

HOUSE OF REPRESENTATIVES

H. No. 7566

BY REPRESENTATIVES RAMIREZ-SATO, GO (M.), YAP (E.) AND SALCEDA, PER COMMITTEE REPORT
No. 465

AN ACT

CONVERTING THE OCCIDENTAL MINDORO STATE COLLEGE IN THE MUNICIPALITY OF SAN JOSE, PROVINCE OF OCCIDENTAL MINDORO, INTO A STATE UNIVERSITY TO BE KNOWN AS THE OCCIDENTAL MINDORO 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 of the Occidental Mindoro State College into a State**
2 **University.** – The Occidental Mindoro State College (OMSC) located in the municipality of
3 San Jose, Province of Occidental Mindoro, otherwise known as the OMSC San Jose Campus,
4 including its campuses in the different municipalities of the Province of Occidental Mindoro,
5 namely: OMSC Labangan Campus in Labangan Poblacion, Municipality of San Jose; OMSC
6 Murtha Campus in Barangay Murtha, Municipality of San Jose; OMSC Sablayan Campus in
7 the Municipality of Sablayan; and OMSC Lubang Campus in the Municipality of Lubang, is
8 hereby converted into a state university, to be known as the Occidental Mindoro State
9 University (OMSU). The main campus of the OMSU shall be located in the Municipality of
10 Rizal.

11
12 **SEC. 2. General Mandate.** – The OMSU shall primarily provide advance instruction and
13 professional training in education, engineering, science and technology, arts and humanities,
14 information and communications technology, agriculture, forestry, and other relevant fields of
15 study. It shall also undertake research and extension services and production activities in
16 support of the socio-economic development of the Province of Occidental Mindoro and the
17 Mindoro, Marinduque, Romblon and Palawan (MIMAROPA) region.

18
19 **SEC. 3. Curricular Offerings.** – The OMSU shall offer undergraduate and graduate
20 courses within its competency and areas of specialization in the fields of education,
21 engineering, science and technology, arts and humanities, information and communications
22 technology, agriculture, forestry, and other relevant fields of study, as the Board of Regents,

1 hereinafter referred to as the Board, may deem necessary for the accomplishment of its
2 objectives, and those which respond to meet the human resource development needs of the
3 Province of Occidental Mindoro and the MIMAROPA Region.
4

5 The existing reasonably-sized laboratory senior high school and elementary school shall
6 continue to operate under the supervision of the College of Education of the OMSU to serve
7 the in-campus requirements of its students.
8

9 **SEC. 4. Administration.** – The OMSU shall have the general powers of a corporation set
10 forth in Batas Pambansa Blg. 68, as amended, otherwise known as “The Corporation Code of
11 the Philippines”. The exercise of its corporate powers shall be vested exclusively in the Board
12 and the President of the OMSU.
13

14 **SEC. 5. The Governing Board.** – The governing bodies of the OMSU shall be the
15 Board, which shall be chaired and co-chaired by the Chairperson of the Commission on
16 Higher Education (CHED) and the President of the OMSU, respectively, and with the
17 following, as members:
18

- 19 a. Chairperson of the Committee on Higher, Technical and Vocational Education of the
20 Senate;
- 21 b. Chairperson of the Committee on Higher and Technical Education of the House of
22 Representatives;
- 23 c. Regional Director of the National Economic and Development Authority;
- 24 d. Regional Director of the Department of Science and Technology;
- 25 e. Regional Director of the Department of Agriculture;
- 26 f. President of the federation of faculty associations of the OMSU;
- 27 g. President of the federation of student councils of the OMSU;
- 28 h. President of the federation of alumni associations of the OMSU; and
- 29 i. Two (2) prominent citizens from the private sector who have distinguished themselves
30 in their professions or fields of specialization.
31

32 The Board shall appoint two (2) prominent citizens who shall be selected from a list of at
33 least five (5) qualified persons in the Province of Occidental Mindoro as recommended by a
34 search committee constituted by the President of the OMSU, in consultation with the
35 Chairperson of the CHED and other members of the Board, based on the standards and
36 qualifications for the position set by the Board. They shall serve for a term of two (2) years
37 from the date of appointment.
38

39 The membership of the President of the federation of faculty associations, the President
40 of the federation of student councils, and the President of the federation of alumni
41 associations in the Board shall be coterminous with their terms of office, as provided under
42 their respective constitutions and bylaws.
43

