



HOUSE OF REPRESENTATIVES

H. No. 6143

BY REPRESENTATIVES BENITEZ, ROMULO, UNGAB AND QUIMBO, PER
COMMITTEE REPORT NO. 882

AN ACT CONVERTING THE CARLOS HILADO MEMORIAL STATE
COLLEGE IN THE CITY OF TALISAY, NEGROS OCCIDENTAL
INTO A STATE UNIVERSITY TO BE KNOWN AS THE CARLOS
HILADO 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 Carlos Hilado Memorial State College
2 in the City of Talisay, Negros Occidental, including its campuses namely:
3 Carlos Hilado Memorial State College – Alijis Campus in Bacolod City,
4 Carlos Hilado Memorial State College - Fortune Town Campus in Bacolod
5 City, and Carlos Hilado Memorial State College - Binalbagan Campus in the
6 Municipality of Binalbagan, all located in the Province of Negros Occidental,
7 is hereby converted into a state university to be known as the Carlos Hilado
8 State University. The main campus shall be located in the City of Talisay,
9 Negros Occidental.
- 10 SEC. 2. *General Mandate.* – The Carlos Hilado State University,
11 hereinafter referred to as the University, shall primarily provide advance
12 education, higher technological, professional instruction, and training in
13 the fields of arts and sciences, engineering and technology, education,

1 accountancy and business administration, public administration, fisheries and
2 agriculture, and other relevant fields of study. It shall also promote and
3 undertake research, extension services, and provide progressive leadership in
4 its areas of specialization.

5 SEC. 3. *Curricular Offerings.* – The University shall offer
6 undergraduate and graduate studies in the fields of arts and sciences,
7 engineering and technology, education, fisheries and agriculture, accountancy
8 and business education, public administration, and other relevant fields of
9 study. It shall also promote and undertake researches along education,
10 engineering, industrial technology, information systems, hotel and restaurant
11 management, fisheries, industrial technology, information technology,
12 business administration, and other degrees within its areas of specialization
13 and according to its capabilities as the Board of Regents may deem necessary
14 to carry out its objectives, and in order to meet the needs of the Province of
15 Negros Occidental.

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

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

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

- 27 (a) The Chairperson of the Commission on Higher Education (CHED),
28 Chairperson;
29 (b) The President of the University, Vice Chairperson;

1 (c) *The Chairperson of the Committee on Education, Arts and Culture*
2 *of the Senate, member;*

3 (d) *The Chairperson of the Committee on Higher and Technical*
4 *Education of the House of Representatives, member;*

5 (e) *The Regional Director of the National Economic and Development*
6 *Authority (NEDA), member;*

7 (f) *The Regional Director of the Department of Science and*
8 *Technology (DOST), member;*

9 (g) *The Regional Director of the Department of Agriculture (DA),*
10 *member;*

11 (h) *The President of the federation of faculty associations of the*
12 *University, member;*

13 (i) *The President of the federation of alumni associations of the*
14 *University, member;*

15 (j) *The President of the federation of student councils of the*
16 *University, member; and*

17 (k) *Two (2) prominent citizens who have distinguished themselves in*
18 *their profession or fields of specialization of the University, 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 to be 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 standards and qualifications for the
24 position set by the Board.

25 The term of the President of the federation of faculty associations, the
26 President of the federation of alumni associations, and the President of the
27 federation of student councils as members of the Board shall be coterminous
28 with their terms of office as set forth in their respective constitutions and
29 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, in
10 addition to its general powers of administration and the exercise of all the
11 powers granted to the Board of Directors of a corporation under existing laws,
12 shall exercise the following specific powers and duties:

13 (a) To promulgate rules and regulations as may be necessary to carry
14 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 to
17 carry out the purposes and functions of the University;

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

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

23 (e) To fix the tuition fees and other necessary school charges, such as
24 matriculation fees, graduation fees and laboratory fees, as the Board may deem
25 proper to impose, after due consultations with the involved sectors.

26 Such fees and charges, including government subsidies and other
27 income generated by the University, shall constitute special trust funds, and
28 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 programs 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 (f) To adopt and implement a socialized scheme of tuition and school
17 fees for greater access to poor but deserving students;

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

24 (i) To fix and adjust salaries of faculty members and administrative
25 officials and employees, subject to the provisions of the Revised
26 Compensation and Position Classification System and other pertinent budget
27 and compensation-laws governing hours of service and such other duties and
28 conditions as it may deem proper; to grant them, at its discretion, leaves of
29 absences under such regulations as it may promulgate, any provision of

1 existing law to the contrary notwithstanding; and to remove them for cause in
2 accordance with the requirements of due process of law;

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

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

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

12 (m) To establish and absorb non-chartered tertiary institutions within
13 the Province of Negros Occidental as branches and extension centers in
14 coordination with the CHED, and in consultation with the Department of
15 Budget and Management (DBM), and to offer therein programs or courses, in
16 order to carry out the constitutional mandate of providing equal access to
17 educational opportunities;

18 (n) To establish research and extension centers to promote the
19 development of the University;

