

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

EIGHTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 2652

INTRODUCED BY REP. JB BERNOS

EXPLANATORY NOTE

What is known today as the Abra State Institute of Sciences and Technology (ASIST) in the Province of Abra came from an earlier incarnation of the school called *Lagangilang Agriculture College* through Batas Pambansa Blg. 392 enacted on 18 May 1983. The said law established ASIST with a purpose, as mentioned in Section 2 of the said law, to provide "technological, professional, technical, and vocational education and shall inspire leadership in the field of agriculture, forestry, home technology, agricultural education, and industry, through scientific research and extension".

Currently, ASIST, which caters to an average of 4,000 students every Academic Year, has a main campus in the Municipality of Lagangilang and another campus in the Municipality of Bangued, the Province's capital town. It offers undergraduate programs in teacher education, agricultural technology, agribusiness, engineering, industrial technology, and forestry, as well as graduate programs in education, non-degree programs, and basic education program. Among the degree programs ASIST offers, Secondary Education, Elementary Education, and Agriculture have the highest numbers of enrollees and received Level II accreditation in the entire SUC. These programs are also well in their way to attain Level III status.

ASIST is strongly committed to research and extension services. It conducted the First Abrenian Inter-Agency RDE Conference last August 2016, participated by other higher education

institutions (HEIs) and national government agencies that showcased research papers on agriculture, home technology, and cultural studies. Apart from their strong commitment to research and development of the local industries, ASIST is also heavily involved in strengthening the capacities of its libraries, pushing for the modernization of its facilities with emphasis on integration of information technology. ASIST is also engaged in community extension services, conducting trainings in barangays and serving more than 2,000 beneficiaries in the past year. With all of the achievements of this state college: it will not be a surprise if it will be a candidate for the ISO certification, which they are currently working on to obtain.

By transforming ASIST into a University, it will be given sufficient resources and ample opportunities to strengthen its degree programs to meet the demands of the communities, the Province, and of the entire Cordillera Administrative Region, especially on teacher education, agriculture, industrial technology, and information technology. Through this conversion, the ASIST will be able to facilitate modernization of its facilities pursuant to its mission to primarily provide technological, professional, and technical education, and shall inspire leadership in the field of agricultural education and industry through scientific research and extension. In view of the foregoing, the immediate passage of this Bill is earnestly sought.



REP. JB BERNOS
Lone District, Abra

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AN ACT
CONVERTING THE ABRA STATE INSTITUTE OF SCIENCES AND
TECHNOLOGY IN THE MUNICIPALITIES OF LAGANGILANG AND
BANGUED, PROVINCE OF ABRA INTO A STATE UNIVERSITY TO BE
KNOWN AS THE UNIVERSITY OF ABRA, 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 Abra State Institute of Sciences and
 2 Technology (ASIST) in the Province of Abra, which is composed of the ASIST-
 3 Lagangilang Campus in the Municipality of Lagangilang, and the ASIST-Bangued
 4 in the Municipality of Bangued, all located in the Province of Abra, is hereby
 5 converted into a state university to be known as the University of Abra. Its main
 6 campus shall be in the Municipality of Lagangilang.

7
 8 **SEC. 2. General Mandate.** – The University of Abra, hereinafter referred
 9 to as the University, shall primarily provide advance education, higher
 10 technological and professional instruction and training in the fields of education,
 11 agricultural technology, agribusiness management, industrial technology, arts and
 12 sciences, forestry, health sciences, information technology, and other relevant
 13 fields of study. It shall also undertake research and extension services, and provide
 14 progressive leadership in its areas of specialization in the Province of Abra and in
 15 Cordillera Administrative Region (CAR).