44 **SEC. 6. Powers and Duties of the Board of Regents.** – In addition to its general powers
45 of administration and the powers granted to the board of directors of a corporation under
46 existing laws, the Board shall have the following specific powers and duties:
47
48

- 1
2
3 a. Promulgate and implement policies in accordance with the declared State policies on
4 education, other pertinent provisions of the Constitution on education, agriculture,
5 science and technology, and the policies, standards and thrusts of the CHED under
6 Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";
7
8 b. Approve the curricula, instructional programs, and rules of discipline drawn by the
9 Administrative and Academic Councils herein provided;
10
11 c. Appoint, upon the recommendation of the President of the OMSU, the vice
12 presidents, deans, directors, heads of the campuses, faculty members, and other
13 officials and employees of the OMSU;
14
15 d. Fix and adjust the salaries of faculty members, administrative officials and
16 employees, subject to the provisions of the Revised Compensation and Position
17 Classification System and other pertinent budget and compensation laws governing
18 hours of service, and such other duties and conditions as it may deem proper; grant
19 them, at its discretion, leaves of absence under such regulations as it may promulgate,
20 any provision of existing law to the contrary notwithstanding; and remove them for
21 cause in accordance with the requirements of due process of law;
22
23 e. Fix the tuition fees and other necessary school charges, such as matriculation fees,
24 graduation fees and laboratory fees, as the Board may deem proper to impose, after
25 due consultation with the concerned sectors. The fees and charges, including
26 government subsidies and other income generated by the OMSU, shall constitute its
27 special trust funds, and shall be deposited in any authorized government depository
28 bank. All interests that shall accrue therefrom shall form part of the same funds for
29 the use of the OMSU;
30

31 Any provision of existing laws, rules or regulations to the contrary
32 notwithstanding, any income generated by the OMSU from tuition fees and other
33 charges, as well as from the operation of auxiliary services and land grants, shall be
34 retained by the OMSU and may be disbursed by the Board for instruction, research,
35 extension services or other programs and projects of the OMSU: *Provided*, That all
36 fiduciary fees shall be disbursed for the specific purposes for which these are
37 collected: *Provided, however*, That if, for reasons beyond its control, the OMSU shall
38 not be able to pursue any project for which the funds have been appropriated and
39 allocated under its approved program of expenditures, the Board may authorize the
40 use of said funds for any reasonable purpose which, in its discretion, may be
41 necessary and urgent for the attainment of the objectives and goals of the OMSU;
42

- 43 f. Adopt and implement a socialized scheme of tuition and other school fees for greater
44 access of poor but deserving students in accordance with Republic Act No. 10931 or
45 the "Universal Access to Quality Tertiary Education Act";
46

- 1 g. Establish professorial chairs in the OMSU and provide fellowships for qualified
2 faculty members, and scholarships to deserving students;
3
- 4 h. Receive and appropriate sums as may be provided by law for the support of the
5 OMSU, and all other sums in the manner it may, in its discretion, determine to carry
6 out the purposes and functions of the OMSU;
7
- 8 i. Set the policies on admission and graduation of students;
9
- 10 j. Award honorary degrees upon persons in recognition of their outstanding contribution
11 in the fields of education, public service, arts, science and technology, agriculture or
12 any field of specialization within the academic competency of the OMSU , and
13 authorize the awarding of certificates of completion of nondegree and nontraditional
14 courses;
15
- 16 k. Establish research and extension centers to promote the development of the OMSU;
17
- 18 l. Develop academic arrangements for institutional capability building with appropriate
19 institutions and agencies, whether public, private, local and foreign, and appoint
20 experts/specialists as consultants, part-time or visiting/exchange professors, scholars
21 or researchers, as the case may be;
22
- 23 m. Adopt modern and innovative modes of transmitting knowledge for the promotion of
24 greater access to education such as the use of information technology, dual training
25 system, open distance learning, and community laboratory;
26
- 27 n. Collaborate with the governing bodies of other state universities and colleges within
28 the Province of Occidental Mindoro and the MIMAROPA region, under the
29 supervision of the CHED and in consultation with the Department of Budget and
30 Management (DBM), in restructuring the OMSU to make it more efficient, relevant,
31 productive and competitive;
32
- 33 o. Absorb non chartered tertiary institutions within the province of Occidental Mindoro
34 and the MIMAROPA region as branches or extension/external centers, in
35 coordination with the CHED and in consultation with the DBM, and offer therein
36 programs or courses to carry out the constitutional mandate of providing equal access
37 to educational opportunities;
38
- 39 p. Authorize an external management audit of the OMSU , to be financed by the CHED,
40 subject to the rules and regulations of the Commission on Audit, and institute
41 reforms, including academic and structural changes, on the basis of the audit results
42 and recommendations;
43
- 44 q. Develop consortia and other economic forms of linkages with local government units
45 (LGUs), as well as public, private, local and foreign institutions and agencies, in the
46 furtherance of the purposes and objectives of the OMSU;

