



HOUSE OF REPRESENTATIVES

H. No. 4912

BY REPRESENTATIVES BADELLES, VILLAR, ABAYON, ANDAYA, LAPUS AND
TEVES, PER COMMITTEE REPORT NO. 1202

AN ACT SEPARATING THE ILIGAN INSTITUTE OF TECHNOLOGY IN
THE CITY OF ILIGAN, PROVINCE OF LANA DEL NORTE
FROM THE MINDANAO STATE UNIVERSITY IN MARAWI
CITY, CONVERTING IT INTO A STATE UNIVERSITY TO BE
KNOWN AS THE SCIENCE AND TECHNOLOGY UNIVERSITY
OF SOUTHERN PHILIPPINES (STUSP) AND APPROPRIATING
FUNDS THEREFOR

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

1 SECTION 1. *Separation/Conversion.* – The Iligan Institute of
2 Technology in the City of Iligan, Province of Lanao del Norte is hereby
3 separated from the Mindanao State University (MSU) in Marawi City,
4 Province of Lanao del Sur and converted into a state university to be known as
5 the Science and Technology University of Southern Philippines (STUSP),
6 hereinafter referred to as the University.

7 SEC. 2. *General Mandate.* – The University shall primarily provide
8 advanced instruction and training and undertake research and extension
9 service in the fields of pure and applied science, social science, arts and

1 humanities, education, business and information technology, law and other
2 disciplines that will promote socioeconomic development, peace and good
3 governance in Southern Philippines. It shall provide progressive and
4 distinctive leadership in higher education, especially in its areas of expertise
5 and specialization.

6 SEC. 3. *Curricular Offerings.* – The University shall offer
7 undergraduate and graduate courses in the fields of pure and applied science,
8 social science, arts and humanities, education, business and information
9 technology, law and other disciplines according to its capabilities as the Board
10 of Regents may deem necessary to carry out its objectives, particularly to meet
11 the needs of Southern Philippines.

12 The existing developmental high school shall be allowed to remain and
13 operate within the campus of the University as laboratory school for the
14 College of Education.

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

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

24 (a) The chairperson of the Commission on Higher Education (CHED),
25 chairperson;

26 (b) The president of the University, vice chairperson;

27 (c) The chairperson of the Committee on Education, Arts and Culture
28 of the Senate, member;

1 (d) The chairperson of the Committee on Higher and Technical
2 Education of the House of Representatives, member;

3 (e) The regional director of the National Economic and Development
4 Authority (NEDA), member;

5 (f) The regional director of the Department of Science and
6 Technology (DOST), member;

7 (g) The president of the faculty association of the University, member;

8 (h) The president of the student council of the University, member;

9 (i) The president of the alumni association of the University, member;

10 (j) One prominent citizen from the private sector who has
11 distinguished himself in his profession or fields of specialization of the
12 University, member;

13 (k) Two prominent citizens from the cultural communities (one Moro
14 and one Lumad), who have distinguished themselves in the field of education,
15 members; and

16 (l) One representative from the industry sector who has distinguished
17 himself/herself in his/her profession or field of specialization, preferably the
18 vice president for Mindanao of the Philippine Chamber of Commerce and
19 Industry (PCCI), member.

20 The Board shall appoint the prominent private citizen and the industry
21 sector representative from among a list of five persons qualified in the
22 Province of Lanao del Norte, and two cultural community citizens from among
23 a list of at least six qualified persons in Mindanao consisting of three from
24 each cultural group, as recommended by the search committee constituted by
25 the University president, in consultation with the chairperson of the CHED and
26 other members of the Board, based on the normal standards and qualifications
27 for the position.

1 The term of office of the president of the faculty association, the
2 president of the student council and the president of the alumni association
3 shall be coterminous with their respective terms of office, as set forth in their
4 respective constitutions and bylaws.

5 The representatives from the private sector, the industry sector and the
6 cultural communities shall serve for a term of two years each from the date of
7 appointment.