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

20
 21 **SEC. 4. Curricular Offerings.** – The University shall offer
 22 undergraduate, graduate and post-graduate programs and short-term courses in
 23 the fields of education, agricultural technology, agribusiness management,
 24 engineering, industrial technology, forestry, arts and sciences, information
 25 technology, and other degree courses within its areas of specialization and

1 according to its capabilities, as the Board of Regents may deem necessary to carry
2 out its objectives, particularly in meeting the needs of the Province of Abra and the
3 Cordillera Administrative Region (CAR).

4
5 The existing reasonably-sized laboratory high school and elementary school
6 shall continue to operate under the control of the College of Teacher Education of
7 the University to serve in-campus requirements of the students of the College of
8 Teacher Education.

9
10 **SEC. 5. Administration.** – The University shall have the general powers
11 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
12 known as the “Corporation Code of the Philippines.” The administration of the
13 University and the exercise of its corporate powers shall be vested exclusively in the
14 Board of Regents and the President of the University.

15
16 **SEC. 6. The Governing Board.** – The governing board of the University
17 shall be the Board of Regents, hereinafter referred to as the Board, which shall be
18 chaired and co-chaired by the Chairperson of the Commission on Higher
19 Education (CHED) and the President of the University, respectively, and with the
20 following as members:

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

36
37 The Board shall appoint the two (2) prominent citizens from among a list of
38 at least five (5) qualified persons in the Province of Abra where the University and
39 its campuses are located, as recommended by a search committee constituted by
40 the President of the University, in consultation with the Chairperson of the CHED
41 and the other members of the Board, based on the standards and qualifications for
42 the position.

43
44 The term of office of the President of the federation of faculty associations,
45 the President of the federation of student councils, and the President of the
46 federation of alumni associations shall be coterminous with their respective terms
47 of office, as set forth in their respective constitutions and bylaws.

48
49 The two (2) prominent citizens shall serve for a term of two (2) years from
50 the date of appointment.
51

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

6 a. Promulgate and implement policies in accordance with the declared state
7 policies on education and other pertinent provisions of the Constitution on
8 education, agriculture, science and technology, as well as the policies, standards
9 and thrusts of the CHED under Republic Act No. 7722, otherwise known as the
10 "Higher Education Act of 1994";
11

12 b. Approve the curricula, instructional programs, and rules of discipline
13 drawn by the Administrative and the Academic Councils herein provided;
14

15 c. Appoint, upon the recommendation of the President of the University, the
16 vice presidents, deans, directors, heads of the campuses, faculty members and other
17 officials and employees of the University;
18

19 d. Fix and adjust the salaries of faculty members, and administrative
20 officials and employees, subject to the provisions of the Revised Compensation and
21 Position Classification System and other pertinent budget and compensation laws
22 governing hours of service and such other duties and conditions as it may deem
23 proper; grant them, at its discretion, leaves of absence under such regulations as it
24 may promulgate, any provision of existing law to the contrary notwithstanding;
25 and remove them for cause in accordance with the requirements of due process of
26 law;
27

28 e. Fix the tuition fees and other necessary school charges, such as
29 matriculation fees, graduation fees and laboratory fees, as the Board may deem
30 proper to impose, after due consultation with the involved sectors. The fees and
31 charges, including government subsidies and other income generated by the
32 University, shall constitute its special trust funds, and shall be deposited in any
33 authorized government depository bank, and all interests that shall accrue
34 therefrom, shall form part of the same funds for the use of the University. Any
35 provision of existing law, rule or regulation to the contrary notwithstanding, any
36 income generated by the University from tuition fees and other charges, as well as
37 from the operation of auxiliary services, and land grants, shall be retained by the
38 University, and may be disbursed by the Board for instruction, research, extension
39 or other programs/projects of the University: *Provided*, That all fiduciary fees shall
40 be disbursed for the specific purposes for which these are collected; *Provided*
41 however, That if, for reasons beyond its control, the University shall not be able to
42 pursue any project for which the funds have been appropriated and allocated under
43 its approved program of expenditures, the Board may authorize the use of said
44 funds for any reasonable purpose which, in its discretion, may be necessary and
45 urgent for the attainment of the objectives and goals of the University;
46

