

HOUSE OF REPRESENTATIVES

H. No. 8111

BY REPRESENTATIVES SILVERIO, GO (M.), CASTRO (F.L.), YAP (E.) AND SALCEDA, PER COMMITTEE
REPORT NO. 618

AN ACT

CONVERTING THE BULACAN AGRICULTURAL STATE COLLEGE IN THE MUNICIPALITY OF SAN ILDEFONSO, PROVINCE OF BULACAN, INTO A STATE UNIVERSITY, TO BE KNOWN AS THE BULACAN STATE AGRICULTURAL 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 Bulacan Agricultural State College into a**
2 **State University.** – The Bulacan Agricultural State College (BASC) in the municipality
3 of Ildefonso, Province of Bulacan, including its duly integrated campuses, namely:
4 BASC-Main in Barangay Pinaod, Municipality of San Ildefonso; BASC-Agriculture
5 Campus in Barangay Poblacion, Municipality of San Ildefonso; BASC-DRT (Dona
6 Remedios Trinidad) Campus in Barangay Pulong Sampaloc, Municipality of DRT;
7 BASC-BTVC (Balagtas Technical-Vocational College) Campus in Barangay Pulong
8 Gubat, Municipality of Balagtas; and BASC-FNHAS (Fortunato National Halili
9 Agricultural School) in Barangay Guyong, Municipality of Sta. Maria, all located in the
10 Province of Bulacan, is hereby converted into a state university to be known as the
11 Bulacan State Agricultural University, hereinafter referred to as the BSAU. The main
12 campus of the BSAU shall be in Barangay Pinaod, Municipality of San Ildefonso,
13 Bulacan.

14
15 **SEC. 2. General Mandate.** – The BSAU shall primarily provide advance
16 instruction and professional training in agriculture, forestry, veterinary medicine,
17 agricultural engineering, geodetic engineering, fisheries, education, science and
18 technology, arts and humanities, information and communications technology, and other
19 relevant fields of study. It shall also undertake research and extension services and
20 production activities in support of the socio-economic development of the Province of
21 Bulacan and Region III.

22
23 **SEC. 3. Curricular Offerings.** – The BSAU shall offer undergraduate and
24 graduate courses within its competency and areas of specialization in the fields of
25 agriculture, forestry, veterinary medicine, agricultural engineering, geodetic
26 engineering, fisheries, education, science and technology, arts and humanities,

1 information and communications technology, and other relevant fields of study, as the
 2 Board of Regents, hereinafter referred to as the Board, may deem necessary for the
 3 accomplishment of its objectives, and those which respond to meet the human resource
 4 development needs of the Province of Bulacan and Region III.

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

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

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

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

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

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

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

- 48
 49 a. Promulgate and implement policies in accordance with the declared State
 50 policies on education, other pertinent provisions of the Constitution on
 51 education, agriculture, science and technology, and the policies, standards and

1 thrusts of the CHED under Republic Act No. 7722, otherwise known as the
2 "Higher Education Act of 1994";

3
4 b. Approve the curricula, instructional programs, and rules on student discipline
5 drawn by the Administrative and Academic Councils as herein provided;

6
7 c. Appoint, upon the recommendation of the President of the BSAU, the vice
8 presidents, deans, directors, heads of the campuses, faculty members, and other
9 officials and employees of the BSAU;

10
11 d. Fix and adjust the salaries of faculty members, administrative officials and
12 employees, subject to the provisions of the Revised Compensation and Position
13 Classification System and other pertinent budget and compensation laws
14 governing hours of service, and such other duties and conditions as it may deem
15 proper; grant them, at its discretion, leaves of absence under such regulations as
16 it may promulgate, any provision of existing law to the contrary notwithstanding;
17 and remove them for cause in accordance with the requirements of due process
18 of law;

19
20 e. Fix the tuition fees and other necessary school charges, such as matriculation
21 fees, graduation fees and laboratory fees, as the Board may deem proper to
22 impose, after due consultation with the concerned sectors. The fees and charges,
23 including government subsidies and other income generated by the BSAU, shall
24 constitute its special trust funds, and shall be deposited in any authorized
25 government depository bank. All interests that shall accrue therefrom shall form
26 part of the same funds for the use of the BSAU;

