



HOUSE OF REPRESENTATIVES

H. No. 4934

BY REPRESENTATIVES BANAAG, ECLEO, AMANTE, VILLAR, ABAYON,
ANDAYA, LAPUS AND SUSANO, PER COMMITTEE REPORT NO. 1217

AN ACT ESTABLISHING THE CARAGA STATE UNIVERSITY IN
THE CARAGA REGION BY INTEGRATING THE NORTHERN
MINDANAO STATE INSTITUTE OF SCIENCE AND
TECHNOLOGY (NORMISIST) IN AMPAYON, BUTUAN CITY;
THE NORTHERN MINDANAO COLLEGE OF ARTS, SCIENCE
AND TECHNOLOGY (NMCAST) IN CABADBARAN, AGUSAN
DEL NORTE AND THE SIARGAO NATIONAL COLLEGE OF
SCIENCE AND TECHNOLOGY (SNCST) IN DEL CARMEN,
SIARGAO, SURIGAO DEL NORTE AND APPROPRIATING
FUNDS THEREFOR

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

1 SECTION 1. *Establishment/Integration.* – There is hereby established a
2 state university in the Caraga Region to be known as the Caraga State
3 University (CSU), hereinafter referred to as the University, by integrating the
4 Northern Mindanao State Institute of Science and Technology (NORMISIST)
5 in Ampayon, Butuan City; the Northern Mindanao College of Arts, Science
6 and Technology (NMCAST) in Cabadbaran, Agusan del Norte; and the
7 Siargao National College of Science and Technology (SNCST) in Del Carmen,

1 Siargao, Surigao del Norte. The main campus of the University shall be in,
2 Butuan City.

3 SEC. 2. *General Mandate.* – The University shall primarily provide
4 advanced education, higher technological, professional instruction and training
5 in the fields of agriculture and environmental studies, fishery, engineering,
6 forestry, industrial technology, education, law, medicine and other health
7 related programs, information technology, arts and sciences and other related
8 courses. It shall undertake research and extension services, and provide
9 progressive leadership in its areas of specialization.

10 SEC. 3. *Curricular Offerings* – The University shall offer
11 undergraduate, graduate and short-term technical courses within its areas of
12 specialization specifically, but not limited to, the fields of agriculture and
13 environmental studies, fishery, engineering, forestry, industrial technology,
14 education, law, medicine and other health related programs, information
15 technology, arts and sciences and other fields as the Board of Regents may
16 deem necessary to carry out its objectives, particularly to meet the needs of
17 the Caraga Region.

18 The existing high school/s shall be transferred to the jurisdiction and
19 supervision of the Department of Education: *Provided*, That the high
20 school/s shall be allowed to remain and operate within the campus of the
21 University until the existing students shall have completed their high school

1 education: *Provided, further,* That the University may operate a
2 reasonably-sized laboratory school, if it has a College of Education.

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

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

12 (a) The chairperson of the Commission on Higher Education
13 (CHED), chairperson;

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

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

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

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

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

1 (g) The president of the federation of faculty associations of the
2 University, member;

3 (h) The president of the federation of student councils of the
4 University, member;

5 (i) The president of the federation of alumni associations of the
6 University, member; and

7 (j) Two prominent citizens from the private sector who have
8 distinguished themselves in their profession or fields of specialization,
9 members.

10 The Board shall appoint the two prominent citizens from among a
11 list of at least five persons qualified in Butuan City, Agusan del Norte and
12 Surigao del Norte, as recommended by the search committee constituted by
13 the University president, in consultation with the chairperson of the CHED
14 and other members of the Board, based on the normal standards and
15 qualifications for the position set by the Board.

16 The term of office of the president of the federation of faculty
17 associations, the president of the federation of student councils and the
18 president of the federation of alumni associations shall be coterminous with
19 their respective terms of office, as set forth in their respective constitutions
20 and bylaws.

21 The two prominent citizens shall serve for a term of two years from
22 the date of appointment.

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

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

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

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

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

21 (d) To receive in trust legacies, gifts and donations of real and
22 personal properties of all kinds and to administer and dispose of the same

1 when necessary for the benefit of the University, and subject to the
2 limitations, directions and instructions of the donor, if any.

