

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
First Regular Session

House Bill No. 2206

Introduced by REP. JOSEPH "ACE" H. DURANO

EXPLANATORY NOTE

This bill seeks the conversion of the Cebu State College of Science & 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 program in promoting services in the field of research, extension and graduate studies for progressive leadership. The eleven Satellite Colleges of the CSCST System provides higher educational opportunities in Agriculture, Forestry, Fishery and teaching Education. These are the College of Fisheries at the Municipality of Moalboal, Agro-industrial and Forestry College of the Municipality of Argao, Polytechnic College of the Municipality of Tuburan, College of Fisheries at the Municipality of Daan Bantayan, Fishery and Industrial College at the Municipality of San Francisco, College of Industrial Technology at the City of Danao, College of Fisheries Technology at the Municipality of Carmen, Abellana College at the City of Mandaue, College of Agriculture at Lahug of Cebu City, the Agricultural Experimental Station at the Municipality of Sibonga and the main Campus at R. Palma Street in Cebu City.

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 & Technology System will have greater technological impact in 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 province of Cebu.

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

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


JOSEPH "ACE" H. DURANO

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AN ACT

CONVERTING THE CEBU STATE COLLEGE OF SCIENCE AND TECHNOLOGY SYSTEM IN THE CITY OF CEBU, AND ITS SATELLITE COLLEGES 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 CAMOTES, THE COLLEGE OF INDUSTRIAL TECHNOLOGY IN THE MUNICIPALITY OF DANAOS, THE COLLEGE OF FISHERIES TECHNOLOGY IN THE MUNICIPALITY OF CARMEN, THE ABELLANA COLLEGE OF ARTS AND TRADES IN THE CITY OF MANDAUE, THE COLLEGE OF AGRICULTURE IN THE MUNICIPALITY OF LAHUG, AND THE AGRICULTURAL EXPERIMENTAL STATION IN THE MUNICIPALITY OF SIBONGA, ALL LOCATED IN THE PROVINCE OF CEBU INTO A 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
2 System in the City of Cebu, and its satellite colleges namely: the College of Fisheries in
3 the municipality of Moalboal, the Agro-industrial and Forestry College in the municipality
4 of Argao, the Polytechnic College in the municipality of Tuburan, the College of Fisheries
5 in the municipality of Daanbantayan, the Fishery and Industrial College in the
6 municipality of Camotes, the College of Industrial Technology in the municipality of
7 Danao, the College of Fisheries Technology in the municipality of Carmen, the Abellana
8 College of Arts and Trades in the City of Mandaue, the College of Agriculture in the
9 municipality of Lahug, and the Agricultural Experimental Station in the municipality of
10 Sibonga, all located in the province of Cebu, is hereby converted into a State University,
11 to be known as the Cebu Technological University (CTU), hereinafter referred to as the
12 University. The main campus of the University shall be in Cebu City.

1 **Sec. 2. General Mandate.** - The University shall primarily provide advanced
 2 instruction and professional training in agriculture, fishery, forestry, industrial trade,
 3 aeronautics and land-based programs, arts and sciences, health sciences, information
 4 technology, and other relevant fields of study. It shall also undertake research and
 5 extension services, and provide progressive leadership in its areas of specialization.

6 **Sec. 3. Curricular Offerings.** - The University shall offer undergraduate and
 7 graduate studies in the fields of agriculture, fishery, forestry, industrial trade, arts and
 8 sciences, aeronautics, information technology, health sciences, non-traditional courses,
 9 and other degrees/courses within its areas of specialization and according to its
 10 capabilities, as the Board of Regents may deem necessary to carry out its objectives, in
 11 order to meet the needs of the Province of Cebu and Region VII.

12 The existing high school/s shall be transferred to the jurisdiction and supervision
 13 of the Department of Education: *Provided*, That the high school/s shall be allowed to
 14 remain and operate within the campus of the University until the existing students shall
 15 have completed their high school education. *Provided, further*, That the University may
 16 operate a reasonably-sized laboratory school, if it has a College of Education.

17 **Sec. 4. Administration.** - The University shall have the general powers of a
 18 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the
 19 "Corporation Code of the Philippines." The administration of the University and the
 20 exercise of its corporate powers shall be vested exclusively in the Board of Regents and
 21 the president of the University insofar as authorized by the Board..

