

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 1876

Introduced by Representative Nanette Castelo Daza

EXPLANATORY NOTE

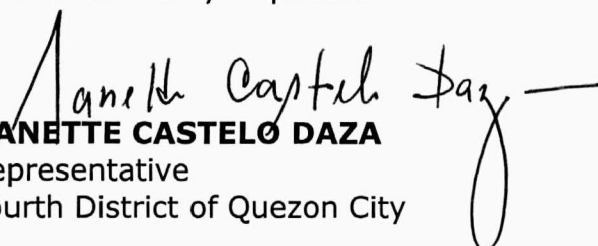
The 1987 Constitution explicitly defines the duty of the government in Article II, Section 9, which provides that: "... To promote a just, and dynamic social order that will ensure the prosperity of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life." The government, therefore, has the responsibility to provide equal opportunities for everyone to develop their human capacities. Investments in developing and enhancing human capacities are guided by the principles of self-reliance, equity, gender-responsiveness efficiency and partnership with the private sector. But investment in education affect the society in general. When an individual is educated, the benefit of his learning is gauged by his productive capacity, while, at the same time, his community gains indirectly. We are aware that education's external benefits include: crime reduction, social cohesion, technological innovations and other benefits that the parents derive from their own education and transmit to their children.

Education also affects the performances in critical areas like health and fertility, agricultural productivity as well as economic stability.

Investments in people are necessary for they are the agents and the beneficiaries of growth.

Considering that higher education in our country continue to expand and it is evident that there was seeming improvement in the quality and standard, the government must continue to sustain its assistance as regards spending for education and training as investments for the future that are indispensable for breaking the vicious cycle of poverty.

Hence, immediate passage of this bill is earnestly requested.


NANETTE CASTELO DAZA

Representative
Fourth District of Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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THIRTEENTH CONGRESS
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1876
HOUSE BILL NO. _____

Introduced by Representative Nanette Castelo Daza

**AN ACT
ESTABLISHING THE UNIVERSITY OF QUEZON CITY,
APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES**

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

SECTION 1. There is hereby established a State university in Quezon City, Metro Manila to be known as the University of Quezon City, hereinafter referred to as the University. The main campus shall be determined by the Commission on Higher Education.

SEC. 2. The University shall primarily offer higher professional and technical instructions and training in science and technology and promote research, extension, and production services, advanced studies and specialized training in all fields deemed relevant to the development goals of Quezon City.

SEC. 3. A reasonably-sized laboratory school shall be allowed to remain and operate subject to the maintenance of a College of Education, within the University. Likewise, the University may adopt public elementary and secondary schools in Quezon City to serve as pilot centers for innovative teaching and learning strategies and approaches so operated and maintained under an appropriate memorandum of agreement between the University and the Department of Education (DepEd).

SEC. 4. The University may open new branches in consortium with other academic institutions only within Quezon City, Metro Manila.

SEC. 5. The governing body of the University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

- (a) The Chairman of the Commission of Higher Education (CHED), Chairman;
- (b) The President of the University, Vice-Chairman;
- (c) The Chairman of the Committee on Education, Culture and Arts of the Senate or his/her representative, Member;
- (d) The Chairman of the Committee on Higher and Technical Education of the House of Representatives or his/her representative, Member;
- (e) The Regional Director of the National Economic and Development Authority (NEDA), Member;
- (f) The Regional Director of the Department of Science and Technology, Member;
- (g) The president of the federation of faculty associations of the University, Member;
- (h) The president of the federation of student councils or the students representative elected by the federation of student councils of the University, Member;
- (i) The president of the federation of alumni associations of the University, Member; and
- (j) Two (2) prominent citizens who have distinguished themselves in their professions or in their specializations, Members.

The two (2) prominent citizens shall be chosen from among a list of at least five (5) qualified persons in Quezon City, Metro Manila, as recommended by a search committee constituted by the University President in consultation with the Chairman of CHED based on the normal standards and qualifications for the position.

The term of office of the representatives of the federations of faculty associations, student councils and alumni associations shall be co-terminus with their respective term of office.

For the purpose of the provisions of this section, the associations of faculty, alumni and student councils in each branch of the University shall

organize themselves to form their respective federations, which in turn shall elect their federation officials.

The two (2) prominent citizens shall serve for a term of two (2) years.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

SEC. 7. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws.

- (a) To enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the University;
- (b) To receive and appropriate all sums as may be provided, for the support of the University in the manner it may determine, in its discretion, to carry out the purposes and functions of the University;
- (c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University and subject to the limitations, directions and instructions of the donors, if any, such donation shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code, as amended;
- (d) To fix tuition fees and other necessary school fees and 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 incomes generated by the University, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

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 may be disbursed by

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

If for reasons beyond its control, the University shall not be able to pursue any project for which funds have been appropriated and allocated under its approved 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.

