FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

8 APR 28 P4:13

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RECEIVED BY:

Introduced by Senator Richard J. Gordon

This bill seeks the conversion of the Cebu State College of Science and Technology (CSCST) System including its Satellite Colleges in the Province of Cebu into a State University to be known as the Cebu Technological University (CTU)

The present CSCST System in Cebu provides special programs in promoting services in the field of research, extension and graduate studies for progressive leadership. The Satellite Colleges of the CSCST System provide higher education opportunities in Agriculture, Forestry, Fishery Technology and Teaching Education. These are the College of fisheries at the Municipality of Moalboal; Agro-industrial and Forestry College at the Municipality of Argao; Polytechnic College of the Municipality of Tuburan; College of Fisheries at the Municipality of Daanbantayan; Fishery and Industrial College at the Municipality of San Francisco, College of Fisheries Technology at the Municipality of Carmen; College of Industrial Technology in Danao City; College of Agriculture at the Municipality of Barili; Main Campus at R. Palma Street in Cebu City and Abellana College of Arts and Trades/ Abellana National School in Mandaue City (now absorbed by Main Campus).

These are the main institutions for formal studies or training in the continuous acquisition of knowledge, skills and competence in the various technological areas for the people of Cebu.

The conversion of the Cebu State College of Science and Technology System will have greater technological impact on the rural areas where it is located and where the Satellite Colleges are strategically situated. This will greatly enhance simultaneous economic growth in all districts in the City of Cebu and the province of Cebu.

Consistent with the constitutional mandate which provides that the State must establish and maintain a complete, adequate an integrated system of education relevant to the goals of national development, this bill is imperative.

In view of the foregoing, approval of this bill is highly recommended.

Senator Richard J. Gordon

OFFICE OF THE SECRETARY

FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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8 APR 28 P4:13

SENATE S. B. No. 2208

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RECEIVED BY:

Introduced by Senator Richard J. Gordon

AN ACT CONVERTING THE CEBU STATE COLLEGE OF SCIENCE AND TECHNOLOGY SYSTEM IN THE CITY OF CEBU AND ALL ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF CEBU INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU TECHNOLOGICAL UNIVERSITY (CTU) 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 Cebu State College of Science and Technology System in the City of Cebu, including all its existing satellite campuses namely: the 2 College of Fisheries in the Municipality of Moalboal, the Agro-Industrial and Forestry 3 4 College in the Municipality of Argao, the Polytechnic College in the Municipality of Tuburan; the College of Fisheries in the Municipality of Daanbantayan, the Fishery and 5 Industrial College in the Municipality of San Francisco, the College of Industrial 6 7 Technology in the city of Danao, the college of Fishery Technology in the Municipality of Carmen, the College of Agriculture in the Municipality of Barili (previously located in 8 9 Sudlon, Lahug of Cebu City), and the Abellana College of Arts and Trades in the City of Mandaue (now absorbed by Main Campus), is hereby converted into a state university to 10 11 be known as the Cebu Technological University (CTU), hereinafter referred to as the University. The main campus of the University shall be in Cebu City. 12

Sec. 2. General Mandate. – The University shall primarily provide advanced professional and technical-vocational education and training, advanced studies in industrial trade, agriculture, fishery, forestry, aeronautics and land-based programs, arts and sciences, health and medical sciences, information technology, engineering and other relevant fields of study. It shall also undertake research and extension services, and provide progressive leadership in its areas of specialization.

1	Sec. 3. Curricular Offerings The University shall offer undergraduate and
2	graduate studies in the fields of industrial trade, agriculture, fishery, forestry, aeronautics,
3	arts and sciences, health and medical sciences, information technology, business
4	management, veterinary medicine, engineering, architecture, tech-voc, mechatronics,
5	hotel and tourism technology, hospitality management, marine transportation, non-
6	traditional courses, and other degrees/ courses within its areas of specialization and
7	according to its capabilities, as the Board of Regents may deem necessary to carry out
8	its objectives in order to meet the needs of Region VII in general and the province of
9	Cebu in particular.
10	Sec. 4. Administration The University 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 administration of the University and the
13	exercise of its corporate powers shall be vested exclusively in the Board of Regents and
14	the President of the University.
15	Sec. 5. The Governing Board The governing board of the University shall be
16	the Board of Regents, hereinafter referred to as Board, which shall be composed of the
17	following:
18	(a) The Chairperson of the Commission on Higher Education (CHED),
19	chairperson;
20	(b) The President of the University, vice chairperson;
21	(c) The chairperson of the Committee on Education, Arts and Culture of the
22	Senate, members;
23	(d) The chairperson of the Committee on Higher and Technical Education of
24	the House of Representatives, member;
25	(e) The regional director of the National Economic and Development Authority
26	(NEDA)
27	(f) The regional director of the Department of Science and Technology
28	(DOST) member;
29	(g) The president of the federation of faculty associations of the University,
30	member,
31	(h) The president of the federation of student councils of the University,
32	member;

