

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

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7081**



Introduced by: REP. GREG G. GASATAYA
REP. ALFREDO "ALBEE" B. BENITEZ
REP. ALEJANDRO Y. MIRASOL

EXPLANATORY NOTE

Carlos Hilado Memorial State College (CHMSC), formerly known as Paglaum State College, is a public, state-owned college oriented towards excellence, competence, and educational leadership in science and technology situated in Talisay City, Negros Occidental with three (3) satellite campuses in Brgy. Alijis, Bacolod City, Fortune Town, Bacolod City, and the Municipality of Binalbagan. CHMSC offers higher technological, professional, and vocational education and training in science, agriculture and industrial fields, as well as short-term or vocational courses to the people of Negros Occidental.

Since its establishment in 1983 by virtue of Batas Pambansa Blg. 477, CHMSC remains to grow and develop into a leading green institution in higher and continuing education committed to engage in quality instruction, development-oriented research, sustainable lucrative economic enterprise, and responsive extension and training services through relevant academic programs to empower a region that responds effectively to challenges in life and acts as catalyst in the holistic development of a humane province, parallel to their mission and vision. CHMSC has become an institution looked up to in the province in the fields of Science, Technology, and Livelihood. As one of only two (2) state colleges in Negros Occidental, CHMSC has also provided quality and relevant education to many Negrenses and has greatly contributed in the improvement of quality of life in the province.

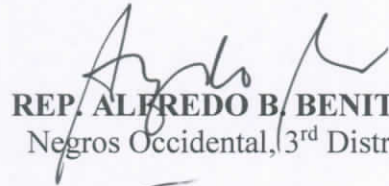
Consistent with the constitutional mandate of the State to protect and promote the right of all citizens to quality education at all levels and take appropriate steps to make such education accessible to all, this Bill seeks to bring educational opportunities to underprivileged but deserving Negros Occidental students unable to pay for the quality but expensive education and costs of living in private institutions in the province, neighboring provinces, and our country's capital city by converting CHMSC including all its satellite campuses into a state university. These representations believe that in view of the history, current status, achievements, and strategic location of the CHMSC, it has earned its merits to be converted into a state university and be of

further service to the people of Negros Occidental not just through quality education, but also accessible education.

As such, passage of this Bill is earnestly sought.



REP. GREG G. GASATAYA
Lone District of Bacolod



REP. ALFREDO B. BENITEZ
Negros Occidental, 3rd District



REP. ALEJANDRO Y. MIRASOL
Negros Occidental, 5th District

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AN ACT
CONVERTING THE CARLOS HILADO MEMORIAL STATE COLLEGE IN THE
CITY OF TALISAY, NEGROS OCCIDENTAL ALL ITS SATELLITE CAMPUSES
LOCATED IN THE CITIES OF TALISAY AND BACOLOD AND IN THE
MUNICIPALITY OF BINALBAGAN, ALL IN THE PROVINCE OF NEGROS
OCCIDENTAL, INTO A STATE UNIVERSITY TO BE KNOWN AS THE CARLOS
HILADO MEMORIAL STATE UNIVERSITY, 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 Carlos Hilado Memorial State College in the City
 2 of Talisay, Province of Negros Occidental, including all of its existing satellite campuses,
 3 namely: Alijis Campus in Barangay Alijis, Bacolod City, Fortune Towne Campus in
 4 Barangay Estefania, Bacolod City, and Binalbagan Campus in the Municipality of
 5 Binalbagan, all located in the Province of Negros Occidental, is hereby converted into a
 6 state university to be known as the Carlos Hilado Memorial State University, Province of
 7 Negros Occidental. Its main campus shall be in Talisay City.

8
 9 **SEC. 2. *General Mandate.*** – The Carlos Hilado Memorial State University,
 10 hereinafter referred to as the University, shall primarily provide advance education, higher
 11 technological, professional instruction and training in the fields of education, agricultural
 12 technology, agri-business management, business administration, industrial technology, arts
 13 and sciences, health sciences, information technology, engineering and other relevant fields
 14 of study. It shall also undertake research, extension services, and provide progressive
 15 leadership in its areas of specialization.

