

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
2nd Regular Session

House Bill No. 5433



Introduced by: Hon. SOLOMON R. CHUNGALAO

EXPLANATORY NOTE

This bill seeks to convert the Ifugao State College of Agriculture and Forestry (ISCAF) with main campus in the Municipality of Lamut and its branches, namely: The Potia Campus in the Municipality of Alfonso Lista; The Lagawe Campus in the Capitol Town of Lagawe; and The Tinoc Campus in the Municipality of Tinoc, all in the Province of Ifugao, into a State University to be known as the Ifugao State University (IFSU).

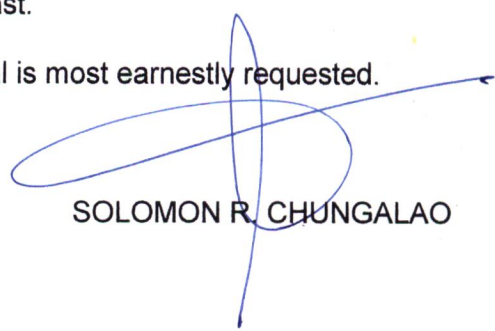
Progress, in its general sense, has just come to the Province of Ifugao. The Ifugao is host to the ever grandeur rice terraces of the Philippines which is better known and inscribed worldwide as the "8th Wonder of the World" and "World Heritage Site" by the UNESCO because of its socio-cultural and environmental historical implications – The ingenuity and engineering skills being utilized by the Ifugao people since time immemorial despite the fact that such precipitous Cordillera mountain was largely ignored by the Spanish colonial rulers as an unattractive frontier as may be gathered from the limited spread of Christianity and education in the area and/or its failure to incorporate into the Spanish colonial system, so to speak.

Such historical reality does not, however, prevent the province from introducing socio-economic, cultural and infrastructure development programs designed to accelerate and improve the quality of life of the Ifugao people as well as the acquisition of sufficient knowledge and skills in order to adequately respond to the demands of globally competitive economy.

At present, there is only one institution of higher learning in the Province which has its early establishment as Nayan Settlement Farm School in 1920 and became a State College (ISCAF) in 1982. After its existence for almost 23 years, the present administration of the said institution has come up finally with an 8-year Development Plan designed to expand and elevate the status of ISCAF into higher degree of learning instructions coupled by a well-defined institutional vision and mission. Such sincere and dedicated leadership of ISCAF in continuously providing quality education and broader access to the different fields of higher educational endeavors that benefit particularly the poverty stricken families who can not afford to send their children to tertiary institutions outside the province, should not be simply ignored and indeed draconian measures toward its right direction be resorted to.

In other words, there is a need as well as clamor by the Ifugao people to convert the ISCAF into a State University, not only to cater the needs of the Province and the Cordillera Region in terms of extensive curricular offerings, advanced educational or professional studies, but also to continuously sustain its socio-cultural and economic development which has been long stagnated in the past.

Hence, the urgency for its unanimous approval is most earnestly requested.


SOLOMON R. CHUNGALAO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
2nd Regular Session

House Bill No. 5433

Introduced by: Hon. SOLOMON R. CHUNGALAO

AN ACT
CONVERTING THE IFUGAO STATE COLLEGE OF
AGRICULTURE AND FORESTRY AND ALL ITS EXISTING
EXTENSION CAMPUSES, ALL IN THE PROVINCE OF IFUGAO
INTO A STATE UNIVERSITY TO BE KNOWN AS THE IFUGAO
STATE UNIVERSITY (IFSU), AND APPROPRIATING FUNDS
THEREFOR.

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

SECTION 1. CONVERSION. – The Ifugao State College of Agriculture and Forestry (ISCAF), with main campus in the Municipality of Lamut and its branches, namely: the Potia Campus in the Municipality of Alfonso Lista; the Lagawe Campus in the capital town of Lagawe; and the Tinoc Campus in the Municipality of Tinoc, all in the Province of Ifugao, is hereby converted into a State University to be known as the Ifugao State University (IFSU), hereinafter referred to as the University. The main campus of the University shall be at Lamut, Ifugao.

SEC. 2. GENERAL MANDATE. – The University shall primarily provide advanced instruction and professional training in the fields of education, law, arts and sciences, public administration, information technology, accountancy, business and industry, agriculture and forestry, engineering and other relevant fields of study. It shall also undertake research and extension services, and provide progressive leadership in its areas of specialization.

SEC. 3. CURRICULAR OFFERINGS. – In addition to the courses currently offered by the Ifugao State College of Agriculture and Forestry, the University shall offer graduate, undergraduate and non-degree courses within its mandated areas of specialization and according to its capabilities, as the Board of Regents may deem necessary to carry out its objectives, ultimately to address the needs and aspirations of the province of Ifugao and the Cordillera Administrative and Cagayan Valley Regions, and adequately respond to the demands of the times: *Provided*, That the University shall retain its original mandate as primarily an agricultural institution: *Provided, further*, That in the case of graduate courses, the University shall strengthen its masteral and doctorate degree programs in agriculture and allied courses.