(i) The president of the federation of alumni associations of the University, 1 2 member, and (i) Two prominent citizens from the private sector who have distinguished 3 themselves in their profession or fields of specialization of the University, 4 5 members. 6 The Board shall appoint the two prominent citizens from among a list of at least five persons qualified in the Province of Cebu, as recommended by the search 7 committee constituted by the University president, in consultation with the Board Chair 8 9 and the other members of the Board, based on the normal standards and qualifications for the position. 10 11 The term of office of the president of the federation of faculty associations, the president of the federation of student councils, and the president of the federation of 12 alumni associations shall be coterminous with their terms of office, as set forth in their 13 respective constitutions and by laws. 14 The two prominent citizens shall serve for a term of two years from the date of 15 16 appointment. Sec. 6. Promulgation and Implementation of Policies. – The Board shall 17 promulgate and implement policies in accordance with the declared state policies on 18 education and other pertinent provisions of the Philippine Constitution on education, 19 agriculture, science and technology, as well as the policies, standards and thrusts of the 20 21 CHED under Republic Act No. 7722, otherwise known as the "The Higher Education Act of 1994." 22 23 Sec. 7. Power and Duties of the Board of Regents. - The Board shall have the following specific powers and duties, in addition to its general powers of administration 24 25 and the exercise of all the powers granted to the board of directors of a corporation under Sec. 36 of Batas Pambansa Blg. 68 otherwise known as the "Corporation Code of 26 the Philippines: 27 28 (a) To promulgate rules and regulations as may be necessary to carry out the purpose and functions of the University; 29 (b) To receive and appropriate all sums as may be provided, for the support of 30

the University in the manner it may determine, in its discretion, in order to

carry out the powers and functions of the University;

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- (c) To import duty-free economic, technical and cultural books and/or publications, upon certification by the CHED that such imported books and/or publications that such imported books and/or publications are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes, in accordance with the provisions of the Tariff and Customs Code, as amended;
- (d) To receive in trust, legacies, gifts and donations of real properties of all kinds and to administer and dispose of the same when necessary for the benefit of the University, and subject to the limitations, directions and instructions of the donor, if any.
 - Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997 (NIRC), as amended: Provided, that such donations shall not be disposed of, transferred or sold;
- (e) to fix the tuition fees and other necessary school charges, such as but not limited to, matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose, after due consultations with the involved sectors.
 - Such fees and charges, including government subsidies and other income generated by the University, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interest that shall accrue therefrom shall form part of the same funds for the use of the University.
 - Any provisions of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the University from tuition fees and other charges, as well as from the operation of auxiliary services and land grants shall be retained by the University, and may be disbursed by the Board for instruction, research, extension, or other program/ projects of the University: Provided, that all fiduciary fees shall be disbursed for the specific purpose for which they are collected.

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

- (f) To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- (g) To authorize the construction or repair of its buildings, machinery, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies and materials and equipment;
- (h) To appoint, upon recommendation of the president of the University, vice presidents, deans, directors, heads of departments, faculty members and other officials and employees of the University;
- (i) To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing laws to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- (j) To approve the curricula, instructional programs and rules of discipline drawn by the Administrative and Academic Councils as herein provided;
- (k) To set policies on admission and graduation of students;
- (I) To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of agriculture, public service, arts, science and technology, education or in any field of specialization within the academic competence of the University; and to authorize the awarding of certificates of completion or non-degree and nontraditional courses;
- (m)To establish and absorb non chartered tertiary institutions within the Province of Cebu as branches and extension centers in coordination with

1	the CHED and in consultation with the Department of Budget and
2	Management (DBM), and to offer therein programs or courses to promote
3	and carry out equal and greater access to educational opportunities as
4	mandated by the Constitution;
5	(n) To establish research and extension centers of the University where such
6	will promote the development of the latter;
7	(o) To establish professional chairs in the University and to provide
8	fellowships for qualified faculty members an scholarships to deserving
9	students;
10	(p) To delegate any of its powers and duties provided for hereinabove to the
11	president or officer-in-charge and/or other officials of the University as it
12	may deem appropriate, so as to expedite the administration of the affairs
13	of the University;
14	(q) To authorize an external management audit of the University, to be
15	financed by the CHED, subject to Commission on Audit (COA) rules and
16	regulations, and to institute reforms, including academic and structural
17	changes on the basis of audit results and recommendations;
18	(r) To collaborate with other governing boards of state universities and
19	colleges within the Province of Cebu or Region VII, under the supervision
20	of the CHED and in consultation with the DBM, and work towards the
21	restructuring of the University to become more efficient, relevant,
22	productive and competitive;
23	(s) To enter into joint ventures with business and industry for the profitable
24	development and management of the economic assets of the University,
25	the proceeds of which shall be used for the development and
26	strengthening of the same;
27	(t) To develop consortia and other forms of linkages with local government
28	units (LGUs), institutions and agencies, both public and private, local and
29	foreign, and to appoint experts/ specialists as consultants, part time or
30	visiting or exchange professors, scholars, researchers, as the case may
31	be;
32	(u) To develop academic arrangements for institutional capabilities building
33	with appropriate institutions and agencies, public and private, local and

foreign, and to appoint experts/ specialists as consultants, part time or visiting or exchange professors, scholars, researchers, as the case may be:

