



HOUSE OF REPRESENTATIVES

H. No. 8729

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BY REPRESENTATIVES VELASCO, JAVIER, ZAMORA (M.C.), SUANSING (E.), HOFER,  
NOGRALES (K.A.) AND NIETO, PER COMMITTEE REPORT NO. 1008

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AN ACT

**CONVERTING THE MARINDUQUE STATE COLLEGE IN THE MUNICIPALITY OF BOAC, PROVINCE OF MARINDUQUE INTO A STATE UNIVERSITY, TO BE KNOWN AS THE MARINDUQUE STATE UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR**

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

1           **SECTION 1. Conversion.** - The Marinduque State College in the Municipality of  
2 Boac, Province of Marinduque, including its satellite campuses in the Municipalities of Sta.  
3 Cruz, Gasan and Torrijos, is hereby converted into a state university to be known as the  
4 Marinduque State University (MarSu). The main campus of the University shall be in the  
5 Municipality of Boac.

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7           **SEC. 2. General Mandate.** - The Marinduque State College, hereinafter referred to as  
8 the University, shall primarily provide advance education, higher technological and  
9 professional instruction and training in education, science and technology, engineering,  
10 environment, agriculture, forestry and fisheries, arts and sciences, business administration and  
11 management, health sciences, and other related fields of study. It shall also undertake research  
12 and extension services, and provide progressive leadership in its areas of specialization.

13  
14           **SEC. 3. Curricular Offerings.** - The University shall offer undergraduate and graduate  
15 courses in the fields of education, science and technology, engineering, environment,  
16 agriculture, fisheries, arts and sciences, business administration and management, health  
17 sciences and other courses within its areas of specialization and based on its capabilities, and  
18 as the Board of Regents may deem necessary to carry out its objectives, in meeting the needs  
19 of the Province of Marinduque and Region IV-B or the MIMAROPA Region.

20  
21           The existing high school shall be transferred to the jurisdiction and supervision of the  
22 Department of Education (DepEd): *Provided*, That the high school shall be allowed to remain  
23 and operate within the campus of the College until the existing students shall have completed  
24 their high school education: *Provided, further*, That the College may operate a reasonably-  
25 sized laboratory school under its College of Education: *Provided, furthermore*, That the  
26 existing graduate school shall become an integral part of the College of Education.

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

1 "Corporation Code of the Philippines". The administration of the University and the exercise  
2 of its corporate powers shall be vested exclusively in the Board of Regents and the President  
3 of the University.  
4

5 **SEC. 5. *The Governing Board.*** - The governing board of the University shall be the  
6 Board of Regents, hereinafter referred to as the Board, which shall be chaired and co-chaired  
7 by the Chairperson of the Commission on Higher Education (CHED) and the President of the  
8 University, respectively, with the following as members:  
9

- 10 a. Chairperson of the Committee on Education, Arts and Culture of the Senate;
- 11 b. Chairperson of the Committee on Higher and Technical Education of the House of  
12 Representatives;
- 13 c. Regional Director of the National Economic and Development Authority (NEDA);
- 14 d. Regional Director of the Department of Science and Technology (DOST);
- 15 e. Regional Director of the Department of Agriculture (DA);
- 16 f. President of the federation of faculty associations of the University;
- 17 g. President of the federation of student councils of the University;
- 18 h. President of the federation of alumni associations of the University; and
- 19 i. two (2) prominent citizens from the private sector who have distinguished  
20 themselves in their professions or fields of specialization.  
21

22 The Board shall appoint the two (2) prominent citizens from a list of at least five (5)  
23 qualified persons in the Province of Marinduque, as recommended by the search committee to  
24 be constituted by the University President and in consultation with the CHED Chairperson and  
25 the other members of the Board, based on the standards and qualifications for the position set  
26 by the Board. They shall serve for a term of two (2) years from the date of appointment.  
27

