

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2005



Introduced by Honorable Catalino V. Figueroa

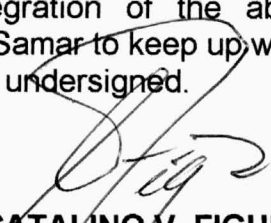
EXPLANATORY NOTE

The historic creation of Samar as a province, apart from the two other provinces of Samar Island, Northern and Eastern Samar, was as a result of the passage of the law creating three political units of the Samar Island, being huge and actually the third largest Island of the Philippine archipelago. Yet the province has still to establish a university-level educational institution comparable to that of the other state universities in the country that will serve as stimuli for progress.

This bill therefore seeks to establish the University of Samar by integrating the present Samar State Polytechnic College that includes the former Samar Regional School of Fisheries at Catbalogan Samar, Valeriano C. Yancha Memorial Agricultural School at Basey Samar, and the Wright Vocational School at Paranas Samar.

The objective of this integration is to manifest its role to pursue progress and development in Samar and eventually for the entire country, provide the impetus for a more progressive and advanced studies, research and extension services in various fields of specialization and related fields under a centralized administration while upgrading the educational system and facilities of the aforementioned institutions. It is therefore proposed that the main campus of the University of Samar shall offer college degrees in Engineering, Arts and Sciences, Education, Technology, Agriculture, Nursing, Medicine, computer science, and Graduate Studies. The former Samar Regional School of Fisheries shall be named University of Samar-College of Fisheries. The Yancha Memorial Agricultural School shall be renamed as University of Samar-College of Agricultural and Forestry & Valeriano C. Yancha Memorial School. The Wright Vocational School as University of Samar-College of Engineering, Paranas Extension.

The exigency of the integration of the above educational institutions is considered an urgent program for Samar to keep up with the present global educational direction under the auspices of the undersigned.


CATALINO V. FIGUEROA

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**AN ACT
CREATING THE UNIVERSITY OF SAMAR
BY INTEGRATING THE SAMAR POLYTECHNIC COLLEGE AT
CATBALOGAN, SAMAR, VALERIANO C. YANCHA MEMORIAL
AGRICULTURAL SCHOOL AT BASEY, SAMAR, AND THEY
WRIGHT VOCATIONAL SCHOOL AT PARANAS, SAMAR,
APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES**

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

SECTION 1. Integration. There is hereby the integration into a university the three institutions, namely: the Samar State Polytechnic College at Catbalogan, Samar, the Valeriano C. Yancha Memorial Agriculture School at Basey, Samar, and the Wright Vocational School at Paranas, Samar, to be known as the University of Samar (US), hereinafter referred to as the University. The present perimeter of the Samar State Polytechnic College at Catbalogan, Samar, shall be the main campus of the University.

SECTION 2. General Purposes. The university shall provide program of instruction at all levels in the arts, sciences, technical, professional, educational, engineering, agriculture, forestry, fishery, medicine, and philosophical fields and other related fields, and shall concern itself with research and extension services in all branches of knowledge for the intellectual and physical growth of faculty members, for the advance instruction of students, particularly graduate students.

SECTION 3. The University shall offer undergraduate, graduate, and short-term technical courses, including non-formal education within its field of specialization and the bound of its capabilities as the Board of Regents may deem essential along the line of its objectives.

SECTION 4. Powers of the University. The University of Samar shall have the general powers set forth in the Corporation Law, and the administration of the University and the exercise of its corporate powers are hereby vested exclusively in the Board of Regents and the president of the University insofar as he or she is authorized by the Board.

SECTION 5. Governing Board. The government of the University is vested in a board to be known as the Board of Regents of the University of Samar. The Board of Regents shall be composed of the Chairman of the Commission on Higher Education

(CHED)-who shall be ex-officio Chairman of the Board, President of the University-Vice Chairman, Chairman of the Committee on Education, Arts and Culture of the Senate-Member, Chairman of the Committee on Higher and Technical Education of the House of Representatives-Member, the President of the Alumni Association and four other members to be appointed by the President of the Republic of the Philippines with the concurrence of the Commission on Appointments.

The President of the University's Alumni Association cannot serve for more than three consecutive years as a member of the Board. The four additional members shall be selected from actual residents of Samar, two from the first congressional district and two from the second congressional district, and shall serve for only two years each.

Vacancy in the Board shall be filled by appointment by the President of the Republic of the Philippines with the concurrence of the Commission on Appointments.

In case in the vacancy of the office of the president, the Board may designate an officer-in-Charge and shall serve the unexpired term only.

The President of the University shall be entitled to full retirement benefits under existing laws.

The members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in attendance of the meetings of the Board or as may be authorized by the Board.

SECTION 6. Powers of the Board of Regents. The Board shall promulgate and implement policies and other pertinent provisions of the Constitution and shall have the following powers and duties in addition to its general powers of administration, and in the exercise of the powers of the corporation:

a) To provide the establishment of colleges or departments or schools in the following fields: arts and sciences degrees; professional degrees in agriculture, engineering, education, home economics, pharmacy, architecture, business administration, fine arts, music, library science, dental medicine, medicine, veterinary medicine, nursing, sociology, psychology, and others that the Board may deem necessary; and advance or graduate degrees in the foregoing fields;

b) To confer honorary degrees; Provided, that such degree shall not be conferred in consideration of the payment of money or valuable consideration;

c) To enact rules and regulations not contrary to laws in order to carry out the purpose and functions of the University;

d) To establish chairs in the colleges, departments or schools, and to provide for the maintenance or endowment of such chairs;

e) To appoint professors, instructors, lecturers, and other personnel of the university upon prior recommendation of the President of the University, fix their compensation subject to the Revised Compensation and Position Classification System and such other duties and conditions as it may deem proper; to grant them leave of absence; and to remove them for cause after due process.

