

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18th Congress
First Regular Session

HOUSE BILL NO. 6502

Introduced by: HON. LORNA C. SILVERIO

AN ACT CONVERTING THE BULACAN AGRICULTURAL STATE COLLEGE IN THE
PROVINCE OF BULACAN INTO A STATE UNIVERSITY TO BE KNOWN AS THE
BULACAN STATE AGRICULTURAL UNIVERSITY 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 Bulacan Agricultural State College in the Province of Bulacan, including its duly integrated campuses, namely: BASC Main in Barangay Pinaod, San Ildefonso; BASC Agriculture Campus in Barangay Poblacion, San Ildefonso; BASC DRT Campus in Barangay Pulong Sampaloc, Dona Remedios Trinidad; BASC-BTVC Campus at Barangay Pulong Gubat, Balagtas; and BASC-FNHAS in Barangay Guyong, Sta. Maria, all located in the Province of Bulacan is hereby converted into a State university to be known as the Bulacan State Agricultural University (BSAU), hereinafter referred to as the University. The main campus of the University shall be in Barangay Pinaod, San Ildefonso, Bulacan.

SECTION 2. General Mandate – The University shall be primarily providing advanced instruction and professional training in agriculture, forestry, veterinary medicine, agricultural engineering, geodetic engineering, fisheries, education, science and technology, arts, and humanities, information and communication technology, and other relevant fields of study. It shall also undertake research, extension services and production activities in support of the socio-economic development of Bulacan and provide progressive leadership in its areas of specialization.

SECTION 3. Course Offerings – The University shall offer undergraduate and graduate courses in the fields of agriculture, forestry, veterinary medicine, agricultural engineering, geodetic engineering, fisheries, education, science and technology, arts and humanities, information and communication technology, and other degree courses within its areas of specialization and according to its capabilities, as the Board of Regents may deem necessary to carry out its objectives and in order to meet the needs of the Province of Bulacan and the rest of neighboring provinces in Region III.

The existing reasonably-sized laboratory high school shall continue to operate under the control of the College of Education of the University to serve the in-campus requirements of the students in the College of Education.

SECTION 4. Administration – The University shall have the general powers of a corporation 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 vested exclusively in the Board of Regents and the President of the University.

SECTION 5. The 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 Chairperson of the Commission on Higher Education (CHED), as Chairperson;
- B. The President of the University, as Vice-Chairperson;
- C. The Chairperson of the Committee on Education, Arts and Culture of the Senate, as Member;
- D. The Chairperson of the Committee on Higher and Technical Education of the House of Representatives, as Member;
- E. The Regional Director of the National Economic and Development Authority (NEDA), as Member;
- F. The Regional Director of the Department of Science and Technology (DOST), as Member;
- G. The President of the Federation of Student Councils of the University, as Member;
- H. Two prominent citizens from the private sector who have distinguished themselves in their profession or fields of specialization of the University, as Members.

The Board shall appoint the two prominent citizens from among a list of at least five persons qualified in the Province of Bulacan, as recommended by the search committee constituted by the University President, in consultation with the Chairperson of the CHED and the other members of the Board, based on the normal standards and qualifications 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 alumni association shall be coterminus with their respective terms of office, as set forth in their respective constitutions and bylaws.

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

SECTION 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 CHED under Republic Act no. 7722, otherwise known as the “Higher Education Act of 1994”.

SECTION 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 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 the policies, standards and thrusts of the CHED under Republic Act no. 7722, otherwise known as the “Higher Education Act of 1994”;
- b. To promulgate rules and regulations as may be necessary to carry out the purposes and functions of the University;
- c. 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;
- d. To import economic, technical and cultural books and publications;
- e. 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;
- f. To fix the tuition fees and other necessary school charges, such as matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose after due consultation with the involved sectors. Such fees and charges, including government subsidies and other income generated by the University, shall constitute a special trust fund, and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

Any provision of existing law, rule or regulation 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 these are collected. If, for reasons beyond its control, The University shall not be able to pursue any project 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;

- g. To adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students.

- h. To authorize the construction or repair of its buildings, machinery, equipment and other facilities, purchase and acquisition of real property, including necessary supplies, materials and equipment;
- i. To appoint, upon the recommendation of the President of the University, the Vice Presidents, Deans, Directors, Heads of campuses, Faculty members and other officials and employees of the University;
- j. To fix and adjust salaries of Faculty members, 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 law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- k. To approve the curricula, instructional programs, and rules of discipline drawn by the Administrative and the Academic councils herein provided;
- l. To set the policies on admission and graduation of students;
- m. To 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 to authorize the awarding of certificates of completion of non-degree and non-traditional courses;
- n. To establish and absorb non-chartered tertiary institutions within the Province of Bulacan as branches and extension center in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses to carry out the constitutional mandate of providing equal access to educational opportunities;
- o. To establish research and extension centers to promote the development of the University;
- p. To establish professorial chairs in the University and to provide fellowships for qualified faculty members, and scholarships to deserving students;
- q. To delegate any of its powers and duties provided to the President and other officials of the University, as it may deem appropriate, so as to expedite the administration of the affairs of the University;
- r. To authorize an external management audit of the University, to be financed by CHED, subject to the rules and regulations of the Commission on Audit (COA); and

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

- s. To collaborate with the governing Boards of the State Universities and Colleges (SUCs) within the Province of Bulacan, under the supervision of the CHED and in consultation with the DBM, and work towards restructuring of the University to become more efficient, relevant, productive, and competitive;
- t. To 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;
- u. To develop consortia and other economic forms of linkages with Local Government Units (LGU's), institutions and agencies, both public and private, local and foreign, in the furtherance of the purpose and objectives of the University;
- v. 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, visiting or exchange professors, scholars, researchers, as the case may be;
- w. To set up the adoption of modern and innovative modes of transmitting knowledge such as use of information technology, the dual training system, open distance learning, and community laboratory for the promotion of greater access to education;
- x. To establish policy guidelines and procedures for participative decision making within the University;
- y. To privatize, where most advantageous to the University, the management of non-academic services such as health, food, building or grounds and property maintenance, and such other similar activities;and
- z. To extend the term of the President beyond the age of retirement, but not beyond the age of seventy (70) based on the guidelines, qualifications and standard acts by the Board; Provided, that the President's performance has been rated by the Board as outstanding, and after a unanimous recommendation by the search committee.

