 of law;

11           (j) To approve the curricula, instructional programs and rules of  
12 discipline drawn by the Administrative and the Academic Councils herein  
13 provided;

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

15           (l) To award honorary degrees upon persons in recognition of their  
16 outstanding contribution in the fields of education, public service, arts, science  
17 and technology, agriculture or in any field of specialization within the  
18 academic competence of the University; and to authorize the awarding of  
19 certificates of completion of nondegree and nontraditional courses;

20           (m) To establish and absorb nonchartered tertiary institutions within  
21 the Province of Negros Occidental as branches and centers, in coordination  
22 with the CHED and in consultation with the Department of Budget and  
23 Management (DBM), and to offer therein programs or courses to promote and  
24 carry out equal access to educational opportunities as mandated by the  
25 Constitution;

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

1 (o) To establish professorial chairs in the University and to provide  
2 fellowships for qualified faculty members and scholarships to deserving  
3 students;

4 (p) To delegate any of its powers and duties provided for hereinabove  
5 to the President and/or other officials of the University as it may deem  
6 appropriate, so as to expedite the administration of the affairs of the  
7 University;

8 (q) To authorize an external management audit of the University,  
9 subject to the rules and regulations of the Commission on Audit (COA); and to  
10 institute reforms, including academic and structural changes, on the basis of the  
11 audit results and recommendations;

12 (r) To collaborate with other governing boards of the state colleges and  
13 universities within the Province of Negros Occidental or Region VI, under the  
14 supervision of the CHED, and work towards the restructuring of the University  
15 to become more efficient, relevant, productive and competitive, in consultation  
16 with the DBM;

17 (s) To enter into joint ventures with business and industry for the  
18 profitable development and management of the economic assets of the  
19 University, the proceeds from which shall be used for the development and  
20 strengthening of the University;

21 (t) To develop consortia and other economic forms of linkages with  
22 local government units (LGUs), institutions and agencies, both public and  
23 private, local and foreign, in the furtherance of the purposes and objectives of  
24 the University;

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

1 (v) To set up the adoption of modern and innovative modes of  
2 transmitting knowledge such as the use of information technology, the dual  
3 learning system, open learning or distance education and community  
4 laboratory for the promotion of greater access to education;

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

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

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

15 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene  
16 at least once every quarter. However, the Chairperson of the Board may, upon  
17 three (3) days' prior written notice, call a maximum of two (2) special  
18 meetings whenever necessary.

19 A quorum of the Board shall consist of majority of all its members  
20 holding office at the time of the meeting: *Provided, however,* That the  
21 Chairperson of the Board or the President of the University is among those  
22 present in the meeting.

23 In the absence of the Chairperson of the CHED, a Commissioner of the  
24 CHED, duly designated by him/her, shall represent him/her in the meeting with  
25 all the rights and responsibilities of a regular member: *Provided, however,*  
26 That during this meeting, the President of the University as Vice Chairperson  
27 shall be the Presiding Officer: *Provided, further,* That this *proviso*  
28 notwithstanding, the Chairperson of the CHED is hereby authorized to



1 designate a CHED Commissioner as the regular Chair of the Board, in which  
2 case said CHED Commissioner shall act as the Presiding Officer.

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

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

12 SEC. 9. *The University President.* – The University shall be headed by  
13 a President, who shall render full-time service. He/She shall be appointed by  
14 the Board, subject to the guidelines, qualifications and/or standards set by the  
15 Board, upon recommendation of a duly constituted search committee. He/She  
16 shall have a term of four (4) years and shall be eligible for reappointment for  
17 another term: *Provided,* That in order to effect a smooth transition to a state  
18 university, the incumbent President of the Negros State College of Agriculture,  
19 if qualified, shall serve as the first President of the University.

20 Within six (6) months before the expiration of the term of office of the  
21 incumbent President of the University, the Board shall constitute the Search  
22 Committee for the Presidency (SCP).

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

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

4 The powers and duties of the President of the University, in addition to  
5 those specifically provided in this Act, shall be those usually pertaining to the  
6 Office of the President of similar universities, and those delegated by the  
7 Board.

8 The salary of the President of the University shall be in accordance with  
9 the Revised Compensation and Position Classification System as modified by  
10 Joint Resolution No. 4 dated June 17, 2009 and by such other law amendatory  
11 thereto which may hereinafter be enacted and shall be comparable to that being  
12 received by the Presidents of similar educational institutions.

13 The President of the University shall be assisted by a Vice President for  
14 Academic Affairs and a Vice President for Administration, who shall be  
15 appointed by the Board upon recommendation of the President.

16 *SEC. 10. Heads of University Campuses.* – Each extension campus in  
17 the municipalities of Hinobaan, Cauayan, Ilog, Candoni, Moises Padilla and in  
18 the cities of San Carlos, Sipalay and Himamaylan shall be referred to as the  
19 University Campus.