27
28 Any provision of existing laws, rules or regulations to the contrary
29 notwithstanding, any income generated by the BSAU from tuition fees and other
30 charges, as well as from the operation of auxiliary services and land grants, shall
31 be retained by the BSAU and may be disbursed by the Board for instruction,
32 research, extension services or other programs and projects of the BSAU:
33 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for
34 which these are collected: *Provided, however*, That if, for reasons beyond its
35 control, the BSAU shall not be able to pursue any project for which the funds
36 have been appropriated and allocated under its approved program of
37 expenditures, the Board may authorize the use of said funds for any reasonable
38 purpose which, in its discretion, may be necessary and urgent for the attainment
39 of the objectives and goals of the BSAU;

40
41 f. Adopt and implement a socialized scheme of tuition and other school fees for
42 greater access of poor but deserving students in accordance with Republic Act
43 No. 10931 or the "Universal Access to Quality Tertiary Education Act";

44
45 g. Establish professorial chairs in the BSAU and provide fellowships for
46 qualified faculty members, and scholarships to deserving students;

47
48 h. Receive and appropriate sums as may be provided by law for the support of
49 the BSAU, and all other sums in the manner it may, in its discretion, determine
50 to carry out the purposes and functions of the BSAU;

51

1 i. Set the policies on admission and graduation of students;
2

3 j. Award honorary degrees upon persons in recognition of their outstanding
4 contribution in the fields of education, public service, arts, science and
5 technology, agriculture or any field of specialization within the academic
6 competency of the BSAU, and authorize the awarding of certificates of
7 completion of nondegree and nontraditional courses;
8

9 k. Establish research and extension centers to promote the development of the
10 BSAU;
11

12 l. Develop academic arrangements for institutional capability building with
13 appropriate institutions and agencies, whether public, private, local or foreign,
14 and appoint experts or specialists as consultants, part-time, visiting or exchange
15 professors, scholars or researchers, as the case may be;
16

17 m. Adopt modern and innovative modes of transmitting knowledge for the
18 promotion of greater access to education such as the use of information
19 technology, dual training system, open distance learning, and community
20 laboratory;
21

22 n. Collaborate with the governing bodies of other state universities and colleges
23 within the Province of Bulacan and Region III, under the supervision of the
24 CHED and in consultation with the Department of Budget and Management
25 (DBM), in restructuring the BSAU to make it more efficient, relevant,
26 productive and competitive;
27

28 o. Absorb non chartered tertiary institutions within the province of Bulacan and
29 Region III as branches, extension or external centers, in coordination with the
30 CHED and in consultation with the DBM, and offer therein programs or courses
31 to carry out the constitutional mandate of providing equal access to educational
32 opportunities;
33

34 p. Authorize an external management audit of the BSAU, to be financed by the
35 CHED, subject to the rules and regulations of the Commission on Audit, and
36 institute reforms, including academic and structural changes, on the basis of the
37 audit results and recommendations;
38

39 q. Develop consortia and other economic forms of linkages with local
40 government units (LGUs), as well as public, private, local or foreign institutions
41 and agencies, in the furtherance of the purposes and objectives of the BSAU;
42

43 r. Import economic, technical and cultural books and publications;
44

45 s. Enter into joint ventures with business and industry for the profitable
46 development and management of economic assets, the proceeds of which shall
47 be used for the development and strengthening of the BSAU;
48

49 t. Receive in trust, legacies, gifts and donations of real and personal properties
50 of all kinds and administer and dispose of the same, when necessary, for the

1 benefit of the BSAU and subject to the limitations, directions and instructions of
2 the donor, if any;

3
4 u. Extend the term of the President of the BSAU beyond the age of retirement,
5 but not beyond the age of seventy (70), based on the guidelines, qualifications
6 and standards set by the Board: *Provided*, That the President's performance has
7 been rated by the Board as outstanding and a unanimous recommendation for
8 such extension has been decided upon by the search committee;

9
10 v. Delegate any of its powers and duties provided to the President and other
11 officials of the BSAU, as it may deem appropriate, so as to expedite the
12 administration of the affairs of the BSAU;

13
14 w. Establish policy guidelines and procedures for participative and transparent
15 decision-making within the BSAU;

16
17 x. Where most advantageous to the BSAU, privatize the management of
18 nonacademic services such as health, food, building or grounds or property
19 maintenance, and such other similar activities;

20
21 y. Authorize the construction or repair of its buildings, machinery, equipment
22 and other facilities, and the purchase and acquisition of real property, including
23 the necessary supplies, materials and equipment; and

24
25 z. Promulgate rules and regulations, as may be necessary, to carry out the
26 purposes and functions of the BSAU.