SECTION 8. Meetings of the Board – The Board shall regularly convene at least once every quarter. However, the Chairperson of the Board may, upon three days prior to notice, call a maximum of two special meetings whenever necessary.

The quorum of the Board shall consist of majority of all its members holding office at the time of the meeting: Provided, however, that the Chairperson of the Board or the President of the University are among those present in the meeting.

In the absence of the Chairperson of CHED, a Commissioner of CHED, duly designated by him/her shall represent him/her 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 Chairperson shall be the presiding officer: Provided, further, that this provision notwithstanding, the Chairperson of CHED is hereby authorized to designate a CHED Commissioner as a regular chair of the Board, in which case said CHED Commissioner shall act as presiding officer,

In case the Chairpersons of the Congressional Committees on Education shall not be able to attend the Board meeting, they may duly designate their respective representatives to attend the said meeting, who shall have the same rights and responsibilities as a regular member 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 in their attendance to meetings of the Board in connection with other official business authorized by resolution of the Board, subject to existing laws and regulations.

SECTION 9. The University President - The University shall be headed by a President, who shall render full-time service. He/She shall be appointed by the Board, subject to guidelines, qualifications and/or standards set by the Board, upon recommendation of a duly constituted search committee. He/She shall have a term of four years and shall be eligible for re-appointment for another term: Provided, that in order to effect a smooth transition to a State university, the incumbent President of the Bulacan Agricultural State College, if the Board deems fit, shall serve as the first University President.

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

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 the admission of students, as well as for their graduation and the conferment of degrees, subject to review and/or approval by the Board through the President of the University. It shall have the disciplinary power over students of the University and shall formulate academic policies, rules and regulations on discipline, subject to the approval of the Board.

SECTION 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 shall keep all records and proceedings of the Board. He/She shall serve upon each member of the Board the appropriate notice of the Board meetings.

SECTION 11. The Treasurer of the University.- The Treasurer of the University shall be the ex-officio Treasurer of the University.

SECTION 12. 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 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.

SECTION 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.

SECTION 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 Philippine Constitution.

SECTION 15. Authority to Loan or Transfer Apparatus/Equipment/Supplies and Detail of Personnel. – The Heads of the 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, 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.

SECTION 16. Assets, Liabilities and Personnel –

All assets, real, and personal, personnel and records of the Bulacan Agricultural State College, and its duly integrated campuses; BASC Main in Barangay, Pinaod, San Ildefonso; BASC Agriculture Campus in Barangay Poblacion, San Ildefonso; BASC-DRT Campus in Barangay Pulong Sampaloc, Dona Remedios Trinidad; BASC-BTVC Campus in Barangay Pulong Gubat, Balagtas; and BASC-FNHAS in Barangay Guyong, Sta. Maria, all located in the Province of Bulacan; as well as the liabilities or obligations, are hereby transferred to the University. 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,

All parcels of land belonging to the Government occupied by the Bulacan Agricultural State College in the BASC Main in Barangay Pinaod, San Ildefonso; BASC Agriculture Campus in Barangay Poblacion, San Ildefonso; BASC-BTVC Campus in Barangay Pulong Gubat, Balagtas; BASC-DRT Campus in Barangay Pulong Sampaloc, Dona Remedios Trinidad; and BASC-FHNAS in Barangay Guyong, Sta. Maria all located in the Province of Bulacan are hereby declared to be property of the University, and shall be titled under that name: Provided,

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

SECTION 17. Appropriations. - The amount necessary to carry out the initial implementation of this Act shall be charged against the current year's appropriations of the Bulacan Agricultural State College, except the sums needed to continue the operations of the existing high schools. Thereafter, the sums as may be necessary for the continued operation and maintenance of Bulacan State Agricultural University shall be included in the annual General Appropriations Act. The LGUs concerned shall continue to provide assistance to the University corresponding to the funding given to the Bulacan Agricultural State College before the same are integrated into the University are included in the annual General Appropriations Act.

SECTION 18. Development Plan, Management Audit, Organizational/Administrative/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-year development plan, including its corresponding program budget to the CHED, for corresponding recommendation to DBM;
- b. Undergo a management audit in cooperation with the CHED; and
- c. Accordingly set up its organizational, administrative, as well as academic structure, including the appointment of the University key officials.

SECTION 19. Filing of Report. – On or before the fifteenth day of the second month after the opening of 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.

SECTION 20. Suppletory Application. - The provisions of Republic Act 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.

SECTION 21. 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.

SECTION 22. Implementing Rules and Regulations. – The Board, in consultation with CHED, shall formulate the guidelines to fully implement the provisions of this Act.

SECTION 23. Separability Clause. – If, for any reason, any part of of provision of this Act declared invalid or unconstitutional, the remaining parts or provisions shall remain in full force and effect.

SECTION 24. Repealing Clause. –All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 25. Effectivity. - This Act shall take effect after fifteen (15) days after its publication in the Official Gazette or in newspapers of general circulation.

Approved,

Lorna A. Alvarado