- (e) To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- (f) To authorize the construction or repair of its buildings, machineries, equipment and other facilities, and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;
- (g) To appoint upon recommendation of the president of the University, vice-presidents, deans, directors, heads of departments, faculty members and other officials and employees;
- (h) To fix and adjust the 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, leave of absence under such regulations as it may promulgate, any provisions of existing law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- (i) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- (j) To set policies on admission and graduation of students;
- (k) To award honorary degrees upon persons in recognition of outstanding contributions in the fields of education, public service, arts, science and technology, or in any field of specialization within the academic competence of the University; and to authorize the awarding of certificates for completion of non-degree and non-traditional courses;
- (l) To absorb non-chartered tertiary institutions within Quezon City in coordination with the CHED and in consultation with the Department of Budget and Management, and to offer therein needed programs or courses, to promote and carry out equal access to educational opportunities mandated by the Constitution;
- (m) To establish research and extension centers where such will promote the development of the University;

- (n) To establish chairs in the University and to provide fellowships for qualified faculty members and scholarships to deserving students;
- (o) To delegate any of its powers and duties provided for hereinabove to the president and/or other officials of the University as it may deem appropriate so as to expedite the administration of the affairs of the University;
- (p) To authorize an external management audit of the institution, to be financed by the CHED and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;
- (q) To collaborate with other governing boards of State colleges and universities within the Region, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), the restructuring of the University to become more efficient, relevant, productive and competitive;
- (r) To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the University, the proceeds of which will be used for the development and strengthening of the University;
- (s) To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the University;
- (t) To develop academic arrangements for institution capability building with appropriate institutions and agencies, public and private, local and foreign, and to appoint experts/specialists as consultants, or visiting or exchange professors, scholars, researchers, as the case may be;
- (u) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual system, open learning, community laboratory, etc., for the promotion of greater access to higher education;
- (v) To establish policy guidelines and procedures for participative decision-making and transparency within the University;
- (w) To privatize, where most advantageous to the institution, management and non-academic services such as health, food, building or grounds or property maintenance and similar such other activities; and
- (x) To extend the term of the president of the University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous recommendation by the search committee.

SEC. 8. The Board of Regents shall regularly convene at least once every quarter. The Chairman of the Board of Regents may call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall consist a quorum for board meetings: *Provided, That,* the chairman of the Board, or the president of the University is among those present in the meeting.

In the absence of the chairman of the CHED, a commissioner of the CHED, duly designated by him, shall represent him in the meeting: *Provided, however, That* during this meeting, the president of the University as vice-chairman shall be the presiding officer: *Provided, further, That* this *proviso* notwithstanding, the chairman of the CHED is hereby authorized to designate a CHED commissioner as the regular chair of the Board of Trustees, in which case said CHED commissioner shall act as the presiding officer.

The members of the Board shall not receive compensation but shall be reimbursed for necessary expenses incurred in their attendance of meetings or in connection with their official business authorized by resolution of the Board, subject to pertinent existing laws and regulations.

SEC. 9. The administration of the University shall be vested in the president of the University who shall render full-time service. He shall be appointed by the Board upon recommendation of the Committee on Higher Education, in consultation with a duly constituted search committee. He shall have a term of four (4) years and shall be eligible for reappointment for another term: *Provided, however, That* this *proviso* notwithstanding, in order to effect a smooth transition to a university, the chairman of the CHED shall appoint an officer-in-charge pending the appointment of the first University president.

In case of vacancy in the office of the president by reason of death, resignation, incapacity of the president to perform the functions of his office, the Board shall have the authority to designate an officer-in-charge of the University pending the appointment of new president.

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.

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 similar educational institutions of like enrolment and standing.

SEC. 10. There shall be an administrative council consisting of the president of the University as chairman, the vice-president(s), 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. 11. There shall be an academic council consisting of the president of the University, as chairman, the vice-president(s) and all members of the instructional staff with the rank of not lower than assistant professor, as members.

The academic council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for admission to the University, as well as for graduation and the conferring of degrees, subject to review and/or approval by the Board through the president of the University. It shall also have disciplinary powers over the students through the president of the University within the limits prescribed by the rules of discipline, as approved by the Board.

SEC. 12. There shall be a secretary of the University who shall be appointed by the Board upon recommendation of the president of the University. He shall also be the secretary of the Board and shall keep such records of the University as may be determined by the Board.

SEC. 13. The Treasurer of the Philippines shall be the *ex officio* Treasurer of the University.

SEC. 14. No student shall be denied admission to the University by reason of sex, nationality, religion, or political affiliation.

The University shall provide a scholarship program and other affirmative action programs to assist poor but deserving students to qualify for admission to the University.

SEC. 15. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University: Provided, however, That no member of faculty shall teach for or against any particular church or religious sect.

SEC. 16. On or before the fifteenth (15th) day of the second month after the opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines, through the chairperson of the CHED and to both Houses of Congress, a detailed report on the progress, conditions and needs of the University.

SEC. 17. All accounts and expenses of the University shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 18. The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon 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 bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious

detriment to the public service. 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. 19. The amount necessary for the implementation of this Act shall be charged against the appropriations for 2005. Thereafter, such sums as may be necessary for the continued operation and maintenance of the University shall be included in the annual General Appropriations Act.

SEC. 20. All laws, decrees, executive orders, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 21. Within a period of one (1) school year after the approval of this Act, the CHED is hereby empowered to define and design the process or reorganization and restructuring of the University.

SEC. 22. If for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SEC. 23. This Act shall take effect fifteen (15) days upon publication in the Official Gazette.

Approved,