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

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

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

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

23 (c) To import duty-free economic, technical and cultural books and/or
24 publications, upon certification by the CHED that such imported books and/or
25 publications are for economic, technical, vocational, scientific, philosophical,
26 historical or cultural purposes in accordance with the provisions of the Tariff
27 and Customs Code, as amended;

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

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

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

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

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

26 If, for reasons beyond its control, the University shall not be able to
27 pursue any project for which funds have been appropriated and allocated
28 under its approved program of expenditures, the Board may authorize the use

1 of said funds for any reasonable purpose which, in its discretion, may be
2 necessary and urgent for the attainment of the objectives and goals of the
3 University;

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

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

9 (h) To appoint upon recommendation of the president of the
10 University, vice presidents, deans, directors, heads of departments, faculty
11 members and other officials and employees of the University: *Provided, That*
12 *in the case of the vice presidents, a search committee shall be created to assist*
13 *the president;*

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

22 (j) To approve the curricula, instructional programs and rules of
23 discipline drawn by the administrative and academic councils herein provided;

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

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

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

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

8 (n) To establish research and extension centers where such will help
9 achieve the general mandate of the University;

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

12 (p) To delegate any of its powers and duties provided for hereinabove
13 to the president and/or other officials of the University as it may deem
14 appropriate, so as to expedite the administration of the affairs of the
15 University;

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

20 (r) To collaborate with other governing boards of the state colleges
21 and universities within the Province of Lanao del Norte or Southern
22 Philippines, under the supervision of the CHED and in consultation with the
23 DBM, and work towards the restructuring of the University to become more
24 efficient, relevant, productive and competitive;

25 (s) To enter into joint ventures with business and industry for the
26 profitable development and management of the economic assets of the
27 University, the proceeds from which shall be used for the development and
28 strengthening of the University;

1 (t) To develop consortia and other forms of linkages with local
2 government units, institutions and agencies, both public and private, local and
3 foreign, in the furtherance of the purpose and objectives of the University;

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

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

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

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

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

23 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at
24 least once every quarter. However, the chairperson of the Board may, upon
25 three days' prior written notice, call a maximum of two special meetings
26 whenever necessary.

27 A quorum of the Board shall consist of majority of all its members
28 holding office at the time of the meeting: *Provided, however,* That the

1 chairperson of the Board or the president of the University is among those
2 present in the meeting.

3 In the absence of the chairperson of the CHED, a commissioner of the
4 CHED, duly designated by him/her, shall represent him/her in the meeting
5 with all the rights and responsibilities of a regular member: *Provided,*
6 *however,* That during this meeting, the president of the University as vice
7 chairperson shall be the presiding officer: *Provided, further,* That this *proviso*
8 notwithstanding, the chairperson of the CHED is hereby authorized to
9 designate a CHED commissioner as the regular chair of the Board, in which
10 case said CHED commissioner shall act as the presiding officer.

11 In case the chairpersons of the Congressional Committees on Education
12 shall not be able to attend the Board meeting, they may duly designate their
13 respective representatives to attend the said meeting, who shall have the same
14 rights and responsibilities as a regular member of the Board.

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

20 SEC. 9. *The University President.* – The University shall be headed by
21 a president who shall render full time service. He/she shall be appointed by
22 the Board, following a process of democratic consultation with the University
23 community, subject to the guidelines, qualifications and/or standards set by the
24 Board, and who shall be chosen from a shortlist of three, upon
25 recommendation of a duly constituted search committee. He/she shall have a
26 term of four years and shall be eligible for reappointment for another term:
27 *Provided,* That in order to effect a smooth transition to a state university, the
28 incumbent head of the Mindanao State University-Iligan Institute of

1 Technology (MSU-IIT), if qualified, shall serve as the first president of the
2 University.

3 Within six months before the expiration of the term of office of the
4 incumbent president of the STUSP, the Board shall constitute the Search
5 Committee for the Presidency (SCP).

6 In case of vacancy in the office of the president by reason of death,
7 compulsory retirement, resignation, removal for cause or incapacity of the
8 president to perform the functions of his/her office, the Board shall designate
9 an officer-in-charge of the University within six months from date of vacancy,
10 pending the appointment of a new president.

11 In case of vacancy in the office of the president as mentioned in the
12 immediately preceding paragraph, the officer-in-charge or the newly appointed
13 president shall hold office for the unexpired term only.

14 The powers and duties of the president of the University, in addition to
15 those specifically provided in this Act, shall be those usually pertaining to the
16 office of the president of similar universities and those delegated by the Board.

17 The salary of the president of the University shall be in accordance with
18 the Revised Compensation and Position Classification System and shall be
19 comparable to that being received by the presidents of similar educational
20 institutions.

21 The president of the University shall be assisted by vice presidents, who
22 shall be appointed by the Board upon recommendation of the president and
23 selected through a search process.

24 SEC. 10. *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 policies

1 governing the administration, management and development of the University
2 for appropriate action.

3 Sec. 11. *The Academic Council.* – There shall be an academic council
4 with the president of the University as chairperson and all members of the
5 academic staff with the rank of not lower than assistant professor as members.