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

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

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

1 (r) To collaborate with other governing boards of the state universities
2 and colleges within the Province of Negros Occidental or the region, under the
3 supervision of the CHED and in consultation with the DBM, and work
4 towards the restructuring of the University to become more efficient, relevant,
5 productive and competitive;

6 (s) To enter into joint ventures with business and industry for the
7 profitable development and management of the economic assets of the
8 University, the proceeds from which shall be used for the development and
9 strengthening of the University;

10 (t) To develop consortia and other economic forms of linkages with
11 local government units (LGUs), institutions and agencies, both public and
12 private, local and foreign, in the furtherance of the purposes and objectives of
13 the University;

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

18 (v) To set up the adoption of modern and innovative modes of
19 transmitting knowledge such as the use of information technology, the dual
20 training system, open distance learning, and community laboratory, for the
21 promotion of greater access to education;

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

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

27 (y) To extend the term of the President of the University whose
28 performance has been rated by the Board as outstanding, beyond the age of

1 retirement but not beyond the age of seventy (70), upon unanimous
2 recommendation by the search committee.

3 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene
4 once every quarter. However, the Chairperson of the Board may, upon three
5 (3) days' prior written notice, hold a maximum of two (2) special meetings
6 whenever necessary within the year.

7 A quorum of the Board shall consist of majority of all its members
8 holding office at the time of the meeting: *Provided*, That the Chairperson of
9 the Board or the President of the University is among those present in the
10 meeting.

11 In the absence of the Chairperson of the CHED, a Commissioner of the
12 CHED, duly designated by the CHED Chairperson, shall represent the CHED
13 Chairperson in the meeting with all the rights and responsibilities of a regular
14 member: *Provided, however, That during meeting, the President of the*
15 *University, as Vice Chairperson, shall be the presiding officer: Provided,*
16 *further, That this proviso notwithstanding, the Chairperson of the CHED is*
17 *hereby authorized to designate a CHED Commissioner as the regular*
18 *Chairperson of the Board, in which case said CHED Commissioner shall act as*
19 *the presiding officer.*

20 In case the Chairpersons of the Congressional Committees on Education
21 shall not be able to attend the Board meeting, they may designate their
22 respective representatives to attend the meeting, who shall have the same
23 rights and responsibilities as a regular member of the Board.

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

1 **SEC. 9. *The University President.*** – The University shall be headed
2 by a President, who shall render full-time service. The President shall be
3 appointed by the Board, upon recommendation of a duly constituted search
4 committee. The President shall have a term of four (4) years and shall be
5 eligible for reappointment for another term: *Provided*, That in order to effect a
6 smooth transition to a state university, the incumbent President of the Carlos
7 Hilado Memorial State College, if qualified, shall be the first President of the
8 University.

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

12 The Board shall designate an Officer-in-Charge of the University in
13 case of a vacancy in the Office of the President by reason of death,
14 compulsory retirement, resignation, removal for cause or incapacity of the
15 President to perform the functions of the office, pending the appointment of a
16 new President: *Provided*, That an Officer-in-Charge shall serve only the
17 unexpired portion of the term.

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

21 The salary of the President of the University shall be in accordance with
22 the Revised Compensation and Position Classification System, as modified by
23 Joint Resolution No. 4 dated June 17, 2009 and by such other laws amendatory
24 thereto, which may hereinafter be enacted, and shall be comparable to that
25 being received by the Presidents of similar educational institutions.

26 **SEC. 10. *Heads of University Campuses.*** – Each extension campus
27 namely: Alijis Campus in Bacolod City, Fortune Town Campus in Bacolod
28 City, and Binalbagan Campus in Binalbagan, Negros Occidental shall be
29 referred to as the University Campus.

1 A Campus Administrator shall head each University Campus and shall
2 render full-time service. The Campus Administrator shall be appointed by the
3 Board upon recommendation of the search committee and the President of the
4 University, subject to the guidelines, qualifications and/or standards set by the
5 Board: *Provided*, That the incumbent College Administrator of an extension
6 campus shall serve as its Campus Administrator.

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

13 SEC. 12. *The Academic Council.* – There shall be an Academic
14 Council with the President of the University as Chairperson and all members
15 of the academic staff with the rank not lower than assistant professor, as
16 members.

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

25 SEC. 13. *The Secretary of the University.* – The Board shall appoint a
26 Secretary, who shall serve as such for both the Board and the University and
27 shall keep all records and proceedings of the Board. The Secretary shall
28 communicate to each member of the Board the appropriate notices of
29 meetings.

1 SEC. 14. *The Treasurer of the University.* – The Treasurer of the
2 Philippines shall be the *ex officio* Treasurer of the University.

3 SEC. 15. *The Faculty.* – No political belief, gender preference,
4 cultural or community affiliation or ethnic origin, and religious opinion or
5 affiliation shall be a matter of inquiry in the appointment of faculty members
6 of the University: *Provided, however,* That no member of the faculty shall
7 teach for or against any particular church or religious sect.