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

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

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

17 Any provision of existing laws, rules and regulations to the contrary
18 notwithstanding, any income generated by the University from tuition fees
19 and other charges, as well as from the operation of auxiliary services and
20 land grants, shall be retained by the University and may be disbursed by the
21 Board for instruction, research, extension or other programs/projects of the

1 University: *Provided*, That all fiduciary fees shall be disbursed for the
2 specific purposes for which they are collected.

3 If, for reasons beyond its control, the University shall not be able to
4 pursue any project for which the funds have been appropriated and
5 allocated under its approved program of expenditures, the Board may
6 authorize the use of said funds for any reasonable purpose which, in its
7 discretion, may be necessary and urgent for the attainment of the objectives
8 and goals of the University;

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

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

14 (h) To appoint, upon recommendation of the president of the
15 University, vice presidents, deans, directors and heads of campuses, faculty
16 members and other officials and employees of the University;

17 (i) To fix and adjust salaries of faculty members and administrative
18 officials and employees, subject to the provisions of the Revised
19 Compensation and Position Classification System and other pertinent
20 budget and compensation laws governing hours of service and such other
21 duties and conditions as it may deem proper; to grant them, at its discretion,
22 leaves of absence under such regulations as it may promulgate, any

1 provision of existing law to the contrary notwithstanding; and to remove
2 them for cause in 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 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,
9 science and technology, agriculture or in any field of specialization within
10 the academic competence of the University; and to authorize the awarding
11 of certificates of completion of nondegree and nontraditional courses;

12 (m) To establish and absorb nonchartered tertiary institutions within
13 the provinces of Agusan del Norte and Surigao del Norte or the Caraga
14 Region as branches and centers in coordination with the CHED and in
15 consultation with the Department of Budget and Management (DBM), and
16 to offer therein programs or courses to promote and carry out equal access
17 to educational opportunities as mandated by the Constitution;

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

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

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

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

9 (r) To collaborate with other governing boards of the state colleges
10 and universities within the provinces of Agusan del Norte and Surigao del
11 Norte or the Caraga Region, under the supervision of the CHED and in
12 consultation with the DBM, and work towards the restructuring of the
13 University to become more efficient, relevant, productive and competitive;

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

18 (t) To develop consortia and other economic forms of linkages
19 with the local government units, institutions and agencies, both public and
20 private, local and foreign, in the furtherance of the purpose and objectives
21 of the University;

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

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

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

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

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

20 SEC. 8. *Meetings of the Board.* – The Board shall regularly
21 convene at least once every quarter. However, the chairperson of the

1 Board may, upon three days' prior written notice, call a maximum of two
2 special meetings whenever necessary.

3 A quorum of the Board shall consist of a majority of all its members
4 holding office at the time of the meeting: *Provided*, That the chairperson
5 of the Board or the president of the University is among those present in
6 the meeting.

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

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

21 The members of the Board shall not receive any salary but shall be
22 entitled to reimbursements for actual and necessary expenses incurred,

1 either in their attendance to meetings of the Board or in connection with
2 other official business authorized by resolution of the Board, subject to
3 existing laws and regulations.

4 *SEC. 9. *The University President.* – The University shall be headed
5 by a president who shall render full-time service. He/she shall be
6 appointed by the Board, subject to the guidelines, qualifications and/or
7 standards set by the Board, upon recommendation of a duly constituted
8 search committee. He/she shall have a term of four years and shall be
9 eligible for reappointment for another term: *Provided*, That in order to
10 effect a smooth transition to a state university, the incumbent president of
11 the NORMISIST shall serve as officer-in-charge of the University, pending
12 the appointment of the first president of the Caraga State University.

13 Within six months before the expiration of the term of office of the
14 incumbent president of the Caraga State University, the Board shall
15 constitute the Search Committee for the Presidency (SCP).

16 In case of vacancy in the office of the president by reason of death,
17 compulsory retirement, resignation, removal for cause or incapacity of the
18 president to perform the functions of his/her office, the Board shall have
19 the authority to designate an officer-in-charge of the University, pending
20 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 hold office for the unexpired term only.

