

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H. B. No. 474

Introduced by HONORABLE JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

Athletes are a country's ambassadors of goodwill and symbols of national pride. The success of Manny Pacquiao and Efren "Bata" Reyes in their respective fields have earned us international recognition and put renewed focus on Filipino athleticism.

Apart from bringing an immense sense of pride to the Filipino nation, their triumphs are also testaments to Pinoy athleticism and skill. Filipinos are natural athletes. Skill, endurance and competition are innate to us. Therefore we must nurture Filipino talent and create opportunities for our athletes to realize their potential. If we pay more attention and pour in more resources to sports development, we will excel in many other fields.

To fully develop Philippine sports, we must be creative and pro-active in our approaches.

We need to give athletes from all over the country the best training in their field. This can be made possible by creating a national sports university that will provide higher learning, and promote the advancement of the country's sports not only through education and practical training but also through research.

By integrating the values of sportsmanship and academic excellence, we will be able to produce outstanding sport leaders, elite athletes and coaches of world-class calibre.

I earnestly seek the approval of this bill.



JUAN EDGARDO "SONNY" M. ANGARA
Representative
Lone District, Province of Aurora

Introduced by Honorable JUAN EDGARDO "SONNY" M. ANGARA

AN ACT
CREATING THE PHILIPPINE SPORTS UNIVERSITY,
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 Philippine Sports University Act of 2010.*"

SEC. 2. *Purposes and Objectives.* The University shall offer higher learning, promote research and extension services, and foster leadership and innovation in sports. The University shall be geared towards practical and scientific training methods, research-based methodology, and systematic programs for sports education and improving athletic performance, with the goal of training and produce sports leaders, improving the country's performance in national and international competitions, and instilling pride in Philippine athleticism.

The University shall offer undergraduate, graduate and short-term courses. The University shall also promote community sport and leadership. By creating a culture of sports, the University shall enhance the health and quality of life of Filipino communities through sports and leisure activities.

SEC. 3. *Main campus and college.* A suitable location for the University shall be identified by the Project Design Team, as provided herein, providing adequate space for the development of buildings and facilities including classrooms, research centers, administration office, faculty office, sports halls, library, computer rooms, cafeteria, student center, student dormitories and others.

SEC. 4. *Project Design Team.* A Project Design Team composed of the following shall be constituted to develop the University's *curricula* and structure:

- a) An executive director with proven experience in sports and organizational management, with networks among top-level sports organizations including the International Olympic Committee, as well as an MBA from a school of international prestige.
- b) An architect with extensive experience in designing and constructing sports facilities.

- c) A financial manager with several years experience in financial resources allocation and the management of funds in educational institutions. Preferably with an MBA from a school of international prestige.
- d) A PhD in research psychology or experimental science, with extensive experience in the development, management and setup of research laboratories and in the teaching and development of educational projects.

The Project Design Team shall assess the University's academic and economic viability and identify how best the project shall be implemented. The team shall provide an analysis of how the private and public sector can support the University, as well as create a tuition fee structure that ensures the project's profitability.

SEC. 5. Administration. The University shall have the general powers of a corporation set forth in the Corporation Law. The administration of the University and the exercise of its corporate powers shall be vested exclusively in the Board of Regents and the President of the University insofar as authorized by the Board.

SEC. 6. 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:

- a. The Chairman of the Commission of Higher Education chairman;
- b. The President of the University, vice chairman;
- c. The Chairman of the Committee on Education, Arts and Culture of the Senate, member;
- d. The Chairman of the Committee on Higher and Technical Education of the House of Representatives, 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 (DOST), member;
- g. The president of the federation of faculty associations of the University, member;
- h. The president of the federation of student councils of University, member;
- i. The president of the federation of alumni association of the University, member; and
- j. Two (2) prominent citizens who have distinguished themselves in their profession or fields of specialization of the University, members.

The two (2) prominent citizens shall be chosen from among a list of at least five (5) persons qualified in the field of sports, as recommended by the search committee constituted by the University president in consultation with the Chairman of the Philippine Sports Commission, based on the normal standards and qualification for the position.

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 the alumni associations shall be contemporaneous with their respective terms of office.