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

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

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

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

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

28 SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real and
29 personal, personnel and records of the Carlos Hilado State University, as well

1 as liabilities or obligations, are hereby transferred to the University: *Provided,*
2 That the positions, rights and security of tenure of the faculty members and
3 personnel therein employed under existing laws shall be respected. *Provided,*
4 *further,* That the incumbents of the positions shall remain in the same status
5 until otherwise provided for by the Board: *Provided, finally,* That the
6 University shall also include an upgrade or increase in its human resource
7 component.

8 All parcels of land belonging to the government and occupied by the
9 Carlos Hilado Memorial State College are hereby declared to be property of
10 the Carlos Hilado State University, and shall be titled under that name:
11 *Provided,* That should the University cease to exist or be abolished or should
12 such parcels of land aforementioned be no longer needed by the University,
13 the same shall revert to the LGUs concerned.

14 **SEC. 20. Tax Exemption.** – The importation of economic, technical and
15 cultural books and publications, which are for economic, technical-vocational,
16 scientific, philosophical, historical or cultural purposes made by the
17 University, upon certification by the CHED, shall be exempt from customs
18 duties in accordance with the provisions of the Tariff and Customs Code of the
19 Philippines, as amended.

20 All grants, bequests, endowments, donations, and contributions made to
21 the University to be used actually, directly, and exclusively by the University
22 shall be exempt from donor's tax and the same shall be allowed as allowable
23 deduction from the gross income of the donor for purposes of computing the
24 taxable income of the donor, in accordance with the provisions of the National
25 Internal Revenue Code of 1997, as amended.

26 **SEC. 21. Appropriations.** – The amount necessary to carry out the
27 provisions of this Act shall be charged against the current year's
28 appropriations of the Carlos Hilado Memorial State College. Thereafter, such

1 sums as may be necessary for the continued operation and maintenance of the
2 University shall be included in the annual General Appropriations Act.

3 SEC. 22. *Development Plan, Management Audit, Organization/
4 Administrative/Academic Structure.* – Within the period of one hundred twenty
5 (120) days after the approval of this Act, the University shall accomplish the
6 following:

7 (a) Submit a five (5)-year development plan, including the
8 corresponding program budget to the CHED, for corresponding
9 recommendation to the DBM;

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

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

13 SEC. 23. *Annual Report.* – On or before the fifteenth (15th) day of the
14 second month after the opening of the regular classes each year, the Board
15 shall file with the Office of the President of the Philippines, through the
16 Chairperson of the CHED, and with both Houses of Congress, a detailed report
17 on the progress, conditions and needs of the University.

18 SEC. 24. *Suppletory Application.* – The provisions of Republic Act
19 No. 8292, otherwise known as the “Higher Education Modernization Act of
20 1997”, shall be an integral part of this Act and shall serve as part of the
21 Governing Charter of the University.

22 SEC. 25. *Parity Clause.* – All powers, functions and privileges,
23 responsibilities and limitations to state universities and their officials under
24 existing laws shall be deemed granted to or imposed upon the University and
25 its officials.

26 SEC. 26. *Compliance with CHED Requirements.* – The provisions of
27 this Act notwithstanding, the establishment or conversion of the institution
28 into a state university shall become effective only upon the determination and
29 declaration by the CHED, based on the recommendation of a panel of experts,

1 that the institution has complied with the requirements for a university status.
2 The CHED, through its regional office, shall regularly provide technical
3 assistance to the institution and monitor compliance with the requirements of
4 the Commission.

5 The CHED shall designate a panel of experts who shall prepare a
6 recommendation to the Chairperson of the CHED, on whether the institution
7 has substantially complied with the requirements for the grant of university
8 status.

9 The following operational requirements for a university, as established
10 by the CHED, shall be complied with:

11 (a) Level III accreditation or equivalent under CHED policies for at
12 least four (4) of its undergraduate programs, one (1) in the sciences, and
13 two (2) of its graduate programs;

14 (b) Ratio of qualified full-time faculty with requisite degrees to
15 number of students;

16 (c) Adequate library and laboratories;

17 (d) Research and development output of practical and commercial
18 application to the community;

19 (e) Pursuit of relevant linkages and outreach programs that are of
20 service to the community; and

21 (f) Relevant academic policies, systems and processes.

22 The institution shall retain its status prior to the effectivity of this Act,
23 unless in the meantime it is able to comply with the requirements provided
24 herein within a period not beyond January 1, 2019.

25 **SEC. 27. *Implementing Rules and Regulations.*** – Within sixty (60)
26 days after the approval of this Act, the Board, in consultation with the CHED,
27 shall formulate the guidelines to fully implement the provisions of this Act.

1 SEC. 28. *Separability Clause.* – If, for any reason, any part or
2 *provision of this Act is declared invalid or unconstitutional, the remaining*
3 *parts or provisions not affected thereby shall remain in full force and effect.*

4 SEC. 29. *Repealing Clause.* – All laws, presidential decrees,
5 executive orders, rules and regulations contrary to or inconsistent with the
6 provisions of this Act are hereby repealed or modified accordingly.

7 SEC. 30. *Effectivity.* – This Act shall take effect fifteen (15) days after
8 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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