28 The term of the President of the federation of faculty associations, the President of the  
29 federation of alumni associations, and the President of the federation of student councils, as  
30 members of the Board, shall be co-terminous with their terms of office as set forth in their  
31 respective constitutions and bylaws.  
32

33 **SEC. 6. *Powers and Duties of the Board.*** - The Board, in addition to its general powers  
34 of administration and the exercise of all the powers granted to the Board of Directors of a  
35 corporation under existing laws, shall have the following specific powers and duties:  
36

37 a. Promulgate and implement policies in accordance with the declared state policies on  
38 education and other pertinent provisions of the Constitution on education, agriculture, science  
39 and technology, as well as the policies, standards and thrusts of the CHED under Republic Act  
40 No. 7722, otherwise known as the "Higher Education Act of 1994";  
41

42 b. Approve the curricula, instructional programs, and rules of discipline drawn by the  
43 Administrative and the Academic Councils herein provided;  
44

45 c. Appoint, upon the recommendation of the President of the University, the vice  
46 presidents, deans, directors, heads of the campuses, faculty members and other officials and  
47 employees of the University;  
48

49 d. Fix and adjust the salaries of faculty members, and administrative officials and  
50 employees, subject to the provisions of the Revised Compensation and Position Classification  
51 System and other pertinent budget and compensation laws governing hours of service and such  
52 other duties and conditions as it may deem proper; grant them, at its discretion, leaves of  
53 absence under such regulations as it may promulgate, any provision of existing law to the  
54 contrary notwithstanding; and remove them for cause in accordance with the requirements of  
55 due process of law;



1 e. Fix the tuition fees and other necessary school charges, such as matriculation fees,  
2 graduation fees, and laboratory fees, as the Board may deem proper to impose, after due  
3 consultation with the concerned sectors. The fees and charges, including government subsidies  
4 and other income generated by the University, shall constitute its special trust funds, and shall  
5 be deposited in any authorized government depository bank, all interests that shall accrue  
6 therefrom, shall form part of the same funds for the use of the University. Any provision of  
7 existing law, rules or regulations to the contrary notwithstanding, any income generated by the  
8 University from tuition fees and other charges, as well as from the operation of auxiliary  
9 services and land grants, shall be retained by the University, and may be disbursed by the Board  
10 for instruction, research, extension services or other programs and projects of the University:  
11 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these  
12 are collected; *Provided, however*, That if, for reasons beyond its control, the University shall  
13 not be able to pursue any project for which the funds have been appropriated and allocated  
14 under its approved program of expenditures, the Board may authorize the use of the funds for  
15 any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment  
16 of the objectives and goals of the University;

17  
18 f. Adopt and implement a socialized scheme of tuition and other school fees for greater  
19 access of poor but deserving students in accordance with RA No. 10931 or the "Universal  
20 Access to Quality Tertiary Education Act";

21  
22 g. Establish professorial chairs in the University and provide fellowships for qualified  
23 faculty members, and scholarships to deserving students;

24  
25 h. Receive and appropriate all sums as may be provided for the support of the University  
26 in the manner it may determine, in its discretion, to carry out the purposes and functions of the  
27 University;

28  
29 i. Set the policies on admission and graduation of students;

30  
31 j. Award honorary degrees upon persons in recognition of their outstanding contribution  
32 in the fields of education, public service, arts, science and technology, agriculture or any field  
33 of specialization within the academic competence of the University, and authorize the awarding  
34 of certificates of completion of nondegree and nontraditional courses;

35  
36 k. Establish research and extension centers to promote the development of the  
37 University;

38  
39 l. Develop academic arrangements for institutional capability building with appropriate  
40 public, private, local and foreign institutions and agencies, and appoint experts/specialists as  
41 consultants, part-time/visiting/exchange professors, scholars or researchers, as the case may  
42 be;