16
 17 **SEC. 3. *Academic Freedom and Institutional Autonomy.*** – The University shall
 18 enjoy academic freedom and institutional autonomy, pursuant to Paragraph 2, Section 5 of
 19 Article XIV of the Philippine Constitution.

20
 21 **SEC. 4. *Curricular Offerings.*** – The University shall offer undergraduate,
 22 graduate and post-graduate programs and short-term courses in the fields of agriculture and
 23 environment studies, pure and applied sciences, behavioral and social sciences, law, culture
 24 and arts, tourism and business-related programs, nautical and maritime programs, industrial

1 technology and engineering, education and teacher training, communication and
 2 information technology, health-related programs, developmental management and
 3 leadership programs, agricultural technology, agri-business management, business
 4 administration, health sciences and other degree courses within its areas of specialization
 5 and according to its capabilities, as the Board of Regents may deem necessary to carry out
 6 its objectives, particularly in meeting the needs of the Province of Negros Occidental and
 7 Region VI.

8
 9 The University may operate a reasonably-sized laboratory school under its College
 10 of Education.

11
 12 **SEC. 5. Administration.** – The University shall have the general powers of a
 13 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the
 14 “Corporation Code of the Philippines.” The administration of the University and the
 15 exercise of its corporate powers shall be vested exclusively in the Board of Regents and the
 16 President of the University.

17
 18 **SEC. 6. The Governing Board.** – The governing body of the University shall be
 19 the Board of Regents, hereinafter referred to as the Board, and shall be composed of the
 20 following:

- 21
 22 a. The Chairperson of the Commission on Higher Education (CHED),
 23 Chairperson;
- 24 b. The President of the University, Vice-Chairperson;
- 25 c. The Chairperson of the Committee on Education, Arts and Culture of the
 26 Senate, member;
- 27 d. The Chairperson of the Committee on Higher and Technical Education of the
 28 House of Representatives, member;
- 29 e. The Regional Director of the National Economic and Development Authority
 30 (NEDA), member;
- 31 f. The Regional Director of the Department of Science and Technology in Region
 32 XI, member;
- 33 g. The President of the federation of the faculty associations of the University,
 34 member;
- 35 h. The President of the federation of student councils of the University, member;
- 36 i. the President of the federation of alumni associations of the University,
 37 member; and
- 38 j. Two (2) prominent citizens from the private sector who have distinguished
 39 themselves in their profession or fields of specialization, members.

40
 41 The Board shall appoint the two (2) prominent citizens from among a list of at least
 42 five (5) qualified persons in the Province of Negros Occidental where the University and its
 43 campuses are located, as recommended by a search committee constituted by the President
 44 of the University, in consultation with the Chairperson of the CHED and the other members
 45 of the Board, based on the standards and qualifications for the position.

46
 47 The term of office of the President of the federation of faculty associations, the
 48 President of the federation of student councils, and the President of the federation of alumni
 49 associations shall be coterminous with their respective terms of office, as set forth in their
 50 respective constitutions and bylaws.

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

3
4 **SEC. 7. Powers and Duties of the Board of Regents.** – In addition to its general
5 powers of administration and the powers granted to the Board of Directors of a corporation
6 under existing laws, the Board shall have the following specific powers and duties:

7
8 a. To promulgate and implement policies in accordance with declared State policies
9 and the provisions of the Philippine Constitution on education, agriculture, science and
10 technology, as well as the policies, standards and thrusts of the CHED under Republic Act
11 No. 7722, otherwise known as the “Higher Education Act of 1994”;

12
13 b. To promulgate rules and regulations not contrary to law as may be necessary to
14 carry out the purposes and objectives of the University;

15
16 c. To receive and appropriate all sums as may be provided for the support of the
17 University in the manner it may determine, in its discretion, in order to carry out the
18 purposes and functions of the University;

19
20 d. To import economic, technical and cultural books and publications;

21
22 e. To receive, in trust, legacies, gifts and donations of real and personal properties of
23 all kinds and to administer and dispose of the same when necessary for the benefit of the
24 University, and subject to the limitations, directions and instructions of the donor, if any;

25
26 f. To fix the tuition fees and other necessary school charges, including matriculation
27 fees, graduation fees and laboratory fees, as the Board may deem proper to impose, after
28 due consultations with the involved sectors. Such fees and charges, including government
29 subsidies and other income generated by the University, shall constitute a special trust fund
30 and shall be deposited in any authorized government depository bank: *Provided*, That all
31 interests that shall accrue therefrom shall form part of the same funds for the use of the
32 University.

