



## HOUSE OF REPRESENTATIVES

H. No. 5334

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BY REPRESENTATIVES AMIN, VILLAR, ABAYON, LAPUS, SALCEDA AND GOLEZ,  
PER COMMITTEE REPORT NO. 1598

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AN ACT CONVERTING THE SULU STATE COLLEGE IN THE  
MUNICIPALITY OF JOLO, PROVINCE OF SULU INTO A STATE  
UNIVERSITY TO BE KNOWN AS THE SULU 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 Sulu State College in the Municipality  
2 of Jolo, Province of Sulu is hereby converted into a state university to be  
3 known as the Sulu State University, hereinafter referred to as the University.

4           SEC. 2. *General Mandate.* – The University shall primarily provide  
5 advanced instruction and professional training in agriculture, education,  
6 *engineering, forestry, arts and sciences* and other relevant fields of study. It  
7 shall also undertake research and extension services, and provide progressive  
8 leadership in its areas of specialization.

1           SEC. 3. *Curricular Offerings.* – The University shall offer  
2 undergraduate and graduate courses in the fields of agriculture, education,  
3 engineering, forestry, arts and sciences, and other degree courses within its  
4 areas of specialization and according to its capabilities, as the Board of  
5 Regents may deem necessary to carry out its objectives, in order to meet the  
6 needs of the Province of Sulu and the Autonomous Region in Muslim  
7 Mindanao (ARMM).

8           The existing high school shall be transferred to the jurisdiction and  
9 supervision of the Department of Education (DepEd): *Provided*, That the high  
10 school shall be allowed to remain and operate within the campus of the  
11 University until the existing students shall have completed their high school  
12 education: *Provided, further*, That the University may operate a reasonably-  
13 sized laboratory school, if it has a College of Education.

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

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

4            (a) The chairperson of the Commission on Higher Education (CHED),  
5        chairperson;

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

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

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

11           (e) The chairperson of the Commission on Higher Education-ARMM  
12       (CHED Chair-ARMM), member;

13           (f) The Secretary of Education-ARMM, member;

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

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

16           (i) The president of the alumni associations of the University,  
17       member; and

18           (j) Two prominent citizens from the private sector who have  
19       distinguished themselves in their profession or fields of specialization of the  
20       University, members.

1           The Board shall appoint the two prominent citizens from among a list  
2 of at least five persons *qualified in the Province of Sulu*, as recommended by  
3 the search committee constituted by the University president, in consultation  
4 with the chairperson of the CHED and the other members of the Board, based  
5 on the normal standards and qualifications for the position set by the Board.

6           The term of office of the president of the faculty associations, the  
7 president of the student councils and the president of the alumni associations  
8 shall be coterminous with their respective terms of office, as set forth in their  
9 respective constitutions and bylaws.

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

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

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

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

3           (b) To receive and appropriate all sums as may be provided for the  
4 support of the *University* in the manner it may determine and in accordance  
5 with its discretion, in order to carry out the purposes and functions of the  
6 *University*;

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

12           (d) To receive in trust legacies, gifts and donations of real properties of  
13 all kinds and to administer and dispose of the same when necessary for the  
14 benefit of the *University*, and subject to the limitations, directions and  
15 instructions of the donor, if any.

16           Such donations shall be exempt from the donor's tax and the same shall  
17 be considered as allowable deductions from the gross income in the  
18 computation of the income tax of the donor, in accordance with the provisions  
19 of the National Internal Revenue Code (NIRC) of 1997, as amended:  
20 *Provided, That such donations shall not be disposed of, transferred or sold;*

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

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

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

17           If, for reasons beyond its control, the University shall not be able to  
18 pursue any project for which the funds have been appropriated and allocated  
19 under its approved program of expenditures, the Board may authorize the use  
20 of said funds for any reasonable purpose which, in its discretion, may be

1 necessary and urgent for the attainment of the objectives and goals of the  
2 University;

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

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

8 (h) To appoint upon recommendation of the president of the  
9 University, vice presidents, deans, directors, heads of campuses, *faculty*  
10 members and other officials and employees of the University;

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

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

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

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

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

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

13           (o) To establish professorial chairs in the University and to provide  
14 fellowships for qualified faculty members and scholarships to deserving  
15 students;

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

20           (q) To authorize an external management audit of the University, to be  
21 financed by the CHED, subject to Commission on Audit (COA) rules and



1 regulations; and to institute reforms, including academic and structural  
2 changes, on the basis of the audit results and recommendations;

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

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

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

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

20 (v) To set up the adoption of modern and innovative modes of  
21 transmitting knowledge such as the use of information technology, the dual

1 learning system, open learning or distance education and community  
2 laboratory for the promotion of greater access to education;

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

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

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

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

17 A quorum of the Board shall consist of a majority of all its members  
18 holding office at the time of the meeting: *Provided, however,* That the  
19 chairperson of the Board or the president of the University is among those  
20 present in the meeting.