43  
44 m. Adopt modern and innovative modes of transmitting knowledge for the promotion  
45 of greater access to education such as the use of information technology, dual training system,  
46 open distance learning, and community laboratory;

47  
48 n. Collaborate with the governing boards of state universities and colleges (SUCs)  
49 within the Province of Marinduque and Region IV-B, under the supervision of the CHED and  
50 in consultation with the Department of Budget and Management (DBM), in restructuring the  
51 University to make it more efficient, relevant, productive and competitive;

52  
53 o. Absorb non-chartered tertiary institutions within the Province of Marinduque as  
54 branches and extension/external centers, in coordination with the CHED and in consultation

1 with the DBM, and offer therein programs or courses to promote and carry out equal access to  
2 educational opportunities, as mandated by the Constitution;

3  
4 p. Authorize an external management audit of the University, to be financed by the  
5 CHED, subject to the rules and regulations of the Commission on Audit (COA), and institute  
6 reforms, including academic and structural changes, on the basis of the audit results and  
7 recommendations;

8  
9 q. Develop consortia and other economic forms of linkages with local government units  
10 (LGUs), public, private, local and foreign institutions and agencies in the furtherance of the  
11 purposes and objectives of the University;

12  
13 r. Import economic, technical and cultural books and publications;

14  
15 s. Enter into joint ventures with business and industry for the profitable development  
16 and management of the economic assets of the University, the proceeds from which shall be  
17 used for the development and strengthening of the University;

18  
19 t. Receive, in trust, legacies, gifts and donations of real and personal properties of all  
20 kinds and administer and dispose of the same, when necessary, for the benefit of the University,  
21 and subject to the limitations, directions and instructions of the donor, if any;

22  
23 u. Authorize the construction or repair of its buildings, machinery, equipment and other  
24 facilities, and the purchase and acquisition of real property, including the necessary supplies,  
25 materials and equipment;

26  
27 v. Extend the term of the President of the University beyond the age of retirement, but  
28 not beyond the age of seventy (70), based on the guidelines, qualifications and standards set by  
29 the Board: *Provided*, That the President's performance has been rated by the Board as  
30 outstanding and unanimous recommendation has been decided by the search committee;

31  
32 w. Delegate any of its powers and duties provided to the President and other officials  
33 of the University, as it may deem appropriate, so as to expedite the administration of the affairs  
34 of the University;

35  
36 x. Establish policy guidelines and procedures for participative decision-making and  
37 transparency within the University;

38  
39 y. Where most advantageous to the University, privatize the management of non-  
40 academic services such as health, food, building or grounds or property maintenance, and such  
41 other similar activities;

42  
43 z. Promulgate rules and regulations, as may be necessary, to carry out the purposes and  
44 functions of the University.

45  
46 **SEC. 7. Meetings of the Board.** – The Board shall regularly convene once every  
47 quarter. The Chairperson of the Board may, however, call a special meeting whenever  
48 necessary: *Provided*, That members are notified in writing at least three (3) days prior to the  
49 conduct of said meeting.

50  
51 A quorum of the Board shall consist of majority of all its members holding office at  
52 the time of the meeting: *Provided, however*, That the Chairperson of the Board or the President  
53 of the University is among those present in the meeting.



1 In the absence of the CHED Chairperson, a Commissioner of the CHED, duly  
2 designated by the CHED Chairperson as representative to the meeting, shall have all the rights  
3 and responsibilities of a regular member: *Provided*, however, That in the said meeting, the  
4 President of the University, as Vice Chairperson, shall be the Presiding Officer: *Provided*,  
5 *further*, That this *proviso*, notwithstanding, the Chairperson of the CHED is hereby authorized  
6 to designate a CHED Commissioner as the regular Chairperson of the Board, in which case  
7 said CHED Commissioner, shall act as the Presiding Officer.  
8