33
34 Any provision of existing laws, rule or regulation to the contrary notwithstanding,
35 any income generated by the University from tuition fees and other charges, as well as
36 from the operation of auxiliary services and land grants, shall be retained by the University,
37 and may be disbursed by the Board for instruction, research, extension or other programs or
38 projects of the University: *Provided*, That all fiduciary fees shall be disbursed for the
39 specific purposes for which these are collected.

40
41 If, for reasons beyond its control, the University shall not be able to pursue any
42 project for which the funds have been appropriated and allocated under its approved
43 program of expenditures, the Board may authorize the use of said funds for any reasonable
44 purpose which, in its discretion, may be necessary and urgent for the attainment of the
45 objectives and goals of the University.

46
47 g. To authorize the construction or repair of its buildings, machinery, equipment and
48 other facilities, and the purchase and acquisition of real property, including necessary
49 supplies, materials and equipment;

50

1 h. To appoint, upon the recommendation of the President of the University, the vice
2 presidents, deans, directors, heads of campuses, faculty members and other officials and
3 employees of the University;

4
5 i. To fix and adjust the salaries of faculty members and administrative officials and
6 employees, subject to the provisions of the Revised Compensation and Position
7 Classification System and other pertinent budget and compensation laws governing the
8 hours of service, and such other duties and conditions as it may deem proper; to grant
9 them, at its discretion, leaves of absence under such regulations as it may promulgate, any
10 provision of existing law to the contrary notwithstanding; and to remove them for cause in
11 accordance with the requirements of due process of law;

12
13 j. To approve the curricula, instructional programs, and rules of discipline drawn by
14 the Administrative Council and the Academic Council herein provided;

15
16 k. To set the policies on admission and graduation of students;

17
18 l. To award honorary degrees upon persons in recognition of their outstanding
19 contribution in the fields of education, public service, arts, science and technology,
20 agriculture or in any field of specialization within the academic competence of the
21 University, and to authorize the awarding of certificates of completion of non-degree and
22 nontraditional courses;

23
24 m. To establish and absorb non-chartered tertiary institutions within the Province of
25 Davao Oriental as branches and centers, in coordination with the CHED and in consultation
26 with the Department of Budget and Management (DBM), and to offer therein programs or
27 courses to promote and carry out equal access to educational opportunities, as mandated by
28 the Constitution;

29
30 n. To establish research and extension centers of the University where such will
31 promote the development of the University;

32
33 o. To establish professorial chairs in the University and to provide fellowships for
34 qualified faculty members, and scholarships to deserving students;

35
36 p. To delegate any of its powers and duties provided for hereinabove to the President
37 or other officials of the University, as it may deem appropriate, so as to expedite the
38 administration of the affairs of the University;

39
40 q. To authorize an external management audit of the University, to be financed by the
41 CHED, subject to the rules and regulations of the Commission on Audit (COA), and to
42 institute reforms, including academic and structural changes, on the basis of the audit
43 results and recommendations;

44
45 r. To collaborate with other governing boards of state colleges and universities within
46 the Province of Negros Occidental or Region VI, under the supervision of the CHED and in
47 consultation with the DBM, and work towards the restructuring of the University to
48 become more efficient, relevant, productive and competitive;

49

1 s. To enter into joint ventures with business and industry for the profitable
2 development and management of the economic assets of the University, the proceeds from
3 which shall be used for the development and strengthening of the University;
4

5 t. To develop consortia and other economic forms of linkages with local government
6 units (LGUs), institutions and agencies, both public and private, local and foreign, in the
7 furtherance of the purposes and objectives of the University;
8