20 A *Campus Administrator* shall head each University Campus and he/she  
21 shall render full-time service. He/She shall be appointed by the Board upon  
22 recommendation of the search committee and the President of the University,  
23 subject to the guidelines, qualifications and/or standards set by the Board:  
24 *Provided*, That the incumbent College Administrator of an extension campus  
25 shall serve as its Campus Administrator.

26 *SEC. 11. The Administrative Council.* – There shall be an  
27 Administrative Council consisting of the President of the University as  
28 Chairperson, Vice Presidents, deans, directors, campus administrators and

1 other officials of equal rank as members, whose duty is to review and  
2 recommend to the Board the policies governing the administration,  
3 management and development planning of the University.

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

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

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

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

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

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

4           No student shall be denied admission to the University by reason of  
5 gender, religion, cultural or community affiliation or ethnic origin.

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

10          SEC. 18. *Authority to Loan or Transfer Apparatus/Equipment/  
11 Supplies and Detail of Personnel.* – The heads of the bureaus and offices of  
12 the national government are hereby authorized to loan or transfer, upon the  
13 request of the President of the University, such apparatus, equipment or  
14 supplies as may be needed by the University, and to detail employees for duty  
15 therein when, in the judgment of the head of bureau or office, such apparatus,  
16 equipment, supplies or services of such employees can be spared without  
17 serious detriment to public service.

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

21          SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and  
22 personal, personnel and records of the Negros State College of Agriculture, as  
23 well as liabilities or obligations, are hereby transferred to the University. The  
24 positions, rights and security of tenure of faculty members and personnel  
25 therein employed under existing laws prior to the conversion into a University  
26 shall be respected.

27          All parcels of land belonging to the government and occupied by the  
28 Negros State College of Agriculture, are hereby declared to be property of the

1 University, and shall be titled under that name: *Provided*, That should the  
2 University cease to exist or be abolished or should such parcels of land  
3 aforementioned be no longer needed by the University, the same shall revert to  
4 the LGUs concerned.

5 SEC. 20. *Tax Exemption on Importation and Donations.* -- The  
6 importation of economic, technical and cultural books and/or publications,  
7 which are for economic, technical-vocational, scientific, philosophical,  
8 historical or cultural purposes made by the Central Philippine State University,  
9 upon certification by the CHED, shall be exempt from customs duties in  
10 accordance with the provisions of the Tariff and Customs Code of the  
11 Philippines, as amended.

12 All donations in any form to the Central Philippine State University  
13 shall be exempt from the donor's tax and the same shall be considered as  
14 allowable deduction from the gross income in the computation of the income  
15 tax of the donor, in accordance with the provisions of the National Internal  
16 Revenue Code of 1997, as amended.

17 SEC. 21. *Appropriations.* -- The amount necessary to carry out the  
18 provisions of this Act shall be charged against the current year's appropriations  
19 of the Negros State College of Agriculture, except the sums needed to continue  
20 the operations of the existing high school. Thereafter, such sums as may be  
21 necessary for the continued operation and maintenance of the Central  
22 Philippine State University shall be included in the annual General  
23 Appropriations Act.

24 SEC. 22. *Development Plan, Management Audit, Organizational/  
25 Administrative/Academic Structure.* -- Within the period of one hundred  
26 twenty (120) days after the approval of this Act, the University shall  
27 accomplish the following:

1 (a) Submit a five (5)-year development plan, including its  
2 corresponding program budget to the CHED, for corresponding  
3 recommendation to the DBM;

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

5 (c) Accordingly set up its organizational, administrative, as well as  
6 academic structure, including the appointment of the key officials of the  
7 University.

8 *SEC. 23. Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of  
9 the second (2<sup>nd</sup>) month after the opening of the regular classes each year, the  
10 Board shall file with the Office of the President of the Philippines through the  
11 Chairperson of the CHED, and with both Houses of Congress a detailed report  
12 on the progress, conditions and needs of the University.

13 *SEC. 24. Suppletory Application.* – The provisions of Republic Act  
14 No. 8292, otherwise known as the “Higher Education Modernization Act of  
15 1997”, shall be an integral part of this Act and shall serve as part of the  
16 Governing Charter of the University.

17 *SEC. 25. Parity Clause.* – All other powers, functions and privileges,  
18 responsibilities and limitations to state universities and/or their officials under  
19 existing laws shall be deemed granted to or imposed upon the University  
20 and/or its officials whenever appropriate.

21 *SEC. 26. Implementing Rules and Regulations.* – The Board, in  
22 consultation with the CHED, shall formulate the guidelines to fully implement  
23 the provisions of this Act.

24 *SEC. 27. Separability Clause.* – If, for any reason, any part or  
25 provision of this Act is declared invalid or unconstitutional, the remaining  
26 parts or provisions not affected thereby shall remain in full force and effect.

1           SEC. 28. *Repealing Clause.* – All laws, presidential decrees, executive  
2 orders, rules and regulations contrary to or inconsistent with the provisions of  
3 this Act are hereby repealed or modified accordingly.

4           SEC. 29. *Effectivity Clause.* – This Act shall take effect fifteen (15)  
5 days after its publication in two (2) newspapers of general circulation.

Approved,

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