- 1
2 r. Import economic, technical and cultural books and publications;
3
4 s. Enter into joint ventures with business and industry for the profitable development
5 and management of the economic assets, the proceeds of which shall be used for the
6 development and strengthening of the OMSU;
7
8 t. Receive, in trust, legacies, gifts and donations of real and personal properties of all
9 kinds and administer and dispose of the same, when necessary, for the benefit of the
10 OMSU and subject to the limitations, directions and instructions of the donor, if any;
11
12 u. Extend the term of the President of the OMSU beyond the age of retirement but not
13 beyond the age of seventy (70), based on the guidelines, qualifications and standards
14 set by the Board: *Provided*, That the President's performance has been rated by the
15 Board as outstanding and a unanimous recommendation for such extension has been
16 decided upon by the search committee;
17
18 v. Delegate any of its powers and duties provided to the President and other officials of
19 the OMSU, as it may deem appropriate, so as to expedite the administration of the
20 affairs of the OMSU;
21
22 w. Establish policy guidelines and procedures for participative and transparent decision-
23 making within the OMSU;
24
25 x. Where most advantageous to the OMSU, privatize the management of nonacademic
26 services such as health, food, building, grounds or property maintenance, and such
27 other similar activities;
28
29 y. Authorize the construction or repair of its buildings, machinery, equipment and other
30 facilities, and the purchase and acquisition of real property, including the necessary
31 supplies, materials and equipment; and
32
33 z. Promulgate rules and regulations, as may be necessary, to carry out the purposes and
34 functions of the OMSU.
35

36 **SEC. 7. Meetings of the Board.** – The Board shall regularly convene once every three
37 (3) months. The Chairperson of the Board may, however, call a special meeting whenever
38 necessary: *Provided*, That members are notified in writing at least three (3) days' prior to the
39 conduct of said meeting.
40

41 A quorum of the Board shall consist of majority of all its members holding office at the
42 time of the meeting: *Provided, however*, That the Chairperson of the Board or the President of
43 the OMSU is among those present in the meeting.
44

45 In case the Chairperson of the CHED cannot attend a meeting of the Board, a CHED
46 Commissioner duly designated by the Chairperson of the CHED as representative to the

1 meeting, shall have all the rights and responsibilities of a regular member: *Provided*, That
2 during the meeting, the President of the OMSU as Vice Chairperson, shall be the presiding
3 officer: *Provided, further*, That this provision, notwithstanding, the Chairperson of the CHED
4 is hereby authorized to designate a CHED Commissioner as the regular Chairperson of the
5 Board, in which case, the said CHED Commissioner, as the regular Chairperson of the Board,
6 shall act as the presiding officer.
7

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

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

18 **SEC. 8. *The University President.*** – The OMSU shall be headed by a President, who
19 shall render full-time service and is appointed by the Board, subject to the guidelines,
20 qualifications and standards set by the Board, based on the recommendation of a duly
21 constituted search committee. The OMSU President shall have a term of four (4) years and
22 shall be eligible for reappointment to another term: *Provided*, That in order to effect the
23 smooth transition of the college to a state university, the incumbent President of the OMSC, if
24 qualified, shall serve as the first President of the OMSU.
25

26 Within six (6) months before the expiration of the term of office of the incumbent
27 President of the OMSU, the Board shall constitute the search committee for the Presidency.
28

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

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

39 The salary of the President of the OMSU shall be in accordance with Republic Act No.
40 11466 or the “Salary Standardization Law of 2019”, and by such other laws amendatory
41 thereto, which may hereinafter be enacted, and shall be comparable to that being received by
42 the presidents of similar educational institutions.
43

44 The President of the OMSU shall be assisted by a Vice President for Academic Affairs, a
45 Vice President for Administration, and a Vice President for Research, Development and