27
28 **SEC. 7. Meetings of the Board.** – The Board shall regularly convene once
29 every three (3) months. The Chairperson of the Board may, however, call a special
30 meeting whenever necessary: *Provided*, That members are notified in writing at least
31 three (3) days' prior to the conduct of said meeting.

32
33 A quorum of the Board shall consist of majority of all its members holding office
34 at the time of the meeting: *Provided, however*, That the Chairperson of the Board or the
35 President of the BSAU is among those present in the meeting.

36
37 In case the Chairperson of the CHED cannot attend a meeting of the Board, a
38 CHED Commissioner duly designated by Chairperson of the CHED as representative to
39 the meeting, shall have all the rights and responsibilities of a regular member: *Provided*,
40 That during the meeting, the President of the BSAU, as Vice Chairperson, shall be the
41 presiding officer: *Provided, further*, That this provision notwithstanding, the
42 Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as
43 the regular Chairperson of the Board, in which case, the said CHED Commissioner shall
44 act as the presiding officer.

45
46 In case the Chairpersons of the Senate Committee on Higher, Technical and
47 Vocational Education and the House Committee on Higher and Technical Education
48 shall not be able to attend the Board meeting, they may designate their respective
49 representatives to attend the meeting, who shall have the same rights and responsibilities
50 as regular members of the Board.
51

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

5
6 **SEC. 8. *The University President.*** – The BSAU shall be headed by a President
7 who shall be appointed by the Board, subject to its guidelines on qualifications and
8 standards, and based on the recommendation of a search committee duly constituted for
9 the purpose of selecting the President.

10
11 The President shall render full-time service and shall have a term of four (4)
12 years and may be reappointment to another term: *Provided*, That in order to effect the
13 smooth transition of the college to a state university, the incumbent President of the
14 BASC, if qualified, shall serve as the first President of the BSAU.

15
16 Within six (6) months before the expiration of the term of office of the
17 incumbent President of the BSAU, the Board shall constitute the search committee for
18 the Presidency.

19
20 The powers and duties of the President of the BSAU, in addition to those
21 specifically provided in this Act, shall be those usually pertaining to the Office of the
22 President of similar universities and those delegated by the Board.

23
24 The salary of the President of the BSAU shall be in accordance with Republic
25 Act No. 11466 or the “Salary Standardization Law of 2019”, and by such other laws
26 amendatory thereto, which may hereinafter be enacted, and shall be comparable to that
27 being received by the presidents of similar educational institutions.

28
29 The Board shall designate an Officer-in-Charge of the BSAU in case of a
30 vacancy in the Office of the President by reason of death, compulsory retirement,
31 resignation, removal for cause, or incapacity of the President to perform the functions of
32 the office, pending the appointment of a new President: *Provided*, That the Officer-in-
33 Charge shall serve only during the unexpired portion of the term.

34
35 The President of the BSAU shall be assisted by a Vice President for Academic
36 Affairs, a Vice President for Administration, and a Vice President for Research,
37 Development and Extension, who shall all be appointed by the Board upon the
38 recommendation of the President of the BSAU.

39
40 **SEC. 9. *The Secretary of the University.*** – The Board shall appoint a Secretary
41 who shall serve as such for both the Board and the BSAU and shall keep all records and
42 proceedings of meetings of the Board. The Secretary of the BSAU shall serve upon each
43 member of the Board the appropriate notice of board meetings.

44
45 **SEC. 10. *The Treasurer of the University.*** – The Treasurer of the Philippines
46 shall be the *ex officio* Treasurer of the BSAU.

47
48 **SEC. 11. *The Administrative Council.*** – There shall be an Administrative
49 Council consisting of the President of the BSAU as chairperson, and the vice presidents,
50 deans, directors and other officials of equal rank as members, that shall review and

1 recommend to the Board the policies that shall govern the administration, management
2 and development planning of the BSAU.

3
4 **SEC. 12. *The Academic Council.*** – There shall be an Academic Council, which
5 shall formulate academic policies. It shall be composed of the President of the BSAU,
6 who shall act as chairperson, and all academic staff with the rank of at least an assistant
7 professor, as members.