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

8 The salary of the president of the University shall be in accordance
9 with the Revised Compensation and Position Classification System and
10 shall be comparable to that being received by the presidents of similar
11 educational institutions.

12 The president of the University shall be assisted by a vice president
13 for academic affairs and a vice president for administration who shall be
14 appointed by the Board upon the recommendation of the president.

15 SEC. 10. *The Administrative Council.* – There shall be an
16 administrative council consisting of the president of the University as
17 chairperson, vice presidents, deans, directors and other officials of equal
18 rank as members, whose duty is to review and recommend to the Board the
19 policies governing the administration, management and development
20 planning of the University.

21 SEC. 11. *The Academic Council.* – There shall be an academic
22 council with the president of the University as chairperson and all members

1 of the academic staff with the rank of not lower than assistant professor as
2 members.

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

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

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

18 SEC. 14. *Faculty.* – No political beliefs, gender preference, cultural
19 or community affiliation or ethnic origin, religious opinion or affiliation
20 shall be a matter of inquiry in the appointment of faculty members of the
21 University: *Provided,* That said appointment shall be subject to the
22 guidelines, qualifications and/or standards set by the Board: *Provided,*

1 *further*, That no member of the faculty shall teach for or against any
2 particular church or religious sect.

3 SEC. 15. *Scholarship Program/Admission.* – The University shall
4 provide a scholarship program and other affirmative action programs to
5 assist poor but deserving students who qualify for admission to the
6 University.

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

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

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

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

4 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, fixed and
5 movable, personnel and records of the Northern Mindanao State Institute of
6 Science and Technology; the Northern Mindanao College of Arts, Science
7 and Technology; and the Siargao National College of Science and
8 Technology, as well as liabilities or obligations, are hereby transferred to
9 the University: *Provided*, That the positions, rights and security of tenure
10 of faculty members and personnel therein employed under existing laws
11 prior to the conversion into a university shall be respected.

12 All parcels of land belonging to the government and occupied by
13 the Northern Mindanao State Institute of Science and Technology; the
14 Northern Mindanao College of Arts, Science and Technology; and the
15 Siargao National College of Science and Technology are hereby declared
16 to be property of the Caraga State University and shall be titled under that
17 name: *Provided, further*, That should the University cease to exist or be
18 abolished or should such parcels of land aforementioned be no longer
19 needed by the University, the same shall revert to the national government.

20 SEC. 19. *Appropriations.* – The amount necessary to carry out the
21 initial implementation of this Act shall be charged against the current year's
22 appropriations of the Northern Mindanao State Institute of Science and

1 Technology; the Northern Mindanao College of Arts, Science and
2 Technology; and the Siargao National College of Science and Technology,
3 except the sums needed to continue the operations of the existing high
4 school/s. Thereafter, such sums as may be necessary for the continued
5 operation and maintenance of the Caraga State University shall be included
6 in the annual General Appropriations Act.

7 SEC. 20. *Development Plan, Management Audit, Organizational/
8 Administrative/Academic Structure.* -- Within the period of one hundred
9 twenty (120) days after the approval of this Act, the University shall
10 accomplish the following:

11 (a) Submit a five-year development plan, including its
12 corresponding program budget to the CHED, for corresponding
13 recommendation to the DBM;

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

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

19 SEC. 21. *Filing of Report.* -- On or before the fifteenth (15th) day of
20 the second month after the opening of the regular classes each year, the
21 Board shall file with the Office of the President of the Philippines through

1 the chairperson of the CHED, and with both Houses of Congress a detailed
2 report on the progress, conditions and needs of the University.

3 SEC. 22. *Suppletory Application.* – The provisions of Republic
4 Act No. 8292, otherwise known as the “Higher Education Modernization
5 Act of 1997”, shall be an integral part of this Act and shall serve as part of
6 the governing charter of the University.

7 SEC. 23. *Parity Clause.* – All other powers, functions and
8 privileges, responsibilities and limitations to state universities and/or their
9 officials under existing laws shall be deemed granted to or imposed upon
10 the University and/or its officials whenever appropriate.

11 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
12 consultation with the CHED, shall formulate the guidelines to fully
13 implement the provisions of this Act.

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

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

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

Approved,