1 Extension, who shall all be appointed by the Board upon the recommendation of the President
2 of the OMSU.
3

4 **SEC. 9. *The Secretary of the University.*** – The Board shall appoint a Secretary who
5 shall serve as such for both the Board and the OMSU and shall keep all records and
6 proceedings of meetings of the Board. The Secretary of the OMSU shall serve upon each
7 member of the Board the appropriate notice of board meetings.
8

9 **SEC. 10. *The Treasurer of the University.*** – The Treasurer of the Philippines shall be
10 the *ex officio* Treasurer of the OMSU.
11

12 **SEC. 11. *The Administrative Council.*** – There shall be an Administrative Council
13 consisting of the President of the OMSU as chairperson, and the vice presidents, deans,
14 directors and other officials of equal rank as members, that shall review and recommend to
15 the Board the policies that shall govern the administration, management and development
16 planning of the OMSU.
17

18 **SEC. 12. *The Academic Council.*** – There shall be an Academic Council, which shall
19 formulate academic policies. It shall be composed of the President of the OMSU, who shall
20 act as chairperson, and all academic staff with the rank of at least an assistant professor, as
21 members.
22

23 The Academic Council shall have the power to review and recommend the curricular
24 offerings and rules of discipline of the OMSU, subject to the approval of the Board. It shall
25 fix the requirements for the admission of students, as well as for their graduation and
26 conferment of degrees, subject to the review and approval of the Board through the President
27 of the OMSU. It shall exercise disciplinary power over the students of the OMSU and shall
28 formulate rules and regulations on student discipline, subject to the approval of the Board.
29

30 **SEC. 13. *Heads of University Campuses.*** – The Campus Directors shall respectively
31 serve as heads or administrators of the OMSU's campuses and render full-time service.
32

33 They shall be appointed or designated by the Board, upon recommendation of the search
34 committee and the President, subject to the guidelines, qualifications and standards set by the
35 Board: *Provided*, That, upon the effectivity of this Act, the incumbent Campus Directors of
36 the existing campuses of the OMSC shall continue to serve as such.
37

38 **SEC. 14. *The Faculty.*** – No political belief, gender preference, cultural or community
39 affiliation or ethnic origin, nor religious opinion or affiliation shall be a matter of inquiry in
40 the appointment of faculty members of the OMSU: *Provided*, That said appointment shall be
41 subject to the guideline, qualifications and standards set by the Board: *Provided, further*, That
42 no member of the faculty shall teach for or against any particular church or religious sect.
43

44 **SEC. 15. *Academic Freedom and Institutional Autonomy.*** – The OMSU shall enjoy
45 academic freedom and institutional autonomy pursuant to paragraph 2, Section 5 of Article
46 XIV of the Constitution.

1
2 **SEC. 16. *Scholarship Programs/Admission.*** – The OMSU shall provide scholarship and
3 other affirmative action programs to assist poor but deserving students who qualify for
4 admission to the OMSU.
5

6 No student shall be denied admission to the OMSU by reason of gender, religion, cultural
7 or community affiliation, physical disability or ethnic origin.
8

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

16 The employees so detailed shall perform such duties as required of them by the President
17 of the OMSU and the time thus served shall be counted as part of their regular service.
18

19 **SEC. 18. *Assets, Liabilities and Personnel.*** – All assets, real and personal, personnel,
20 and records of the OMSC as well as its liabilities or obligations, are hereby transferred to the
21 OMSU: *Provided*, That the positions, rights and security of tenure of faculty members and
22 personnel therein employed under existing laws prior to the conversion into a university shall
23 be respected: *Provided, further*, That the incumbents occupying the positions shall remain in
24 the same status until otherwise provided for by the Board: *Provided, finally*, That the OMSU
25 shall also accordingly upgrade or increase its human resource component as may be deemed
26 appropriate by the Board.
27

28 All parcels of land belonging to the government occupied by the OMSC and all its
29 campuses, are hereby declared property of the OMSU, and shall be titled under its name:
30 *Provided*, That should the OMSU cease to exist or be abolished or should such
31 aforementioned parcels of land be no longer needed by the OMSU, the same shall revert to
32 the concerned LGU or to the Republic of the Philippines, as the case may be.
33

34 **SEC. 19. *Tax Exemption on Importation and Donations.*** - The importation by the
35 OMSU of economic, technical and cultural books or publications, which are for economic,
36 technical, vocational, scientific, philosophical, historical or cultural purposes shall, upon
37 certification by the CHED, be exempt from customs duties in accordance with the provisions
38 of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff Act
39 (CMTA)”.
40