47 f. Adopt and implement a socialized scheme of tuition and other school fees
48 for greater access of poor but deserving students in accordance with RA No. 10931
49 or "The Universal Access to Quality Tertiary Education Act";
50

51 g. Establish professorial chairs in the University and provide fellowships for
52 qualified faculty members, and scholarships to deserving students;

h. 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;

i. Set the policies on admission and graduation of students;

j. Award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture or any field of specialization within the academic competence of the University, and authorize the awarding of certificates of completion of nondegree and nontraditional courses;

k. Establish research and extension centers to promote the development of the University;

l. Develop academic arrangements for institutional capability building with appropriate institutions and agencies, public and private and local and foreign, and appoint experts/specialists as consultants, part-time, visiting/exchange professors, scholars or researchers, as the case may be;

m. Adopt modern and innovative modes of transmitting knowledge for the promotion of greater access to education such as the use of information technology, dual training system, open distance learning, and community laboratory;

n. Collaborate with the governing boards of the state universities and colleges (SUCs) within the Province of Abra or the Cordillera Administrative Region, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the University to make it more efficient, relevant, productive and competitive;

o. Absorb non-chartered tertiary institutions within the Province of Abra as branches and extension centers in coordination with the CHED and in consultation with the DBM, and offer therein programs or courses to carry out the Constitutional mandate of providing equal access to educational opportunities;

p. Authorize an external management audit of the University, to be financed by the CHED, subject to the rules and regulations of the Commission on Audit (COA), and institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

q. Develop consortia and other economic forms of linkages with local government units (LGUs), as well as public, private, local and foreign institutions and agencies, in the furtherance of the purposes and objectives of the University;

r. Import economic, technical, and cultural books and publications;

s. Enter into joint ventures with business and industry for the profitable development and management of the economic assets of the University, the proceeds from which shall be used for the development and strengthening of the University;

1
2 t. Receive, in trust, legacies, gifts and donations of real and personal
3 properties of all kinds and administer and dispose of the same, when necessary, for
4 the benefit of the University and subject to the limitations, directions and
5 instructions of the donor, if any;

6
7 u. Authorize the construction or repair of its buildings, machinery,
8 equipment and other facilities, and the purchase and acquisition of real property,
9 including the necessary supplies, materials and equipment;

10
11 v. Extend the term of the President of the University beyond the age of
12 retirement, but not beyond the age of seventy (70), based on the guidelines,
13 qualifications and standards set by the Board: *Provided*, That the President's
14 performance has been rated by the Board as outstanding and unanimous
15 recommendation has been made by the search committee;

16
17 w. Delegate any of its powers and duties provided to the President and other
18 officials of the University, as it may deem appropriate, so as to expedite the
19 administration of the affairs of the University;

20
21 x. Establish policy guidelines and procedures for participative decision-
22 making and transparency within the University;

23
24 y. Where most advantageous to the University, privatize the management of
25 non-academic services such as health, food, building or grounds or property
26 maintenance, and such other similar activities; and

27
28 z. Promulgate rules and regulations, as may be necessary, to carry out the
29 purposes and functions of the University.

30
31 **SEC. 8. Meetings of the Board.** – The Board shall regularly convene
32 once every three (3) months. The Chairperson of the Board may call a special
33 meeting whenever necessary: *Provided*, that members are notified in writing at
34 least three (3) days' prior to the conduct of said meeting.

35
36 A quorum of the Board shall consist of majority of all its members holding
37 office at the time of the meeting: *Provided, however*, That the Chairperson of the
38 Board or the 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
41 CHED Commissioner duly designated by the CHED Chairperson as representative
42 to the meeting, shall have all the rights and responsibilities of a regular member:
43 *Provided, however*, That in the said meeting, the President of the University, as
44 vice chairperson, shall be the presiding officer: *Provided, further*, That this
45 proviso, notwithstanding, the Chairperson of the CHED is hereby authorized to
46 designate a CHED Commissioner as the regular Chairperson of the Board, in which
47 case, the said CHED Commissioner, as the regular Chairperson of the Board, shall
48 act as the presiding officer.