The University shall establish and maintain laboratory schools for elementary and high school students in its campus, as may be required by its education courses.

SEC. 4. ADMINISTRATION. – The University shall have the general powers of a corporation as set forth in Batas Pambansa Blg. 68, as amended, otherwise known as “The Corporation Code of the Philippines.”

The administration of the University and the exercise of its corporate powers shall be exclusively vested in the Board of Regents and the president of the University.

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

1. Chairman – The chairman of the Commission on Higher Education (CHED);
2. Vice Chairman – The president of the University;

3. Members –

- a. Chairman of the Senate Committee on Education, Arts and Culture;
- b. Chairman of the Committee on Higher and Technical Education of the House of Representatives;
- c. Regional Director of the National Economic and Development Authority;
- d. Regional Director of the Department of Science and Technology;
- e. Regional Director of the Department of Agriculture;
- f. President of the federation of faculty associations of the University;
- g. President of the federation of student councils of the University;
- h. President of the federation of alumni associations of the University; and
- i. Three prominent citizens of the province who have distinguished themselves in their profession, preferably alumni of the University, to be appointed by the Board, and who shall serve for a term of two (2) years from date of appointment.

The term of office of the president of the faculty association, the president of the student council and president of the alumni association shall be co-terminous with their respective terms of office.

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 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. –

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, the Board of Regents shall have the following specific powers and duties:

- a. To promulgate rules and regulations as may be necessary to carry out the purposes and functions of the University;
- b. To establish policy guidelines and procedures for participative decision-making and transparency within the University in accordance with existing laws and the Constitution;
- c. To receive and appropriate all sums of money as may be provided for the support of the University in the manner it may deem best and in accordance with its discretion, in order to carry out the purposes and functions of the University;
- d. To receive in trust legacies, gifts and donations of real and personal properties of all kinds from local or foreign donors, to administer and dispose of the same when necessary for the benefit of the University, subject to limitations, directions and instructions of the donors, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;
- e. 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;
- f. To fix the tuition fees and other school fees and charges, such as, but not limited to, matriculation fees, graduation fees and laboratory fees,

as it may deem proper and reasonable to impose after due consultation with the involved sectors.

Such fees and charges, including government subsidies and other incomes generated by the University, shall constitute a special trust fund and shall be deposited in an authorized government depository bank. All interests from the special fund shall form part of the same fund for use of the University.

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 or projects of the University. All fiduciary fees shall be disbursed for the specific purposes for which they are collected.

If, for reasons beyond its control, the University, cannot 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 purposes which, in its discretion may be necessary and urgent for the attainment of the objectives and goals of the University;

- g. To adopt and implement a socialized scheme of tuition and school fees to allow poor but deserving students greater access to education;
- h. 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, material and equipment.

Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;

- i. To appoint, upon recommendation of the president of the University, vice-presidents, deans, directors and heads of campuses and

departments, faculty members and other officials and employees of the University;

- j. 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, in accordance with existing law; and to remove them for cause in strict observance of due process of law;
- k. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- l. To set policies on admission and graduation of students;
- m. To confer honorary degrees upon persons in recognition of outstanding contributions in the field 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 of completion for non-degree and non-traditional courses;
- n. To establish and absorb non-chartered tertiary institutions within the province of Ifugao as branches, extension centers or stations, in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses, to promote and carry out equal access to educational opportunities as mandated by the Constitution;
- o. To establish research and extension centers which will promote the development of the University;
- p. To establish chairs in the University and to provide fellowships for qualified faculty members and scholarships for the staff and deserving students;

- q. To delegate any of its aforementioned powers and duties to the President and/or other officials of the University as it may deem appropriate to expedite the administration of the affairs of the University;
- r. To authorize an external management audit of the institution to be financed by CHED, subject to Commission On Audit (COA) rules and regulations, and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;
- s. Subject to financial and administrative requirements, to collaborate with other governing boards of state universities and colleges within the Cordillera Region, regarding the restructuring of said colleges and universities to make them more efficient, relevant, productive and competitive;
- t. To enter into joint ventures with business and industry for the profitable development and management of its economic assets, the proceeds from which shall be used for the development and strengthening of the University;
- u. 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;
- v. To make academic arrangements for institutional capability-building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts or specialists as consultants, part time or visiting or exchange professors, scholars and researchers, as the case may be;
- w. To adopt modern and innovative modes of transmitting knowledge, such as the use of information technology, the dual or integrated school system, open-learning or distance education, community

laboratory, and the like for the promotion of greater access to higher education;

- x. To privatize management of non-academic services such as health, food, building, grounds or property maintenance and similar such other activities under conditions most advantageous to the University.
- y. 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 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 once every quarter on a date that it may previously set. Special meetings may be called by the chairman upon at least three days prior written notice to all the members.

A quorum of the Board shall consist of a majority of all its members present, including either the chairman or the vice chairman of the Board or both.