f) To fix tuition fees and other school charges, including matriculation fees, graduation fees, and laboratory fees as the Board may be appropriately evaluated and after consultation with school associations. Such fees and charges and other income and interest thereon generated by the University shall constitute special trust funds and disbursed by the Board. Provided, That all fiduciary fees shall be disbursed for their specific purpose/s.

g) To adopt, access, and implement altruistic tuition and other fees for the poor but deserving students.

i) To adopt modern and innovative information technology, dual system, open learning; develop consortia and other forms of linkages with any government units and institutions; enter into joint venture with business and industry and civil society for the profitable management of the economic resources of the University;

h. To appoint the vice presidents, deans, directors and heads of departments, faculty members and other officials and employees of the University, fix their salaries subject to the Revised Compensation and Position Classification System, grant them leaves of absences and to remove them for cause in accordance with the requirements of due process of law provided with the concurrence of the Board.

i). To approve the curricula, institutional programs and rules of discipline formulated by the administrative and academic councils, set policies on admission and graduation, develop academic arrangements with appropriate institutions and agencies, local and foreign, and appoint experts/specialists as consultants or visiting exchange professors, scholars, researchers, in the absence of the capability of the academic personnel of the University.

SECTION 8. Quorum. Service of Process. A quorum of the Board of Regents shall consist of simple majority of the members of the Board, all processes against the Board shall be served to the President of the University or the secretary thereof.

SECTION 9. Administration. (a) The administration of the University shall be vested in the President of the University who shall render full-time service. The President of the University shall be elected by the Board which shall also fix his or her salary in accordance with the Revised Compensation and Position Classification System. He/she shall hold office for a term of four years, extendable to another full term. In case of vacancy by reason of death, resignation, retirement, removal for cause or incapacity, the Board shall have authority to designate an officer-in-charge until a new president is appointed.

b) The President of the University shall be assisted by three vice presidents: one Executive Vice President, one Vice President for Academic Affairs, one Vice President for External Affairs who shall be appointed by the Board on the recommendation of the President of the University, and the Board shall fix his/her salary in accordance with the Revised Compensation and Position Classification System.

SECTION 10. Powers of the President of the University. The powers, duties and responsibilities of the President of the University shall be the same with those of other presidents of universities, in addition to those provided by this Act. On or before the fifteenth day of the second month after the opening of the regular classes each, the Board shall submit to the Chairmen of the Congressional Committees on Education a detailed report on the progress, condition and essential requirements of the University

SECTION 11. Admission. No student shall be denied admission to the University by reason of age, sex, nationality, religious belief or political affiliation. The University shall enjoy academic freedom.

SECTION 12. Administrative Council. There shall be a University Council headed by the President of the University, the vice presidents, deans, all instructors holding the ranks of professor and assistant professors and other officials of equal rank who shall have the power to recommend students to be recipient of degrees, with disciplinary powers over the students, and to implement policies governing the administration, management and development of the University as approved by the Board;

SECTION 13. Academic Council. There shall be an academic council with the President of the University as Chairman and all instructors with the rank not lower than assistant professor, as member. It shall have the power to prescribe curricular offerings, fix the requirements for admission to the University, as well as for graduation and the conferring of degrees, subject to review/or approval by the Board through the President of the University.

SECTION 14. Appointments of Deans. The body of instructors of each college, department or school shall constitute its faculty and as presiding officer of each faculty there shall be a dean elected from among the members of such faculty by the Board as recommended by the President of the University.

SECTION 15. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University vis a vis no members of the faculty shall teach or influence for or against any particular church or religious sect.

SECTION 16. Appointment of the Secretary of the University. The Board shall appoint a secretary who shall serve both the Board and the University in keeping minutes of meetings or proceedings of the Board, keep records and communicate to each member of the Board notice of meetings and other matters.

SECTION 17. The Treasurer of the Philippines shall be the ex-officio treasurer of the university; and all accounts and expenses thereof shall be subject to audit by the Commission on Audit, and all disbursements shall be made in accordance with the rules and regulations prescribed by the Commission on Audit.

SECTION 18. In order to ensure the smooth transition to a University, the incumbent President of the Samar Polytechnic College, if qualified, shall serve as the first President of the University until the President of the University under this Act has been elected by the Board and henceforth shall serve the full term of the office.

SECTION 19. Abolition and transfer. Samar State Polytechnic College at Catbalogan, Samar, Valeriano C. Yancha memorial Agricultural School at Basey, Samar, and Wright Vocational School at Paranas, Samar, are hereby abolished and all its personnel, unexpended appropriations, and all its fixed and movable assets, as well as liabilities and other encumbrances are transferred to University of Samar. Salaries of the personnel shall be adjusted at the discretion of the Board within the amount available for appropriation.

SECTION 19. Appropriations. The sum equivalent to the total appropriations of the existing educational institutions integrated as a University in this Act is hereby authorized to be appropriated for the University and to be expended at the discretion of the Board. Additional appropriations is likewise authorized for the full operation of the University, and thereafter such sums shall be included in the annual General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 20. The provision of Republic Act No. 8292, otherwise known as the higher Education Modernization Act of 1997 shall form an integral part of this Act and together shall serve as the governing charter of the University.

SECTION 21. Implementing Rules and Regulations. The Board of Trustees shall formulate the guidelines to fully implement the provisions of this Act.

SECTION 23. All laws, presidential decrees, executive orders, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 24. This Act shall take effect upon its approval.

Approved,