- (v) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual learning system, open or distance education and community laboratory for the promotion of greater access to higher education and graduate studies, as the case by be;
- (w) To establish policy guidelines and procedures for participative decisionmaking and transparency within the University:
- (x) To privatize, where most advantageous to the University, the management of non academic services such as health, food, building, grounds, or property maintenance and such other similar activities; and
- (y) To extend the term of the president of the University beyond the age of retirement, but not beyond the age of seventy (70), whose performance has been unanimously rated by the governing board as outstanding based on the guidelines, qualifications and/or standards set by the Board, after unanimous recommendation by the search committee.

Sec. 8. Meetings of the Board—The Board shall regularly convene at least once every quarter. However, the chairperson of the Board may, upon three days' prior written notice, call a maximum of two (2) special meetings whenever necessary.

A quorum of the Board shall consist of majority of all its members holding office at the time of the meeting: Provided, however, that the chairperson of the CHED or the president of the University is among those present in the meeting.

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

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

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

Sec. 9. The University President. – The University shall be headed by a president, who shall render full – time service. He/ She shall be appointed by the Board, subject to the guidelines, qualifications and/ or standards set by the Board, upon recommendation of a duly constituted Search Committee. He/She shall have a term of four (4) years and shall be eligible for reappointment for another term: Provided, That in order to effect a smooth transition to a state university, the incumbent president of the Cebu State College of Science and Technology System, if qualified, shall serve as the first president of the university.

Within six months before the expiration of the term of office of the Incumbent president of the Cebu Technological University, the Board shall constitute the Search Committee for the Presidency (SCP).

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

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

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

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

The president of the University shall be assisted by a vice president for academic affairs, a vice president for administration, and a vice president for research and

development, who shall be appointed by the board upon recommendation of the president.

Sec. 10. Heads of University Campuses. – Campus directors shall head the University campuses and they shall render full-time service, they shall be appointed by the Board upon recommendation of the Search Committee and the University president, subject to the guidelines. Qualifications and/or standards set by the Board: *Provided*, that the incumbent college administrators of the external campuses shall serve as campus directors of their respective campuses.

Sec. 11. The Administrative Council. – There shall be an Administrative Council consisting of the president of the University as chairperson, vice-president, deans, directors and other officials of equal rank as members, whose duty is to review and recommend to the Board policies governing the administration, management and development planning of the University.

Sec. 12. The Academic Council. – There shall be an Academic Council which shall have the power to review and recommend the curricular offerings and rules of discipline of the University, subject to the approval of the Board. It shall fix the requirements for the admission of students, as well as for their graduation and conferment of degrees, subject to review and/ or approval by the Board through the president of the University. It shall have the disciplinary power over students of the University and shall formulate academic policies and rules and regulations on discipline, subject to the approval of the Board.

The Academic Council shall be composed of the president of the University, who shall be the chairperson and reflect fair representation of the academic staff from the rank of assistant professor to university professor.

- Sec. 13. The Secretary of the University. The board shall appoint a secretary, who shall serve as such for both the Board and the University and shall keep all records and proceedings of the board. He/She shall serve upon each member of the Board the appropriate notice of the Board's meetings.
- **Sec. 14. The Treasurer of the University**. The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.
- **Sec. 15. Faculty.** No political beliefs, gender preference, cultural or community affiliation or ethnic origin, and religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University: Provided, that said appointment

- shall be subject to the guidelines, gualifications and/or standards set by the Board:
- 2 Provided: further, That no member of the faculty shall teach for or against any particular
- 3 church or religious sect.

- Sec. 16. Scholarship Program/Admission.— The University shall provide a scholarship program and other affirmative action programs to assist poor but deserving
- 6 students who qualify for admission to the University.
- No student shall be denied admission to the University by reason of sex, religion, cultural or community affiliation or ethnic origin
 - Sec. 17. Academic Freedom and Institutional Autonomy. The University shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, section 5 of Article XIV of the Constitution of the Republic of the Philippines.
- Sec. 18. Fiscal Autonomy. The University shall enjoy fiscal autonomy.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the University from tuition fees and other charges, as well as from the operation of auxiliary services and land grants shall be retained by the University, and shall be disbursed by the Board of Regents for instruction, research, extension, or other programs. special projects/income generating projects of the University including the granting of bonus, gratuity and incentive compensation and other similar benefits to faculty members and employees pursuant to Section 36 of Batas Pambansa Blg. 68.