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

9           In the absence of the chairpersons of the Congressional Committees on  
10 Education, they may designate their respective representatives who shall  
11 attend the said meetings with all the rights and responsibilities of a regular  
12 member of the Board.

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

18           SEC. 9. *The University President.* – The University shall be headed by  
19 a president, who shall render full-time service. He/she shall be appointed by  
20 the Board, upon recommendation of a duly constituted search committee.  
21 He/she shall have a term of four years and shall be eligible for reappointment

1 for another term: *Provided*, That in order to effect a smooth transition to a  
2 state university, the incumbent president of the Sulu State College, if qualified,  
3 shall serve as the first president of the University.

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

9 In case of vacancy in the office of the president as mentioned in the  
10 immediately preceding paragraph, his/her successor or the officer-in-charge  
11 shall hold office for the unexpired term only.

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

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

1           The president of the University shall be assisted by a vice president for  
2 academic affairs and a vice president for administration, who shall be  
3 appointed by the Board upon the recommendation of the president.

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

10           SEC. 11. *The Academic Council.* -- There shall be an academic council  
11 with the president of the University as chairperson and all members of the  
12 academic staff with the rank of at least an assistant professor, as members.

13           The academic council shall have the power to review and recommend  
14 the curricular offerings and rules of discipline of the University, subject to the  
15 approval of the Board. It shall fix the requirements for the admission of  
16 students, as well as for their graduation and conferment of degrees, subject to  
17 review and/or approval by the Board through the president of the University.  
18 It shall have the disciplinary power over students of the University and shall  
19 formulate academic policies and rules and regulations on discipline, subject to  
20 the approval of the Board.

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

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

7           SEC. 14. *Faculty.* – No political beliefs, gender preference, cultural or  
8 community affiliation or ethnic origin, and religious opinion or affiliation shall  
9 be a matter of inquiry in the appointment of faculty members of the  
10 University: *Provided,* That said appointment shall be subject to the  
11 guidelines, qualifications and/or standards set by the Board: *Provided,*  
12 *further,* That no member of the faculty shall teach for or against any particular  
13 church or religious sect.

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

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

19           SEC. 16. *Academic Freedom and Institutional Autonomy.* – The  
20 University shall enjoy academic freedom and institutional autonomy, pursuant

1 to Paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of  
2 the Philippines.

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

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

14           SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and  
15 personal, personnel and records of the Sulu State College, as well as liabilities  
16 or obligations, are hereby transferred to the University. The positions, rights  
17 and security of tenure of faculty members and personnel therein employed  
18 under existing laws prior to the conversion into a University shall be  
19 respected.

20           All parcels of land belonging to the government and occupied by the  
21 Sulu State College are hereby declared to be property of the Sulu State

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

5 SEC. 19. *Appropriations.* – The amount necessary to carry out the  
6 provisions of this Act shall be charged against the current year’s  
7 appropriations of the Sulu State College, except the sums needed to continue  
8 the operations of the existing high school. Thereafter, such sums as may be  
9 necessary for the continued operation and maintenance of the Sulu State  
10 University shall be included in the annual General Appropriations Act.

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

15 (a) Submit a five-year development plan, including its corresponding  
16 program budget to the CHED, for corresponding recommendation to the  
17 DBM;

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

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



1           SEC. 21. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of the  
2 second month after the opening of the regular classes each year, the Board  
3 shall file with the Office of the President of the Philippines, through the  
4 chairperson of the CHED and with both Houses of Congress a detailed report  
5 on the progress, conditions and needs of the University.

6           SEC. 22. *Suppletory Application.* – The provisions of Republic Act  
7 No. 8292, otherwise known as the “Higher Education Modernization Act of  
8 1997”, shall be an integral part of this Act and shall serve as part of the  
9 governing charter of the University.

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

14          SEC. 24. *Implementing Rules and Regulations.* – The Board, in  
15 coordination with the CHED, shall formulate the guidelines to fully implement  
16 the provisions of this Act.

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

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

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

Approved,

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