22 **Sec. 5. The Governing Board.** - The Governing Board of the University shall be
 23 the Board of Regents, hereinafter referred to as Board, which shall be composed of the
 24 following:

- 25 (a) The Chairperson of the Commission on Higher Education (CHED), as
- 26 chairperson;
- 27 (b) The President of the University, as vice chairperson;
- 28 (c) The Chairperson of the Committee on Education, Arts and Culture of the
- 29 Senate, as member;
- 30 (d) The Chairperson of the Committee on Higher and Technical Education of the
- 31 House of Representatives, as member;
- 32 (e) The Regional Director of the National Economic and Development Authority
- 33 (NEDA), as member;
- 34 (f) The Regional Director of the Department of Science and Technology (DOST),
- 35 as member;

- (g) The president of the federation of faculty Associations of the University, as member;
- (h) The president of the federation of student councils of the University, as member;
- (i) The president of the federation of alumni associations of the University, as member; and
- (j) Two (2) prominent citizens from the private sector who have distinguished themselves in their profession or fields of specialization of the University, as members.

The Board of Regents shall appoint the two (2) prominent citizens from among a list of at least five (5) persons qualified in the Province of Cebu, as recommended by the search committee constituted by the University president, in consultation with the Chairperson of CHED and other members of the Board, based on the normal standards and qualifications for the position set by the Board.

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 alumni associations shall be coterminous with their respective terms of office, as set forth in their respective Constitutions and By-Laws.

The two (2) prominent citizens shall serve for a term of two (2) years from the date of appointment.

Sec. 6. *Promulgation and Implementation of Policies.* - The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Philippine Constitution on education, agriculture, science and technology, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994."

Sec. 7. *Powers 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 and the exercise of all the powers granted to the board of directors of a corporation under existing laws:

- (a) To promulgate rules and regulations 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, in order to carry out the purposes and functions of the University;

(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 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 and personal 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 (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 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 for instruction, research, extension or other programs/projects 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 the 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;

- 1 (f) To adopt and implement a socialized scheme of tuition and school fees for
2 greater access to poor but deserving students;
- 3 (g) To authorize the construction or repair of its buildings, machinery, equipment
4 and other facilities, and the purchase and acquisition of real property,
5 including necessary supplies, materials and equipment;
- 6 (h) To appoint upon recommendation of the president of the University, vice
7 presidents, deans, directors, heads of campuses, faculty members, and other
8 officials and employees of the University;
- 9 (i) To fix and adjust salaries of faculty members and administrative officials and
10 employees, subject to the provisions of the Revised Compensation and
11 Position Classification System and other pertinent budget and compensation
12 laws governing hours of service and such other duties and conditions as it
13 may deem proper; to grant them, at its discretion, leaves of absence under
14 such regulations as it may promulgate, any provision of existing law to the
15 contrary notwithstanding; and to remove them for cause in accordance with
16 the requirements of due process of law;
- 17 (j) To approve the curricula, instructional programs and rules of discipline drawn
18 by the Administrative and Academic Councils herein provided;
- 19 (k) To set policies on admission and graduation of students;
- 20 (l) To award honorary degrees upon persons in recognition of their outstanding
21 contribution in the fields of education, public service, arts, science and
22 technology, agriculture or in any field of specialization within the academic
23 competence of the University; and to authorize the awarding of certificates of
24 completion of non-degree and non-traditional courses;
- 25 (m) To establish and absorb non-chartered tertiary institutions within the Province
26 of Cebu as branches and centers in coordination with the Commission on
27 Higher Education (CHED), and in consultation with the Department of Budget
28 and Management (DBM), and to offer therein programs or courses, to promote
29 and carry out equal access to educational opportunities as mandated by the
30 Constitution;
- 31 (n) To establish research and extension centers of the University where such will
32 promote the development of the latter;
- 33 (o) To establish chairs in the University and to provide fellowships for qualified
34 faculty members and scholarships to deserving students;