8
9 The Academic Council shall have the power to review and recommend the
10 curricular offerings and rules on student discipline, subject to the approval of the Board.
11 It shall fix the requirements for the admission of students, as well as for their graduation
12 and conferment of degrees, subject to the review and approval of the Board through the
13 President of the BSAU.

14
15 It shall exercise disciplinary power over the students of the BSAU and shall
16 formulate rules and regulations on student discipline, subject to the approval of the
17 Board.

18
19 **SEC. 13. *Heads of University Campuses.*** - The Campus Directors shall
20 respectively serve as heads or administrators of the campuses of the BSAU and render
21 full-time service.

22
23 They shall be appointed or designated by the Board, upon recommendation of
24 the search committee and the President, subject to the guidelines, qualifications and
25 standards set by the Board: *Provided*, That, upon the effectivity of this Act, the
26 incumbent Campus Directors of the existing campuses of the BASC shall continue to
27 serve as such.

28
29 **SEC. 14. *The Faculty.*** – No political belief, gender preference, cultural or
30 community affiliation or ethnic origin, nor religious opinion or affiliation shall be a
31 matter of inquiry in the appointment of faculty members of the BSAU: *Provided*, That
32 said appointment shall be subject to the guidelines, qualifications and standards set by
33 the Board: *Provided, further*, That no member of the faculty shall teach for or against
34 any particular church or religious sect.

35
36 **SEC. 15. *Academic Freedom and Institutional Autonomy.*** – The BSAU shall
37 enjoy academic freedom and institutional autonomy pursuant to paragraph 2, Section 5
38 of Article XIV of the Constitution.

39
40 **SEC. 16. *Scholarship Programs and Admission.*** – The BSAU shall provide
41 scholarship and other affirmative action programs to assist poor but deserving students
42 who qualify for admission to the BSAU.

43
44 No student shall be denied admission to the BSAU by reason of gender, religion,
45 cultural or community affiliation or ethnic origin.

46
47 **SEC. 17. *Authority to Loan or Transfer Apparatus, Equipment, Supplies and***
48 ***Detail of Personnel.*** – The heads of the bureaus and offices of the national government
49 are hereby authorized to loan or transfer, upon the request of the President of the BSAU,
50 such apparatus, equipment or supplies as may be needed by the BSAU, and detail
51 employees for duty therein when, in the judgment of the head of bureau or office, such

1 apparatus, equipment, supplies or service of such employees can be spared without
2 serious detriment to public service.

3
4 The employees so detailed shall perform such duties as required of them by the
5 President of the BSAU and the time thus served shall be counted as part of their regular
6 service.

7
8 **SEC. 18. *Assets, Liabilities and Personnel.*** – All assets, real and personal,
9 personnel and records of the BASC as well as its liabilities or obligations, are hereby
10 transferred to the BSAU: *Provided*, That the positions, rights and security of tenure of
11 faculty members and personnel therein employed under existing laws prior to the
12 conversion into a university shall be respected: *Provided, further*, That the incumbents
13 occupying the positions shall remain in the same status until otherwise provided for by
14 the Board: *Provided, finally*, That the BSAU shall also accordingly upgrade or increase
15 its human resource component as may be deemed appropriate by the Board.

16
17 All parcels of land belonging to the government occupied by the BASC and all
18 its campuses are hereby declared property of the BSAU, and shall be titled under its
19 name: *Provided*, That should the BSAU cease to exist or be abolished or should such
20 aforementioned parcels of land be no longer needed by the BSAU, the same shall revert
21 to the concerned LGU or to the Republic of the Philippines, as the case may be.

22
23 **SEC. 19. *Tax Exemption on Importation and Donations.*** - The importation by
24 the BSAU of economic, technical and cultural books or publications, which are for
25 economic, technical, vocational, scientific, philosophical, historical or cultural purposes
26 shall, upon certification by the CHED, be exempt from customs duties in accordance
27 with the provisions of Republic Act No. 10863, otherwise known as the “Customs
28 Modernization and Tariff Act (CMTA)”.

29
30 All grants, bequests, endowments, donations and contributions made to and used
31 actually, directly and exclusively for educational purposes by the BSAU, shall be
32 exempt from donor’s tax and the same shall be considered as allowable deduction from
33 the gross income of the donor for purposes of computing the taxable income of the
34 donor, in accordance with the provisions of the National Internal Revenue Code of
35 1997, as amended.