9 In case the Chairpersons of the Senate Committee on Education, Arts and Culture and  
10 the House Committee on Higher and Technical Education will not be able to attend the Board  
11 meeting, they may designate their respective representatives to attend the meeting, who shall  
12 have the same rights and responsibilities as the regular members of the Board.  
13

14 The members of the Board shall not receive any salary, but shall be entitled to  
15 reimbursements for actual and necessary expenses incurred, either for their attendance in the  
16 meetings of the Board or in connection with other official business authorized by resolutions  
17 of the Board, subject to existing laws and regulations.  
18

19 **SEC. 8. *The University President.*** - The University shall be headed by a President,  
20 who shall render full-time service and shall be appointed by the Board, upon the  
21 recommendation of a duly constituted search committee. The President shall have a term of  
22 four (4) years and shall be eligible for reappointment to another term: *Provided*, That in order  
23 to effect the smooth transition of the Marinduque State College to a state university, the  
24 incumbent President of the Marinduque State College, if qualified, shall serve as the first  
25 President of the University.  
26

27 Within six (6) months before the expiration of the term of office of the incumbent  
28 President of the University, the Board shall constitute the Search Committee for the Presidency.  
29

30 The Board shall designate an Officer-in-Charge of the University in case of vacancy in  
31 the Office of the President by reason of death, compulsory retirement, resignation, removal for  
32 cause, or incapacity of the President to perform the functions of the office, pending the  
33 appointment of a new President: *Provided*, That the OIC shall serve only for the unexpired  
34 portion of the term.  
35

36 The powers and duties of the President of the University, in addition to those provided  
37 in this Act, shall be those usually pertaining to the Office of the President of similar universities,  
38 and those delegated by the Board.  
39

40 The salary of the President of the University shall be in accordance with RA No. 6758  
41 or the Revised Compensation and Position Classification Act of 1989, as modified by Joint  
42 Resolution No. 4 dated June 17, 2009, and by such other laws amendatory thereto, which may  
43 hereinafter be enacted, and shall be comparable to that being received by the Presidents of  
44 similar educational institutions.  
45

46 The President of the University shall be assisted by a Vice-President for Academic  
47 Affairs, a Vice-President for Finance and Administration, and a Vice-President for Research,  
48 Extension and Training, who shall be appointed by the Board upon the recommendation of the  
49 President of the University.  
50

51 **SEC. 9. *The Secretary of the University.*** - The Board shall appoint a Secretary who  
52 shall serve as such for both the Board and the University and shall keep all records and  
53 proceedings of the Board in addition to other duties and responsibilities. The Secretary of the  
54 University shall serve upon each member of the Board the appropriate notice of Board  
55 meetings.



1  
2           **SEC. 10. *The Treasurer of the University.*** - The Treasurer of the Philippines shall be  
3 the *ex-officio* treasurer of the University.  
4

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

11           **SEC. 12. *The Academic Council.*** - There shall be an Academic Council to be  
12 composed of the President of the University, who shall act as its Chairperson, and all academic  
13 staff with the rank of at least an assistant professor, as members.  
14

15           The Academic Council shall have the power to review and recommend the curricular  
16 offerings and rules of discipline of the University, subject to the approval of the Board. It shall  
17 fix the requirements for the admission of students, as well as for their graduation and  
18 conferment of degrees, subject to the review and approval of the Board through the President  
19 of the University.  
20

21           It shall have disciplinary power over the students of the University and shall formulate  
22 academic policies and rules and regulations on discipline, subject to the approval of the Board.  
23

24           **SEC. 13. *Heads of University Campuses.*** - The Campus Directors shall serve as heads  
25 or administrators of the University campuses and shall render full-time service.  
26

27           They shall be appointed or designated by the Board, upon the recommendation of the  
28 Search Committee and the President, subject to the guidelines, qualifications and standards set  
29 by the Board: *Provided*, That the incumbent Campus Directors of the existing campuses of the  
30 Marinduque State College shall serve as Campus Directors of their respective campuses upon  
31 the effectivity of this Act.  
32