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

representatives to attend the meeting, who shall have the same rights and responsibilities as the regular members of the Board.

The members of the Board shall not receive any salary, but shall be entitled to reimbursements for actual and necessary expenses incurred, either for their attendance in the meetings of the Board or in connection with other official business authorized by resolutions 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 and be appointed by the Board, subject to the guidelines, qualifications and standards set by the Board, upon the recommendation of a duly constituted search committee. The University President shall have a term of four (4) years and shall be eligible for reappointment for another term: *Provided*, That in order to effect the smooth transition to a state university, the incumbent president of the ASIST, if qualified, shall serve as the first president of the University.

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

The Board shall designate an officer-in-charge (OIC) of the University in case of vacancy in the Office of the President by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the President to perform the functions of the office, pending the appointment of a new President: *Provided*, That the OIC shall serve only for the unexpired portion of the term.

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 RA No. 6758 or the Compensation and Position Classification Act of 1989, as modified by Joint Resolution No. 4 dated June 17, 2009, and by such other laws amendatory thereto, which may hereinafter be enacted, and shall be comparable to that being received by the presidents of similar educational institutions.

The President of the University shall be assisted by a Vice President for Academic Affairs, a Vice-President for Administration, and a Vice-President for Research, Extension and Training, who shall be appointed by the Board upon the recommendation of the President of the University.

SEC. 10. *The Secretary of the University.* – The Board shall appoint a Secretary, who shall serve as such for both the Board and the University and who shall keep all records and proceedings of the Board. The Secretary of the University shall serve upon each member of the Board the appropriate notices of board meetings.

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

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Currently, ASIST, which caters to an average of 4,000 students every Academic Year, has a main campus in the Municipality of Lagangilang and another campus in the Municipality of Bangued, the Province’s capital town. It offers undergraduate programs in teacher education, agricultural technology, agribusiness, engineering, industrial technology, and forestry, as well as graduate programs in education, non-degree programs, and basic education program. Among the degree programs ASIST offers, Secondary Education, Elementary Education, and Agriculture have the highest numbers of enrollees and received Level II accreditation in the entire SUC. These programs are also well in their way to attain Level III status.

ASIST is strongly committed to research and extension services. It conducted the First Abrenian Inter-Agency RDE Conference last August 2016, participated by other higher education

1 **SEC. 12. *The Administrative Council.*** – There shall be an
2 Administrative Council consisting of the President of the University as
3 Chairperson, and the vice presidents, deans, directors and other officials of equal
4 rank as members, whose duties are to review and recommend to the Board the
5 policies governing the administration, management and development planning of
6 the University.

7
8 **SEC. 13. *The Academic Council.*** – There shall be an Academic Council
9 to be composed of the President of the University, who shall act as Chairperson,
10 and all academic staff with the rank of at least an assistant professor, as members.

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

19
20 **SEC. 14. *Heads of University Campuses.*** – The Campus Directors
21 shall serve as heads or administrators of the University campuses and shall render
22 full-time service.

23
24 They shall be appointed/designated by the Board upon recommendation of
25 the Search Committee and the President, subject to the guidelines, qualifications
26 and standards set by the Board: *Provided*, That the incumbent Campus Directors
27 of the existing campuses shall serve as the Campus Directors of their respective
28 campuses upon the effectivity of this Act.

29
30 **SEC. 15. *The Faculty.*** – No political belief, gender preference, cultural or
31 community affiliation or ethnic origin, and religious opinion or affiliation shall be a
32 matter of inquiry in the appointment of faculty members of the University:
33 *Provided*, That said appointment shall be subject to the guidelines, qualifications
34 and standards set by the Board: *Provided, further*, That no member of the faculty
35 shall teach for or against any particular church or religious sect.