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

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, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

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 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 import duty-free sports education and training books and/or publications upon certification by the CHED that such imported books and/or publications are for sports education and training 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, 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 from 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 projects 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;

- f. To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- g. To authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real property including necessary supplies, materials and equipment;
- h. To appoint upon recommendation of the president of the University, vice presidents, deans, directors and heads of campuses, faculty members, and other officials and employees of the University;
- i. 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, any provision of existing laws to the contrary notwithstanding, and to remove them for cause in accordance with the requirements of due process of law;
- j. To approve the curricula, instructional programs and rules of discipline drawn by the Administrative and Academic Councils as herein provided;
- k. To set policies on admission and graduation of students;
- l. To award honorary degrees upon persons in recognition of outstanding contribution in the fields of education, public service, arts, science and technology, agriculture or in any field of specialization within the academic competence of the University, and to authorize the awarding of certificates of completion of non-degree and nontraditional courses;
- m. To establish research and extension centers of the university where such will promote the development of the latter;
- 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 herein above to the president, or officer-in-charge 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, subject to Commission on Audit (COA) rules and regulations; and to institute

reforms, including academic and structural changes on the basis of the audit results and recommendations;

- q. 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 shall be used for the development and strengthening of the University;
- r. To develop consortia and other economic forms of linkages with local government units (LGUs), institutions and agencies, both public and private, local and foreign, in the furtherance of the purpose and objectives of the University;
- s. 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, part time or visiting, or exchange professors, scholars or researchers, as the case may be;
- t. 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 or distance education, community laboratory etc. for the promotion of greater access to education;
- u. To establish policy guidelines and procedures for participate decision-making and transparency within the University;
- v. To privatize, where most advantageous to the University, management of nonacademic services such as health, food, building or grounds or property maintenance and such other similar activities; and
- w. 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 and, after unanimous recommendation by the search committee.

SEC. 8. Meetings of the Board. The Board shall regularly convene at least once every quarter. However, the chairman of the Board may, upon three (3) days prior written notice, call a special meeting whenever necessary.

A quorum of the Board shall consist of majority of all its members holding office at the time of the meeting: *Provided, however,* 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 with all the rights and responsibilities of a regular member: *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 Regents, in which case said CHED Commissioner shall set as the presiding officer.

In the absence of the chairman of the Congressional Committee on Education, they may designate their respective representatives who shall attend the said meetings with all the rights and responsibilities of a regular member.

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

SEC. 9. *The University President.* The University shall be headed by a president, who shall render full time service. He shall be appointed by the Board, upon recommendation of a duly constituted search committee. He shall have a term of four (4) years and shall be eligible for reappointment for another term.

The president of the University shall be assisted by a vice president for Academic Affairs and a vice president for Administration Affairs who shall be appointed by the Board upon the recommendation of the president without prejudice to the appointment of more than two (2) vice presidents when so warranted.

In case of vacancy in the office of the president by reason of death, compulsory retirement, resignation, removal for cause of 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 a new president.

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

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 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 being received by the presidents of similar educational institutions of like standing.

SEC. 10. *The Administrative Council.* There shall be an Administrative Council consisting of the president of the University as chairman, vice presidents, deans, the directors and other officials of equal rank as members, whose duty is to review and recommend to the Board of Regents policies governing the management, administrative and development of the University.

SEC. 11. *The Academic Council.* There shall be an Academic Council with the president of the University as chairman and all members of the academic 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 of Regents. It shall fix the requirements for the admission of students, as well as for graduation and conferment of degrees, subject to review and /or approval by the Board of Regents through the president of the University. It shall have the disciplinary power over students of the University shall formulate academic policies, and rules and regulations on discipline, subject to the approval of the Board of Regents.

SEC. 12. *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 shall communicate to each member of the Board the notices of meetings.

SEC. 13. *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. 14. *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. 15. *Authority to Loan and Transfer Apparatus/Equipment.* The heads of the bureaus and offices of the national government are hereby authorized to loan or transfer, upon the 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 bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious 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 so employed shall be counted as part of their regular services.

SEC. 16. *Appropriations.* The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 17. *Funding.* Various sources of revenue shall be explored, such as a combination of student tuition, government funding, private sponsorship/scholarships, profit generation, among others.

SEC. 18. *Repealing Clause.* All laws, presidential decrees and issuances, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC 19. *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 thereby shall remain in full force and effect.

SEC. 20. *Effectivity.* This Act shall take effect immediately after its publication in a national newspaper of general circulation. This publication shall not be later than seven (7) days after the approval hereof.

Approved,