33           **SEC. 14. *Academic Freedom and Institutional Autonomy.*** - The University shall  
34 enjoy academic freedom and institutional autonomy, pursuant to Paragraph 2, Section 5 of  
35 Article XIV of the Constitution.  
36

37           **SEC. 15. *The Faculty.*** - No political belief, gender preference, cultural or community  
38 affiliation, ethnic origin, nor religious opinion or affiliation shall be a matter of inquiry in the  
39 appointment of faculty members of the University: *Provided*, That the appointment shall be  
40 subject to the guidelines, qualifications and standards set by the Board: *Provided, further*, That  
41 a member of the faculty shall not criticize, vouch for, recruit members in behalf of, or preach  
42 about any particular church or religious sect.  
43

44           **SEC.16. *Scholarship Program/Admission.*** - The University shall provide a  
45 scholarship program and other affirmative action programs to assist poor but deserving students  
46 who qualify for admission to the University. No student shall be denied admission to the  
47 University by reason of sex, religion, political, cultural or community affiliation, and ethnic  
48 origin.  
49

50           **SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and Detail***  
51 ***of Personnel.*** - The heads of the bureaus and offices of the national government are hereby  
52 authorized to loan or transfer, upon the request of the President of the University, such  
53 apparatus, equipment or supplies as may be needed by the University, and to detail employees  
54 for duty therein when, in the judgment of the head of bureau or office, such apparatus,  
55 equipment, supplies or services of such employees can be spared without serious detriment to



1 public service. The employees so detailed shall perform such duties as required of them by the  
2 President of the University, and the time so employed shall be counted as part of their regular  
3 service.

4  
5 **SEC. 18. *Assets, Liabilities and Personnel.*** - All assets, real and personal, personnel  
6 and records of the Marinduque State College as well as liabilities or obligations, are hereby  
7 transferred to the University: *Provided*, That the positions, rights and security of tenure of the  
8 faculty members and personnel therein employed under existing laws prior to the conversion  
9 into a University shall be respected: *Provided, further*, That the incumbents of the positions  
10 shall remain in the same status until otherwise provided for by the Board: *Provided*, finally,  
11 That the University shall also include an upgrade or increase in its human resource component.

12  
13 All parcels of land belonging to the government occupied by the Marinduque State  
14 College are hereby declared to be property of the University, and shall be titled under its name:  
15 *Provided*, That should the University cease to exist or be abolished or should such  
16 aforementioned parcels of land be no longer needed by the University, the same shall revert to  
17 the concerned LGU or to the Republic of the Philippines, as the case may be.

18  
19 **SEC. 19. *Tax Exemption.*** - The importation of economic, technical and cultural books  
20 and publications, which are for economic, technical-vocational, scientific, philosophical,  
21 historical or cultural purposes made by the University, upon certification by the CHED, shall  
22 be exempt from customs duties in accordance with the provisions of RA No. 10863, otherwise  
23 known as the "Customs Modernization and Tariff Act (CMTA)."

24  
25 All grants, bequests, endowments, donations and contributions made to the  
26 University to be used actually, exclusively and directly by it, shall be exempt from the donor's  
27 tax and the same shall be considered as allowable deduction from the gross income in the  
28 computation of the income tax of the donor, in accordance with the provisions of the National  
29 Internal Revenue Code of 1997, as amended.

30  
31 **SEC. 20. *Appropriations.*** - The amount necessary to carry out the provisions of this  
32 Act shall be charged against the current year's appropriations of the Marinduque State College.  
33 Thereafter, such sums as may be necessary for the continued operation and maintenance of the  
34 University shall be included in the annual General Appropriations Act.