36
37 **SEC. 16. *Scholarship Program and Admission.*** – The University
38 shall provide a scholarship program and other affirmative action programs to assist
39 poor but deserving students who qualify for admission to the University.

40
41 No student shall be denied admission to the University by reason of gender,
42 religion, cultural or community affiliation or ethnic origin.

43
44 **SEC. 17. *Authority to Loan or Transfer Apparatus, Equipment,***
45 ***Supplies and Detail of Personnel.*** – The heads of the bureaus and offices of
46 the national government are hereby authorized to loan or transfer, upon the
47 request of the President of the University, such apparatus, equipment or supplies
48 as may be needed by the University, and to detail employees for duty therein when,
49 in the judgment of the head of bureau or office, such apparatus, equipment,
50 supplies or services of such employees can be spared without serious detriment to
51 public service.

52

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. 18. Assets, Liabilities and Personnel. – All assets, real and personal, personnel and records of the ASIST, as well as its liabilities or obligations, are hereby transferred to the University: *Provided*, That 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: *Provided, further*, That the incumbents of the positions shall remain in the same status until otherwise provided for by the Boards: *Provided, finally*, That the University shall also include an upgrade or increase in its human resource component.

All parcels of land belonging to the government occupied by the ASIST and all its campuses, are hereby declared to be the property of the University, and shall be titled under its 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 or to the Republic of the Philippines, as the case may be.

SEC. 19. 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 (CMTA)”.

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. 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. 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 in Philippine Higher Education through

the Outcomes-Based and Typology-Based Quality Assurance): *Provided*, That the panel may issue such recommendation when the institution has substantially complied with the requirements for the grant of university status.

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

a. Faculty members with relevant degrees in their areas of specialization, as required by the CHED, and have participated in research and development activities in their respective disciplines, as evidenced by refereed publications and other scholarly outputs;

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

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

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

e. Active and ongoing linkages and affiliation with other research institutions in various parts of the world to ensure that the research activities of the University are functioning at current global standards; and

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

The CHED, through its regional office, shall regularly provide technical assistance to the institution and monitor compliance with the requirements of the Commission.

The institution shall retain its status prior to the effectivity of this Act until it is able to comply with the requirements provided herein.

SEC. 22. Appropriations. – The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations for the Abra State Institute of Sciences and Technology. 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. 23. Supplementary 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.

1 **SEC. 24. *Filing of Report.*** – On or before the fifteenth (15th) day of the
2 second month after the opening of the regular classes each year, the Board shall file
3 with the Office of the President of the Philippines, through the Chairperson of the
4 CHED, and with both Houses of Congress, a detailed report on the progress,
5 conditions and needs of the University.

6
7 **SEC. 25. *Parity Clause.*** – All other powers, functions and privileges,
8 responsibilities and limitations to state universities and their officials under
9 existing laws shall be deemed granted to or imposed upon the University and its
10 officials whenever appropriate.

11
12 **SEC. 26. *Implementing Rules and Regulations.*** – Within sixty (60)
13 days from the effectivity of this Act, the Board, in consultation with the CHED,
14 shall formulate the rules and regulations to fully implement the provisions of this
15 Act.

16
17 **SEC. 27. *Separability Clause.*** – If, for any reason, any part or provision
18 of this Act is declared invalid or unconstitutional, the remaining parts or provisions
19 not affected thereby shall remain in full force and effect.

20
21 **SEC. 28. *Repealing Clause.*** – All laws, presidential decrees, executive
22 orders, and rules and regulations contrary to or inconsistent with the provisions of
23 this Act are hereby repealed or modified accordingly.

24
25 **SEC. 29. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
26 publication in the *Official Gazette* or in a newspaper of general circulation.

27
28 *Approved,*