Representatives to the Board shall be limited only to those of members holding national offices – the chairman, by a commissioner of the CHED and the chairmen of the Congressional Committees, by a person of the respective Committee Chairman's choice. The duly designated representatives shall have the same rights and responsibilities as a regular member of the Board.

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 right 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 of Regents, in which case said CHED commissioner shall act as the presiding officer.

SEC. 9. COMPENSATION OF THE BOARD. – The members of the Board shall serve without compensation but they shall be reimbursed for actual and necessary expenses incurred for their attendance at Board meetings or in connection with official businesses as authorized by the Board.

SEC. 10. THE UNIVERSITY PRESIDENT. – The University shall be headed by a president, who shall render full time service. He/She must be appointed by the Board upon recommendation of a duly constituted search committee.

The President shall have a term of four years and shall be eligible for appointment for another term.

For a smooth transition to a state university, the incumbent president of the Ifugao State College of Agriculture and Forestry, if qualified, shall be the first president of the University.

In case of vacancy in the office of the president of the University by reason of the death, compulsory retirement, resignation, removal for cause or incapacity of the president to perform the functions of his office, the Board shall, pending the appointment of a new president, designate an officer-in-charge of the University who shall hold office only for the unexpired term of the president.

The powers and duties of the president of the University shall, in addition to those specifically provided under this Act, be those usually pertaining to the

office of the presidents of similar state 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 of presidents of similar educational institutions.

SEC. 11. UNIVERSITY VICE PRESIDENTS. – The University president shall be assisted by vice presidents, not to exceed three, who shall be appointed by the Board upon recommendation of the president.

SEC. 12. THE ADMINISTRATIVE COUNCIL. – There shall be an administrative council consisting of the president of the University as chairperson, the vice presidents, 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. 13. THE ACADEMIC COUNCIL. – There shall be an academic council with the president of the University as chairperson and all members of the academic and/or instructional staff with the rank of not lower than assistant professor as members.

The academic council 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 admission of students as well as for graduation and the conferment of degrees subject to review and/or appropriate action by the Board through the president of the University.

It shall also have disciplinary power over students of the University and shall formulate academic policies, rules and regulations on discipline, subject to the approval of the Board.

SEC. 14. 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 appropriate notice of the Board meetings.

SEC. 15. THE TREASURER OF THE UNIVERSITY. – The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.

SEC. 16. 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, qualifications and/or standards set by the Board: *Provided further*, That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 17. SCHOLARSHIP PROGRAM/ADMISSION. – The University shall provide a scholarship program and other affirmative action programs to assist poor but deserving 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. 18. 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. 19. AUTHORITY TO LOAN OR TRANSFER. – 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 head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without 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 they are so employed shall be counted as part of their official service.

SEC. 20. ASSETS, LIABILITIES AND PERSONNEL. – All assets, real and personal, personnel and records of the Ifugao State College of Agriculture and Forestry consisting of the main campus and its branches, as well as its liabilities or obligations, are hereby transferred to the University. The positions, rights and security of tenure of the faculty members and personnel currently employed in the Ifugao State College of Agriculture and Forestry shall be respected.

All parcels of land belonging to the Government and occupied by the Ifugao State College of Agriculture and Forestry including its branches, are hereby declared to be the property of the Ifugao State University (IFSU) and shall be titled under that name: *Provided*, that should the University cease to exist or be abolished or when such aforementioned parcels of land are no longer needed by the University, the same shall revert to the Province of Ifugao.

SEC. 21. FILING OF REPORT. – On or before the fifteenth day of the second month after the opening of the regular classes each year, the Board shall

file with each House of Congress a detailed report on the progress, conditions and needs of the University.

SEC. 22. APPROPRIATIONS. – The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Ifugao State College of Agriculture and Forestry, 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 Ifugao State University (IFSU) shall be included in the Annual General Appropriations Act.

SEC. 23. DEVELOPMENT PLAN, MANAGEMENT AUDIT, ORGANIZATIONAL/ADMINISTRATIVE/ACADEMIC STRUCTURE. – Within one hundred twenty days after the approval of this Act, the University shall accomplish the following:

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

SEC. 24. ELIGIBILITY. – Members of the faculty of the University at the tertiary level shall be exempt from any civil service examination as a requisite for appointment, without prejudice to the right of the Board to impose other professional examination requirements intended to maintain high academic standards.

SEC. 25. SUPPLEMENTARY APPLICATION. – The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization

Act of 1997” shall form an integral part of this Act and shall serve as part of the governing charter of the University.

SEC. 26. 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. 27. IMPLEMENTING RULES AND REGULATIONS. – The Board of Regents, in consultation with the Commission on Higher Education (CHED), shall formulate the guidelines to fully implement the provisions of this Act.

SEC. 28. SEPARABILITY CLAUSE. – If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions of this Act shall remain in full force and effect.

SEC. 29. REPEALING CLAUSE. – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 30. EFFECTIVITY. – This Act shall take effect fifteen (15) days after its publication in two national newspapers of general circulation.

Approved,