41 All grants, bequests, endowments, donations and contributions made to and used actually,
42 directly and exclusively by the OMSU, shall be exempt from donor’s tax and the same shall
43 be considered as allowable deduction from the gross income of the donor for purposes of
44 computing the taxable income of the donor, in accordance with the provisions of the National
45 Internal Revenue Code of 1997, as amended.
46

1 **SEC. 20. Compliance with CHED Requirements.** – The provisions of this Act
2 notwithstanding, the conversion of the OMSC to a state university shall become effective only
3 upon the determination and declaration by the CHED, based on the recommendation of a
4 panel of experts constituted 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-Standard to Enhance Quality Assurance (QA) in Philippine Higher Education
7 Through an Outcomes-Based and Typology-Based QA): *Provided*, That the panel may issue
8 such recommendation when the OMSC has substantially complied with the requirements for
9 the grant of university status.

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

- 13
14 a. Employment of full-time, permanent faculty members who possess relevant degrees in
15 their areas of specialization, as required by the CHED, and shall have participated in
16 research and development activities in their respective disciplines, as evidenced by
17 refereed publications and other scholarly outputs;
- 18
19 b. Offering of a comprehensive range of degree programs in all levels, from basic post-
20 secondary to doctoral programs;
- 21
22 c. Conduct of viable research programs in specific disciplinal and multidisciplinary areas
23 of study that produce new knowledge, as evidenced by refereed publications, citations,
24 inventions, and patents, among others;
- 25
26 d. Establishment of comprehensive learning resources and support structures, to include
27 libraries, practicum laboratories, relevant educational resources, and linkages with
28 relevant disciplinal and professional sectors, so as to allow students to explore basic,
29 advance, and even cutting-edge knowledge in a wide range of disciplines or
30 professions;
- 31
32 e. Maintenance of linkage and affiliation with other research institutions in various parts
33 of the world to ensure that the research activities of the OMSU are functioning at
34 current global standards; and
- 35
36 f. Conduct of outreach activities to allow the students, faculty, and research staff to
37 apply the new knowledge they generate to address specific social development
38 problems.

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

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

45
46 **SEC. 21. Development Plan, Management Audit, and Organizational/**
47 **Administrative/Academic Structure.** – Within a period of one hundred twenty (120) days

1 after the approval of this Act, the OMSU shall accomplish the following:
2

- 3 a. Submit a five (5)-year development plan, including its program budget to the CHED
4 for recommendation to the DBM;
5
6 b. Set up its organizational, administrative, and academic structure, including the
7 appointment of key officials of the OMSU; and
8
9 c. Undergo a management audit in coordination with the CHED.
10

11 **SEC. 22. *Filing of Report.*** – On or before the fifteenth (15th) day of the second (2nd)
12 month after the opening of the regular classes each year, the Board shall file with the Office
13 of the President of the Philippines, through the Chairperson of the CHED, and with both
14 Houses of Congress, a detailed report on the progress, conditions, and needs of the OMSU.
15

16 **SEC. 23. *Supplementary Application.*** – The provisions of Republic Act No. 8292, otherwise
17 known as the “Higher Education Modernization Act of 1997”, shall form part of this Act and
18 serve as part of the Governing Charter of the OMSU.
19

20 **SEC. 24. *Parity Clause.*** – All other powers, functions, privileges, responsibilities, and
21 limitations under existing laws shall be deemed granted to or imposed upon the OMSU and its
22 officials, whenever appropriate.
23

24 **SEC. 25. *Appropriations.*** – The amount necessary to carry out the provisions of this Act
25 shall be charged against the current year’s appropriations of the OMSC. Thereafter, such sums
26 as may be necessary for the continued operation and maintenance of the OMSU shall be
27 included in the annual General Appropriations Act.
28

29 **SEC. 26. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
30 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules and
31 regulations to fully implement the provisions of this Act.
32

33 **SEC. 27. *Separability Clause.*** – If, for any reason, any part or provision of this Act is
34 declared invalid or unconstitutional, the remaining parts or provisions not affected shall
35 remain in full force and effect.
36

37 **SEC. 28. *Repealing Clause.*** – All laws, presidential decrees, executive orders, and rules
38 and regulations contrary to or inconsistent with the provisions of this Act are repealed or
39 modified accordingly.
40

41 **SEC. 29. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
42 the *Official Gazette*, or in a newspaper of general circulation.
43

Approved,