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

14 SEC. 12. *The Secretary of the University.* – The Board shall appoint a
15 secretary, who shall serve as such for both the Board and the University and
16 shall keep all records and proceedings of the Board. He/she shall serve upon
17 each member of the Board the appropriate notice of the Board's meetings.

18 SEC. 13. *The Treasurer of the University.* – The Treasurer of the
19 Philippines shall be the *ex officio* treasurer of the University.

20 SEC. 14. *Faculty.* – No religious beliefs, gender preference, cultural or
21 community affiliation or ethnic origin, religious opinion or affiliation shall be
22 a matter of inquiry in the appointment of faculty members of the University:
23 *Provided,* That said appointment shall be subject to the guidelines,
24 qualifications and/or standards set by the Board: *Provided, further,* That no
25 member of the faculty shall teach for or against any particular church or
26 religious sect.

1 SEC. 15. *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 sex, religion, nationality, cultural or community affiliation, ethnic origin or
6 physical disability.

7 SEC. 16. *Academic Freedom and Institutional Autonomy.* – The
8 University shall enjoy academic freedom and institutional autonomy, pursuant
9 to Paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
10 the Philippines.

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

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

22 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
23 personal, personnel and records of the MSU-IIT, as well as liabilities or
24 obligations, are hereby transferred to the University without exception and
25 unconditionally. All personnel, academic and administrative, are hereby
26 deemed absorbed into the staff of the University, with all rights and privileges
27 carried over and these shall neither be diminished or altered as a consequence
28 of this Act.

1 The site of the MSU-IIT that has been reserved for the use of the latter
2 under Republic Act No. 4626, otherwise known as the “Charter of the
3 Northern Mindanao Institute of Technology (NMIT)” and the Memorandum
4 of Agreement between the NMIT and the defunct Bureau of Vocational
5 Education or its successor in interest, covering nine hectares, more or less,
6 located in the City of Iligan, is hereby granted for the exclusive use of the
7 University.

8 Such parcels of land ceded by law, decree or presidential issuance to
9 the University are hereby declared to be reserved for the purposes intended.
10 The absolute ownership of the University over these landholdings, including
11 those covered by original and transfer certificates of title in the name of the
12 University and their future derivatives is hereby confirmed. Where the
13 issuance of proper certificates of title is yet pending for these landholdings, the
14 appropriate government office shall expedite the issuance thereof within six
15 months from the date of effectivity of this Act: *Provided*, That all registration
16 requirements necessary for the issuance of the said titles have been submitted
17 and complied with.

18 All parcels of land belonging to the government and occupied by the
19 MSU-IIT are hereby declared to be property of the STUSP and shall be titled
20 under that name: *Provided*, That should the University cease to exist or be
21 abolished or should such parcels of land aforementioned be no longer needed
22 by the University, the same shall revert to the local government unit
23 concerned: *Provided, further*, That the State shall provide subsidy to the
24 University in the form of land grants and donations and other real properties
25 for the future expansion and development of the University.

26 SEC. 19. *Appropriations.* – The amount necessary for the initial
27 implementation of this Act shall be charged against the current year’s
28 appropriations of the MSU-IIT. Thereafter, such sums as may be necessary

1 for the continued operation and maintenance of the STUSP shall be included
2 in the annual General Appropriations Act.

3 SEC. 20. *Development Plan, Management Audit, Organizational/
4 Administrative/Academic Structure.* – Within the period of one hundred
5 twenty (120) days after the approval of this Act, the University shall
6 accomplish the following:

7 (a) Submit a five-year development plan, including its corresponding
8 program budget to the CHED, for corresponding recommendation to the
9 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. 21. *Filing of 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. 22. *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. 23. *Parity Clause.* – All other powers, functions and privileges,
23 responsibilities and limitations to state universities and/or their officials under
24 existing laws shall be deemed granted to or imposed upon the University
25 and/or its officials whenever appropriate.

26 SEC. 24. *Implementing Rules and Regulations.* – The CHED, in
27 consultation with the University community, shall formulate the guidelines to
28 fully implement the provisions of this Act.

1 SEC. 25. *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 shall remain in full force and effect.

4 SEC. 26. *Repealing Clause*. – All laws, presidential decrees, executive
5 orders, rules and regulations contrary to or inconsistent with the provisions of
6 this Act are hereby repealed or modified accordingly.

7 SEC. 27. *Effectivity*. – This Act shall take effect fifteen (15) days after
8 its publication in two newspapers of general circulation.

Approved,

O