Special projects/ programs/ trainings/ seminars and similar activities may be provided by the University's local organic experts outside of their official time with corresponding incentives/ honoraria chargeable against local income of the University. Provided, the total honoraria/ incentive per project except the Income Generating Projects (IGPs) shall not go beyond 50% of the basic salary.

Sec. 19. Authority to Loan or Transfer Without Cost Apparatus/ Equipment/
Supplies and Detail of Personnel. – The heads of the bureau and officers of the
national government are hereby authorized to loan or transfer without cost, upon the
request of the president of the University, such apparatus, equipment or supplies as may
be needed by the University, and to detail employees for duty therein when, in the
judgment of the head of bureau or office, such apparatus, equipment, supplies or
services of such employees can be spared without serious detriment to the public
service.

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

Sec. 20. Assets, Liabilities and Personnel. – All assets, real and personal, personnel and records of the Cebu State College of Science and Technology System, and its satellite campuses, namely: the College of Fisheries in the Municipality of Moalboal, the Agro-Industrial and Forestry College in the Municipality of Argao, the Polytechnic College in the Municipality of Tuburan, the College of Fisheries in the Municipality of Daanbantayan, the Fishery and Industrial College in the Municipality of San Francisco, the College of Industrial Technology in the city of Danao, the College of Fisheries Technology in the Municipality of Carmen, the College of Agriculture in the Municipality of Barili and the Abellana College of Arts and Trades in the City of Mandaue (now absorbed by the Main Campus), as well as liabilities or obligations, are hereby transferred to the University. The positions, rights and security of tenure of faculty members and personnel therein employed under existing laws prior to the conversion into a University shall be respected.

All parcels of land belonging to the government occupied by the Cebu State College of Science and Technology system and its satellite campuses are hereby declared to be property of the University, and shall be titled under that name: Provided, that should the University cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the University, the same shall revert to the LGUs concerned.

Sec. 21. Appropriations. – The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Cebu State College of Science and Technology System, including all its existing satellite colleges namely: the College Fisheries in the Municipality of Daanbantayan, the Fishery and Industrial College in the Municipality of San Francisco, the College of Industrial Technology in the city of Danao, the College of Fisheries Technology in the Municipality of Carmen, the Abellana College of Arts and Trades in the City of Mandaue (now absorbed by Main Campus), the College of Agriculture in the Municipality of Barili, except the sums needed to continue the operations of the existing high school/s. Thereafter, such sums as may be necessary for the continued operation and

1	maintenance of the Cebu Technological University (CTU) shall be included in the Annual
2	General Appropriations Act (GAA).
3	Sec. 22. Development Plan, Management Audit, Organizational/
4	Administrative/ Academic Structure Within the period of one hundred twenty (120)
5	days after the approval of this Act, the university shall accomplish the following:
6	(a) Submit a five year development plan, including its corresponding
7	program budget to the CHED, for corresponding recommendation to
8	DBM;
9	(b) Undergo a management audit in cooperation with CHED; and
10	(c) Accordingly set up its organizational, administrative as well as
11	academic structure, including the appointment of the University key
12	officials.
13	Sec. 23. Filing of Report On or before the fifteenth (15th) day of the second
14	month after the opening of the regular classes each year, the Board shall file with the
15	Office of the President of the Philippines through the chairperson of the CHED, and with
16	both Houses of Congress a detailed report on the progress, conditions and needs of the
17	University.
18	Sec. 24. Suppletory Application. – The provisions of Republic Act No. 8292,
19	otherwise known as the "Higher Education Modernization Act of 1997", shall be an
20	integral part of this Act and shall serve as part of the Governing Charter of the University.
21	Sec. 25. Parity Clause. – All other powers, functions and privileges,
22	responsibilities and limitations to state universities and/ or their officials under existing
23	laws shall be deemed granted to or imposed upon the University and/ or its officials
24	whenever appropriate.
25	Sec. 26. Implementing Rules and Regulations. – The Board, in consultation
26	with the CHED, shall formulate the guidelines to fully implement the provisions of this
27	Act.
28	Sec. 27. Separability Clause. – If, for any reason, any part of provision of this
29	Act is declared invalid or unconstitutional, the remaining parts of provisions not affected
30	shall remain in full force and effect.
31	Sec. 28. Repealing Clause. – All laws, presidential decrees, executive orders,
32	rules and regulations contrary to or inconsistent with the provisions of this Act are hereby
33	repealed or modified accordingly.

- 1 Sec. 29. Effectivity. This Act shall take effect fifteen (15) days after its
- 2 publication in two (2) newspapers of general circulation.
- 3 Approved,