- 1 (p) To delegate any of its powers and duties provided herein above to the
- 2 President and/or other officials of the University as it may deem appropriate,
- 3 so as to expedite the administration of the affairs of the University;
- 4 (q) To authorize an external management audit of the University, to be financed by
- 5 the CHED, subject to COA rules and regulations; and to institute reforms,
- 6 including academic and structural changes, on the basis of the audit results
- 7 and recommendations;
- 8 (r) To collaborate with other Governing Boards of the state colleges and
- 9 universities within the Province of Cebu or Region VII, under the supervision
- 10 of the CHED and in consultation with the DBM, and work towards the
- 11 restructuring of the University to become more efficient, relevant, productive
- 12 and competitive;
- 13 (s) To enter into joint ventures with business and industry for the profitable
- 14 development and management of the economic assets of the University, the
- 15 proceeds from which shall be used for the development and strengthening of
- 16 the University;
- 17 (t) To develop consortia and other economic forms of linkages with local
- 18 government units, institutions and agencies, both public and private, local and
- 19 foreign, in the furtherance of the purpose and objectives of the University;
- 20 (u) To develop academic arrangements for institution capability building with
- 21 appropriate institutions and agencies, public and private, local and foreign,
- 22 and to appoint experts/specialists as consultants, part time or visiting or
- 23 exchange professors, scholars, or researchers, as the case may be;
- 24 (v) To set up the adoption of modern and innovative modes of transmitting
- 25 knowledge such as the use of information technology, the dual system, open
- 26 learning, or distance education and community laboratory for the promotion
- 27 of greater access to higher education;
- 28 (w) To establish policy guidelines and procedures for participative decision-
- 29 making and transparency within the University;
- 30 (x) To privatize, where most advantageous to the University, management of non-
- 31 academic services such as health, food, building or grounds or property
- 32 maintenance and such other similar activities; and
- 33 (y) To extend the term of the President of the University beyond the age of
- 34 retirement but not later than the age of seventy (70), whose performance has
- 35 been unanimously rated by the Governing Board as outstanding based on the

1 guidelines, qualifications an/or standards set by the Board, after unanimous
2 recommendation by the search committee.

3 **Sec. 8. Meetings of the Board.** - The Board shall regularly convene at least once
4 every quarter. However, the Chairperson of the Board may, upon three (3) days' prior
5 written notice, call a maximum of two (2) specials meetings whenever necessary.

6 A quorum of the Board shall consist of majority of all its members holding office
7 at the time of the meeting: *Provided, however,* That the Chairperson of the CHED or the
8 President of the University is among those present in the meeting.

9 In the absence of the Chairperson of the CHED, a Commissioner of the CHED,
10 duly designated by him/her, shall represent him/her in the meeting with all the rights and
11 responsibilities of a regular member: *Provided, however,* That during this meeting, the
12 President of the University as Vice-Chairperson shall be the Presiding Officer: *Provided,*
13 *further,* That this proviso notwithstanding, the Chairperson of the CHED is hereby
14 authorized to designate a CHED Commissioner as the regular Chair of the Board of
15 Regents, in which case said CHED Commissioner shall act as the presiding officer.

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

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

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

32 The President of the University shall be assisted by a vice-president for Academic
33 Affairs, a vice-president for Administration, and a vice president for Research and
34 Development, who shall be appointed by the Board upon recommendation of the
35 president.

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1 Within six (6) months before the expiration of the term of office of the Incumbent
2 President of the Cebu Technological University, the Board shall constitute the Search
3 Committee for the Presidency (SCP).

4 In case of vacancy in the office of the President by reason of death, compulsory
5 retirement, resignation, removal for cause or incapacity of the president to perform the
6 functions of his/her office, the Board shall have the authority to designate an officer-in-
7 charge of the University, pending the appointment of a new president.

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

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

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

17 Sec. 10. *Head of University Campuses.* – The University Campuses shall be
18 headed by campus directors, who shall render full time service. They shall be appointed
19 by the Board upon recommendation of the Search Committee and the University
20 president, subject to the guidelines, qualifications and/or standards set by the Board:
21 *Provided, That the incumbent college administrators of the campuses integrated under*
22 *this Act shall serve as campus directors of their respective campuses.*

23 Sec. 11. *The Administrative Council.* - There shall be an Administrative Council
24 consisting of the president of the University as chairperson, vice-presidents, deans,
25 directors and other officials of equal rank as members, whose duty is to review and
26 recommend to the Board policies governing the administration, management and
27 development planning of the University for appropriate action.

28 Sec. 12. *The Academic Council.* - There shall be an Academic Council with the
29 president of the University as chairperson and all members of the academic staff with the
30 rank of not lower than Assistant Professor as members.