35  
36 **SEC.21. *Development Plan, Management Audit, Organization***  
37 ***/Administrative/Academic Structure.*** - Within the period of one hundred twenty (120) days  
38 after the approval of this Act, the University shall accomplish the following:

- 39  
40 a. submit a five (5)-year development plan, including corresponding program  
41 budget, to the CHED for corresponding recommendation to the DBM;  
42 b. undergo a management audit in cooperation with the CHED; and  
43 c. accordingly set up its organizational, administrative, and academic structure,  
44 including the appointment of key officials of the University.

45  
46 **SEC. 22. *Filing of Annual Report.*** - On or before the fifteenth (15<sup>th</sup>) day of the second  
47 month after the opening of the regular classes each year, the Board shall file with the Office of  
48 the President of the Philippines and both Houses of Congress, through the CHED Chairperson,  
49 a detailed report on the progress, conditions and needs of the University.

50  
51 **SEC. 23. *Supplementary Application.*** - The provisions of RA No. 8292, otherwise  
52 known as the "Higher Education Modernization Act of 1997", shall be an integral part of this  
53 Act and shall serve as part of the Governing Charter of the University.  
54



1           **SEC. 24. Compliance with CHED Requirements.** – The provisions of this Act  
2 notwithstanding, the conversion of the institution into a state university, shall become effective  
3 only upon the determination and declaration by the CHED, based on the recommendation of a  
4 panel of experts it shall constitute for the purpose, that the institution has complied with the  
5 requirements for a university status based on CHED Memorandum Order No. 46, series of  
6 2012 (Policy Standards to Enhance Quality Assurance in Philippine Higher Education through  
7 the Outcomes-Based and Typology-Based Quality Assurance): *Provided*, That the panel may  
8 issue such a recommendation when the institution has substantially complied with the  
9 requirements for the grant of university status.

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

13  
14           a. Faculty members must possess relevant degrees in their areas of specialization, as  
15 required by the CHED, and shall have participated in research and development activities in  
16 their respective disciplines, as evidenced by refereed publications and other scholarly outputs;  
17

18           b. The University must offer a comprehensive range of degree programs in all levels,  
19 from basic post-secondary to doctoral programs;  
20

21           c. The University must have conducted viable research programs in specific (disciplinal  
22 and multidisciplinary) areas of study that produce new knowledge, as evidenced by refereed  
23 publications, citations, inventions, and patents, among others;  
24

25           d. The University should possess comprehensive learning resources and support  
26 structures (such as libraries, practicum laboratories, relevant educational resources, and  
27 linkages with the relevant disciplinal and professional sectors) that allow students to explore  
28 basic, advance, and even cutting edge knowledge in a wide range of disciplines or professions;  
29

30           e. The University must have and maintain linkages with other research institutions in  
31 various parts of the world that will ensure that the research activities of the university are  
32 functioning at current global standards; and  
33

34           f. The University must conduct outreach activities that allow the students, faculty, and  
35 research staff to apply the new knowledge they generate to address specific social development  
36 problems broadly defined.  
37

38           The CHED, through its regional office, shall regularly provide technical assistance to  
39 the institution and monitor compliance with the requirements of the Commission.  
40

41           The institution shall retain its status prior to the effectivity of this Act until it is able to  
42 comply with the requirements provided herein.  
43

44           **SEC. 25. Parity Clause.** -All other powers, functions and privileges, responsibilities  
45 and limitations to state universities and their officials under existing laws shall be deemed  
46 granted to or imposed upon the University or its officials, whenever appropriate.  
47

48           **SEC. 26. Implementing Rules and Regulations.** –Within sixty (60) days from the  
49 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules and  
50 regulations to fully implement the provisions of this Act.  
51

52           **SEC. 27. Separability Clause.** - If, for any reason, any part or provision of this Act is  
53 declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain  
54 in full force and effect.  
55



1           **SEC. 29. Effectivity.** - This Act shall take effect fifteen (15) days after its publication  
2 in the *Official Gazette* or in a newspaper of general circulation.

3

4           Approved,