9 u. To develop academic arrangements for institutional capacity building with
10 appropriate institutions and agencies, public and private, local and foreign, and to appoint
11 experts or specialists as consultants, part-time, visiting or exchange professors, scholars or
12 researchers, as the case may be;
13

14 v. To adopt modern and innovative modes of transmitting knowledge such as the use
15 of information technology, the dual training system, open distance learning, and
16 community laboratory for the promotion of greater access to education;
17

18 w. To establish policy guidelines and procedures for participative decision-making and
19 transparency within the University;
20

21 x. To privatize, where most advantageous to the University, the management of non-
22 academic services such as health, food, building or grounds or property maintenance and
23 such other similar activities; and
24

25 y. To extend the term of the President of the University beyond the age of retirement,
26 but not beyond the age of seventy (70): *Provided*, That the President's performance has
27 been unanimously rated by the Board as outstanding, based on the guidelines,
28 qualifications and standards it has set, and after unanimous recommendation by the search
29 committee.
30

31 **SEC. 8. Meetings of the Board.** – The Board shall regularly convene once every
32 three (3) months. Whenever necessary, the Chairperson of the Board may call, upon three
33 (3) days' prior written notice to the members, a maximum of two (2) special meetings
34 within the same period.
35

36 A quorum of the Board shall consist of majority of all its members holding office at
37 the time of the meeting: *Provided, however*, That the Chairperson of the Board or the
38 President of the University is among those present in the meeting.
39

40 In case the CHED Chairperson cannot attend a meeting of the Board, a CHED
41 Commissioner duly designated by the CHED Chairperson as representative to the meeting,
42 shall have all the rights and responsibilities of a regular member: *Provided, however*, That
43 in the said meeting, the President of the University, as vice chairperson, shall be the
44 presiding officer: *Provided, further*, That this proviso, notwithstanding, the Chairperson of
45 the CHED is hereby authorized to designate a CHED Commissioner as the regular
46 Chairperson of the Board, in which case, the said CHED Commissioner, as the regular
47 Chairperson of the Board, shall act as the presiding officer.
48

49 In case the Chairpersons of the Senate Committee on Education, Arts and Culture
50 and House Committee on Higher and Technical Education shall not be able to attend the
51 Board meeting, they may duly designate their respective representatives to attend the

1 meeting, who shall have the same rights and responsibilities as a regular member of the
2 Board.

3
4 The members of the Board shall not receive any salary, but shall be entitled to
5 reimbursements for actual and necessary expenses incurred, either for their attendance in
6 the meetings of the Board or in connection with other official business authorized by
7 resolution of the Board, subject to existing laws and regulations.

8
9 **SEC. 9. *The University President.*** – The University shall be headed by a
10 President, who shall render full-time service and who shall be appointed by the Board,
11 subject to the guidelines, qualifications and standards set by the Board, upon
12 recommendation of a duly constituted search committee. The University President shall
13 have a term of four (4) years and shall be eligible for reappointment for another term:
14 *Provided*, That in order to effect the smooth transition to a state university, the incumbent
15 president of the Carlos Hilado Memorial State College, if qualified, shall serve as the first
16 president of the University.

17
18 Within six (6) months before the expiration of the term of office of the incumbent
19 President of the University, the Board shall constitute the Search Committee for the
20 Presidency (SCP).

21
22 In case of vacancy in the Office of the President by reason of death, compulsory
23 retirement, resignation, removal for cause or incapacity of the President to perform the
24 functions of the office, the Board shall designate an Officer-in-Charge (OIC) of the
25 University within six (6) months from date of vacancy, pending the appointment of a new
26 President. The successor or the OIC shall serve only for the unexpired portion of the term.

27
28 The powers and duties of the President of the University, in addition to those
29 specifically provided in this Act, shall be those usually pertaining to the Office of the
30 President of similar universities, and those delegated by the Board.

31
32 The salary of the President of the University shall be in accordance with the
33 Revised Compensation and Position Classification System and shall be comparable to that
34 being by the presidents of similar educational institutions.