36
37 **SEC. 20. *Compliance with CHED Requirements.*** – The provisions of this Act
38 notwithstanding, the conversion of the BASC to a state university shall become effective
39 only upon the determination and declaration by the CHED, based on the
40 recommendation of a panel of experts constituted for the purpose, that the institution has
41 complied with the requirements for a university status based on CHED Memorandum
42 Order No. 46, series of 2012 (Policy-Standard to Enhance Quality Assurance (QA) in
43 Philippine Higher Education Through an Outcomes-Based and Typology-Based QA):
44 *Provided*, That the panel may issue such recommendation when the BASC has
45 substantially complied with the requirements for the grant of university status.

46
47 The following operational requirements for a university, as established by the
48 CHED, shall be complied with:

- 49
50 a. Employment of full-time, permanent faculty members who possess relevant
51 degrees in their areas of specialization, as required by the CHED, and shall have

1 participated in research and development activities in their respective disciplines,
2 as evidenced by refereed publications and other scholarly outputs;

3
4 b. Offering of a comprehensive range of degree programs in all levels, from
5 basic post-secondary to doctoral programs;

6
7 c. Conduct of viable research programs in specific disciplinary and
8 multidisciplinary areas of study that produce new knowledge, as evidenced by
9 refereed publications, citations, inventions, and patents, among others;

10
11 d. Establishment and maintenance of comprehensive learning resources and
12 support structures, to include libraries, practicum laboratories, relevant
13 educational resources, and linkages with relevant disciplinary and professional
14 sectors, so as to allow students to explore basic, advance, and even cutting-edge
15 knowledge in a wide range of disciplines or professions;

16
17 e. Maintenance of linkage and affiliation with other research institutions in
18 various parts of the world to ensure that the research activities of the BSAU are
19 functioning at current global standards; and

20
21 f. Conduct of outreach activities to allow the students, faculty, and research staff
22 to apply the new knowledge they generate to address specific social development
23 problems.

24
25 The CHED, through its regional office, shall regularly provide technical
26 assistance to the BSAU and monitor its compliance with the requirements of the
27 Commission.

28
29 The BASC shall retain its status prior to the effectivity of this Act until it is able
30 to comply with the requirements provided herein.

31
32 **SEC. 21. *Development Plan, Management Audit, and Organizational/***
33 ***Administrative/Academic Structure.*** – Within a period of one hundred twenty (120)
34 days after the approval of this Act, the BSAU shall accomplish the following:

35
36 a. Submit a five (5)-year development plan, including its program budget to the
37 CHED for recommendation to the DBM;

38
39 b. Set up its organizational, administrative, and academic structure, including
40 the appointment of key officials of the BSAU; and

41
42 c. Undergo a management audit in coordination with the CHED.

43
44 **SEC. 22. *Filing of Report.*** – On or before the fifteenth (15th) day of the second
45 (2nd) month after the opening of regular classes each year, the Board shall file with the
46 Office of the President of the Philippines, through the Chairperson of the CHED, and
47 with both Houses of Congress, a detailed report on the needs, condition and progress of
48 the BSAU.
49

1 **SEC. 23. *Suppletory Application.*** – The provisions of Republic Act No. 8292,
2 otherwise known as the “Higher Education Modernization Act of 1997”, shall form part
3 of this Act and together shall serve as the governing charter of the BSAU.
4

5 **SEC. 24. *Parity Clause.*** – All other powers, functions, privileges,
6 responsibilities, and limitations under existing laws shall be deemed granted to or
7 imposed upon the BSAU and its officials, whenever appropriate.
8

9 **SEC. 25. *Appropriations.*** – The amount necessary to carry out the provisions of
10 this Act shall be charged against the current year’s appropriations of the BASC.
11 Thereafter, such sums as may be necessary for the continued operation and maintenance
12 of the BSAU shall be included in the annual General Appropriations Act.
13

14 **SEC. 26. *Implementing Rules and Regulations.*** – Within sixty (60) days from
15 the approval of this Act, the Board, in consultation with the CHED, shall formulate the
16 rules and regulations to fully implement the provisions of this Act.
17

18 **SEC. 27. *Separability Clause.*** – If, for any reason, any part or provision of this
19 Act is declared invalid or unconstitutional, the remaining parts or provisions not affected
20 shall remain in full force and effect.
21

22 **SEC. 28. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
23 and rules and regulations contrary to or inconsistent with the provisions of this Act are
24 repealed or modified accordingly.
25

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

Approved,