31 The Academic Council shall have the power to review and recommend the
32 curricular offerings and rules of discipline of the University, subject to the approval of
33 the Board of Regents. It shall fix the requirements for the admission of students, as well
34 as for their graduation and conferment of degrees, subject to review and/or approval by
35 the Board of Regents through the president of the University. It shall have the

1 disciplinary power over students of the University and shall formulate academic policies
2 and rules and regulations on discipline, subject to the approval of the Board of Regents.

3 **Sec. 13. *The Secretary of the University.*** - The Board shall appoint a secretary,
4 who shall serve as such for both the Board and the University and shall keep all records
5 and proceedings of the Board. He/She shall communicate to each member of the Board
6 the notices of meetings.

7 **Sec. 14. *The Treasurer of the University.*** - The Treasurer of the Philippines shall be
8 the *ex officio* treasurer of the University.

9 **Sec. 15. *Faculty.*** - No political beliefs, gender preference, cultural or community
10 affiliation or ethnic origin, religious opinion or affiliation shall be a matter of inquiry in
11 the appointment of faculty members of the University: *Provided*, That said appointment
12 shall be subject to the guidelines, qualifications and/or standards set by the Board:
13 *Provided, further*, That no member of the faculty shall teach for or against any particular
14 church or religious sect.

15 **Sec. 16. *Scholarship Program/Admission.*** - The University shall provide a
16 scholarship program and other affirmative action programs to assist poor but deserving
17 students who qualify for admission to the University.

18 No student shall be denied admission to the University by reason of sex, religion,
19 cultural or community affiliation or ethnic origin.

20 **Sec. 17. *Academic Freedom and Institutional Autonomy.*** - The University shall
21 enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5
22 of Article XIV of the Constitution of the Republic of the Philippines.

23 **Sec. 18. *Authority to Loan or Transfer Apparatus/Equipment/Supplies and Detail***
24 ***of Personnel.*** - The heads of the bureaus and offices of the national government are
25 hereby authorized to loan or transfer, upon the request of the president of the
26 University, such apparatus, equipment or supplies as may be needed by the University,
27 and to detail employees for duty therein when, in the judgment of the head of bureau
28 or office, such apparatus, equipment, supplies or services of such employees can be
29 spared without serious detriment to the public service. The employees so detailed shall
30 perform such duties as required of them by the president of the University, and the time
31 so employed shall be counted as part of their regular services.

32 **Sec. 19. *Assets, Liabilities and Personnel.*** - All assets, real and personal,
33 personnel and records of the Cebu State College of Science and Technology System,
34 and its satellite campuses, namely: the College of Fisheries in the Municipality of
35 Moalboal, the Agro-Industrial and Forestry College in the Municipality of Argao, the
36 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 Camotes, the College of Industrial Technology in the Municipality of Danao, the College of Fisheries Technology in the Municipality of Carmen, the Abellana College of Arts and Trades in the City of Mandaue, the College of Agriculture in the Municipality of Lahug and the Agricultural Experimental Station in the Municipality of Sibonga, 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 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 local government units concerned.

Sec. 20. 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, the College of Fisheries (Moalboal), the Agro-Industrial and Forestry College (Argao), the Polytechnic College (Tuburan), the College of Fisheries (Daanbantayan), the Fishery and Industrial College (Camotes), the College of Industrial Technology (Danao), the College of Fisheries Technology (Carmen), the Abellana College of Arts and Trades (Mandaue City), the College of Agriculture (Lahug), and the Agricultural Experimental Station (Sibonga) 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 maintenance of the Cebu Technological University shall be included in the Annual General Appropriations Act.

Sec. 21. Development Plan, Management Audit, Organizational/Administrative/Academic Structure. - Within the period of one hundred twenty (120) days after the approval of this Act, the University shall accomplish the following:

- (a) Submit a five (5)-year development plan, including its corresponding program budget to the CHED, for corresponding recommendation to DBM;
- (b) Undergo a management audit in cooperation with CHED; and
- (c) Accordingly set up its organizational, administrative as well as academic structure, including the appointment of the University key officials.

Sec. 22. Filing of Report. - 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 with

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Sec. 24. Parity Clause. - All other powers, functions and privileges, responsibilities and limitations to State Universities and/or their officials under existing laws shall be deemed granted to or imposed upon the University and/or its officials whenever appropriate.

Sec. 26. Separability Clause. - If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Sec. 27. Effectivity. - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

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