35
36 The President of the University shall be assisted by a Vice President for Academic
37 Affairs and a Vice President for Administration, who shall be appointed by the Board upon
38 the recommendation of the President of the University.

39
40 **SEC. 10. *The Secretary of the University.*** – The Board shall appoint a Secretary,
41 who shall serve as such for both the Board and the University and who shall keep all
42 records and proceedings of the Board. The Secretary of the University shall serve upon
43 each member of the Board the appropriate notice of the Board meetings.

44
45 **SEC. 11. *The Treasurer of the University.*** – The Treasurer of the Philippines shall
46 be the *ex officio* Treasurer of the University.

47
48 **SEC. 12. *The Administrative Council.*** – There shall be an Administrative Council
49 consisting of the President of the University as Chairperson, and the vice presidents, deans,
50 directors and other officials of equal rank as members, whose duties are to review and

1 recommend to the Board policies governing the administration, management and
2 development planning of the University.

3
4 **SEC. 13. *The Academic Council.*** – There shall be an Academic Council to be
5 composed of the President of the University, who shall act as Chairperson, and all
6 academic staff with the rank of at least an assistant professor, as members.

7
8 The Academic Council shall have the power to review and recommend the
9 curricular offerings and rules of discipline of the University, subject to the approval of the
10 Board. It shall fix the requirements for the admission of students, as well as for their
11 graduation and conferment of degrees, subject to review and approval by the Board through
12 the President of the University. It shall have the disciplinary power over students of the
13 University and shall formulate academic policies and rules and regulations on discipline,
14 subject to the approval of the Board.

15
16 **SEC. 14. *The Faculty.*** – No political belief, gender preference, cultural or
17 community affiliation or ethnic origin, and religious opinion or affiliation shall be a matter
18 of inquiry in the appointment of faculty members of the University: *Provided*, That said
19 appointment shall be subject to the guidelines, qualifications and standards set by the
20 Board: *Provided, further*, That no member of the faculty shall teach for or against any
21 particular church or religious sect.

22
23 **SEC. 15. *Scholarship Program and Admission.*** – The University shall provide a
24 scholarship program and other affirmative action programs to assist poor but deserving
25 students who qualify for admission to the University.

26
27 No student shall be denied admission to the University by reason of gender,
28 religion, cultural or community affiliation or ethnic origin.

29
30 **SEC. 16. *Authority to Loan or Transfer Apparatus, Equipment, Supplies and***
31 ***Detail of Personnel.*** – The heads of the bureaus and offices of the national government are
32 hereby authorized to loan or transfer, upon the request of the President of the University,
33 such apparatus, equipment or supplies as may be needed by the University, and to detail
34 employees for duty therein when, in the judgment of the head of bureau or office, such
35 apparatus, equipment, supplies or services of such employees can be spared without serious
36 detriment to public service.

37
38 The employees so detailed shall perform such duties as required of them by the
39 President of the University, and the time so employed shall be counted as part of their
40 regular services.

41
42 **SEC. 17. *Assets, Liabilities and Personnel.*** – All assets, real and personal,
43 personnel and records of the Carlos Hilado Memorial State College, as well as liabilities or
44 obligations, are hereby transferred to the University. The positions, rights and security of
45 tenure of faculty members and personnel therein employed under existing laws prior to the
46 conversion into a University shall be respected.

47
48 All parcels of land belonging to the government occupied by the Carlos Hilado
49 Memorial State College and all its campuses, are hereby declared to be the property of the
50 University, and shall be titled under that name: *Provided*, That should the University cease

to exist or be abolished or should such aforementioned parcels of land be no longer needed by the University, the same shall revert to the LGUs concerned.

SEC. 18. *Tax Exemption on Importation and Donations.* - The importation of economic, technical and cultural books or publications, which are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes made by the University upon certification by the CHED shall be exempt from customs duties in accordance with the provisions of RA No. 10863 otherwise known as the "Customs Modernization and Tariff Act".

