

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

Thirteen Congress
First Regular Session

HOUSE BILL NO. 2940



Introduced by Honorable Arnulfo P. Fuentebella

EXPLANATORY NOTE

This bill seeks to rationalize the use of high school campus grounds by allowing access for the establishment of state university or college (SUC) within the same campus grounds maximizing its use for the students and for other purposes.

The subject bill proposes a collaboration between State Universities and Colleges (SUCs) and the Department of Education (DepEd) despite the merging stringent demarcation line drawn between the two. The division between SUCs and DepEd was brought about by RA 7722 (An Act Creating the Commission on Higher Education), RA 8292 (Higher Education Modernization Act) and RA 8750 (CY 2000 General Appropriations Act) which mandated all state universities and colleges to phase-out non-laboratory (high school) classes, in no case, beyond SY 2000-2001. The same year, CHED issued Memorandum Order No. 27, s. 2000 re: Implementing Guidelines on the Integration of CHED-Supervised Institutions (CSIs) to State Universities and Colleges (SUCs), Phase II.

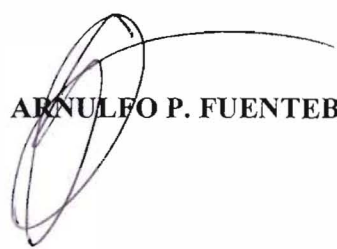
The unforeseen problems caused by the phase-out of non-laboratory (high school) classes in all SUCs are part of the rationale for the subject legislative proposal. Right after the passage of RA 7122, RA 8292 and Memorandum Order No. 21, s. 2000, both the DepEd and the concerned local government units were faced with the problem of searching funds to accommodate the sudden number of dislodged students. In addition, there was urgent need for additional personnel and facilities like laboratories, libraries, gyms, clinics, classrooms and seats, not to mention the land where to construct the schools. This is due to the fact that instead of sharing in the use of educational facilities and personnel including land for the different levels of education. Up to the present, the demand for more educational facilities and personnel by DepEd is still a troubling concern of the national government. To make matters worst, the schools are faced with problems of hiring good teachers and retaining them considering the big wave of teachers leaving the country to seek better employment abroad.

In view of these, this bill intends to focus on areas where the SUCs and DepEd could be partners again in the delivery of their respective educational programs and services for purposes of economy and efficiency in terms of educational resources notwithstanding the

supposed demarcation line drawn between the two brought about by the creation of the Commission on Higher Education (CHED) and the Department of Education (DepEd).

The subject bill is in consonance with the 1987 Constitution which envisions "a complete, adequate, and integrated system of education relevant to the needs of the people and society [Section 2(1), Article XIV] and the declared state policy that "the State shall give priority to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development" (Section 17, Article II). The bill will, in effect, assist in providing for effective, relevant, accessible and quality education at all levels in the Philippines.

In view of the foregoing considerations, the approval of this bill is requested.



ARNULFO P. FUENTEBELLA

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HOUSE BILL NO. 2940

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AN ACT
RATIONALIZING THE USE OF HIGH SCHOOL CAMPUS GROUNDS BY
ALLOWING ACCESS FOR THE ESTABLISHMENT OF STATE UNIVERSITY OR
COLLEGE (SUC) WITHIN THE SAME CAMPUS GROUNDS MAXIMIZING ITS USE
FOR THE STUDENTS AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Campus Land Use Rationalization Act of 2004.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people. Integrated education system refers not only to complementary academic programs but also to actual physical environment where students can achieve the widest access to these academic programs as a tool for national economic development. Towards this end, the State endeavors to provide areas for convergence whereby State Universities and Colleges (SUCs) and the Department of Education (DepEd) shall share in the utilization and development of capital resources, including land, building and other improvements found under their respective management and control.

SEC. 3. *Coverage.* – This Act shall govern all existing SUCs and public high schools, either laboratory or non-laboratory, and secondary institutions created and established

pursuant to law currently using their respective SUC or high school property to the exclusion of the other pursuant to the provisions of law.

SEC. 4. *Campus Integration.* – Public high schools and other public secondary institutions currently occupying real property for academic purpose and for research and development programs including pilot projects and other outreach programs, shall allow the establishment of a SUC building within the property of such high school provided that the area to be occupied by such SUC shall not be more than thirty per cent (30%) of the total area currently occupied by such high school.

SEC. 5. *High School Component Retention.* – The conversion or upgrading of an existing high school to a SUC shall neither result in the abolition of the high school component nor its transfer or removal from its current location, regardless of the number of enrollees therein; Provided that its operation, maintenance, control and supervision shall remain with the DepEd with corresponding budgetary allocations.

SEC. 6. *General Limitation.* – The establishment of a SUC within a public high school campus shall be subject to the contract or agreement conveying, granting or encumbering such real property to said high school or secondary institution. Establishment of state university or college inside a high school campus shall not be allowed if such will result in the nullification, revocation or reversion of property to its donor or violate the condition appurtenant to the grant of right or conveyance of property in favor of such high school.

SEC. 7. *Identification of Area of Integration.* – Subject to the recommendation of the city or division school superintendent concerned, the Regional Director of the Department of Education shall identify the area within the school campus for the establishment of the state university or college bearing in mind the general welfare and convenience of the students in said high school.

SEC. 8. *Access Rights and Privileges.* - A SUC shall provide its own access for ingress and egress to its own students provided that high school students will likewise be allowed access therein subject to reasonable security measures that the school authorities may impose.

SEC. 9. *Campus Maintenance and Development.* - Any expenses, liabilities or accountabilities incurred by the SUC for the improvement, development or maintenance of the area shall be for the account of such SUC, provided that the introduction of any improvement, devices or other implements shall not directly or indirectly cause any prejudice to the high school and the students therein.

SEC. 10. *Educational Support Fund.* - A State University or college shall be entitled to all the natural, industrial or civil fruits of the use of the property belonging to a high school provided that such SUC shall contribute at least fifteen per centum (15%) of such monthly earning after costs to be remitted to the Regional Director of the Department of Education for the exclusive use of such high school for its own development project to be identified by the Division or City School Superintendent, upon the recommendation of the school principal, subject to applicable government auditing and disbursing rules.

SEC. 11. *Library Services, Laboratories and other facilities.* - Subject to the preferential rights of students of the state university or college and its implementing rules and guidelines, high school students shall be allowed access to the Library, Laboratory, and training facilities of such SUC. Any loss, damage or liability incurred for the use of such facilities by high school students shall be borne by such student.

SEC. 12. *Campus Development Committee.* - The President/Chairman of SUC and the Principal of the high school concerned shall jointly co-chair a Campus Development Committee hereby created to formulate and recommend plans and programs for the use of campus properties. The committee shall be composed of the Student Council President of the SUC or its representative, the Faculty President of the SUC or its representatives, Faculty

president of the high school or its representative, Student Council president of high school or its representatives and the non-teaching personnel president or its representative as members.

SEC. 13. *Implementing Rules and Regulations.* – The Department of Education and the Commission on Higher Education in coordination with the Technical Education and Skills Development Authority (TESDA) and Department of Budget and Management, shall jointly issue the necessary rules and regulations for the proper and effective implementation of this Act.

SEC. 14. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers for general circulation in the Philippines.

Approved,