All grants, bequests, endowments, donations and contributions made to the University to be used actually, directly and exclusively by the University shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 19. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations for the Carlos Hilado Memorial State College. Thereafter, such sums as may be necessary for the continued operation and maintenance of the University shall be included in the annual General Appropriations Act.

SEC. 20. *Development Plan, Management Audit, and 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 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 of key officials of the University.

SEC. 21. *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 both Houses of Congress, a detailed report on the progress, conditions and needs of the University.

SEC. 22. *Suppletory Application.* - The provisions of RA No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall be an integral part of this Act and shall serve as part of the Governing Charter of the University.

SEC. 23. *Compliance with CHED Requirements.* - The provisions of this Act notwithstanding, the conversion of the institution into a state university shall become effective only upon the determination and declaration by the CHED, based on the recommendation of a panel of experts it shall constitute for the purpose, that the institution has complied with the requirements for a university status based on CHED Memorandum Order No. 46, series of 2012 (Policy Standards to Enhance Quality Assurance (QA) in Philippine Higher Education, through the Outcomes-Based and Typology-Based QA):

1 *Provided*, That the panel may issue such a recommendation when the institution has
2 substantially complied with the requirements for the grant of university status.

3
4 The following operational requirements for a university, as established by the
5 CHED, shall be complied with:

6
7 a. Faculty members who possess relevant degrees in their areas of specialization, as
8 required by the CHED, and shall have participated in research and development activities
9 in their respective disciplines, as evidenced by refereed publications and other scholarly
10 outputs;

11
12 b. A comprehensive range of degree programs in all levels, from basic post-
13 secondary to doctoral programs;

14
15 c. Viable research programs in specific (disciplinal and multidisciplinary) areas of
16 study that produce new knowledge, as evidenced by refereed publications, citations,
17 inventions, and patents, among others.;

18
19 d. Comprehensive learning resources and support structures, to include libraries,
20 practicum laboratories, relevant educational resources, and linkages with the relevant
21 disciplinal and professional sectors, to allow students to explore basic, advance, and even
22 cutting edge knowledge in a wide range of disciplines or professions;

23
24 e. Active and ongoing linkages and affiliation with other research institutions in
25 various parts of the world that would ensure that the research activities of the university are
26 functioning at current global standards; and

27
28 f. Outreach activities that allow the students, faculty, and research staff to apply the
29 new knowledge they generate to address specific social development problems broadly
30 defined.

31
32 The institution shall retain its status prior to the effectivity of this Act, unless in the
33 meantime it is able to comply with the requirements provided herein, within a period not
34 later than January 01, 2021.

35
36 **SEC. 24. *Parity Clause.*** – All other powers, functions and privileges,
37 responsibilities and limitations to state universities and their officials under existing laws
38 shall be deemed granted to or imposed upon the University and its officials whenever
39 appropriate.

40 **SEC. 25. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
41 effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules
42 and regulations to fully implement provisions of this Act.

43
44 **Sec. 26. *Separability Clause.*** – If, for any reason, any part or provision of this Act
45 is declared invalid or unconstitutional, the remaining parts or provisions not affected
46 thereby shall remain in full force and effect.

47
48 **SEC. 27. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
49 rules and regulations contrary to or inconsistent with the provisions of this Act are hereby
50 repealed or modified accordingly.

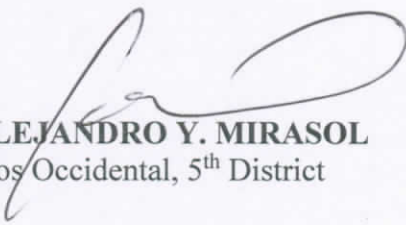
51

1 **SEC. 28. Effectivity.** – This Act shall take effect fifteen (15) days after its
2 publication in the Official Gazette or in a newspaper of general circulation.
3

4 *Approved,*
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11 
12 **REP. GREG G. GASATAYA**
13 Lone District of Bacolod
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18 **REP. ALFREDO B. BENITEZ**
19 Negros Occidental, 3rd District
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18 **REP. ALEJANDRO Y. MIRASOL**
19 Negros Occidental, 5th District
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