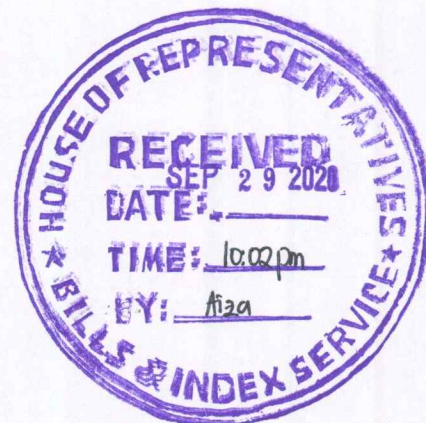


EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



HOUSE OF REPRESENTATIVES

House Bill No. 7797

Introduced by Representative VICTOR A. YAP

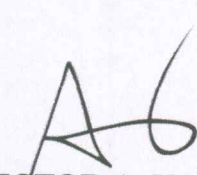
EXPLANATORY NOTE

It has been 114 years since the founding of Tarlac State University (TSU) in 1906 and more than 30 years when it was conferred University Status through Republic Act no. 6764. Over the decades, the vision of TSU has always been to become a premiere state university in the Asia-Pacific region.

TSU is one of the most admired and respected public universities in the country and abroad. With its wide array of course programs and research studies, TSU has achieved many academic milestones and has partnered with various prestigious universities all over the world. However, despite its current exalted status, this representation believes that there is a need to revise the charter of the university to adapt to the future and prepare our students towards achieving higher excellence and global development.

This bill, therefore, seeks to amend Republic Act No. 6764, also known as "Tarlac State University Charter" and update its provisions to make the university globally competitive and future-proof. It is the hope of this humble representation that through this legislation, TSU will finally reach its goal of becoming a premier university in the Asia-Pacific region.

In the interest of education and development, earnest passage of this bill is earnestly sought.


VICTOR A. YAP
Representative, Second District, Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 7797

Introduced by Representative VICTOR A. YAP

AN ACT
AMENDING THE PROVISIONS OF REPUBLIC ACT. NO. 6764 ENTITLED “TARLAC
STATE UNIVERSITY CHARTER” AND AUTHORIZING THE APPROPRIATION OF
FUNDS THEREOF

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

SECTION 1. **Tarlac State University.** – Tarlac State University is a science and
technology state university with different campuses within the province of Tarlac.

SECTION 2. **General Mandate.** –The University shall provide quality and advanced
instruction, as well as undertake research, public/extension services and production activities
towards national and global development.

SECTION 3. **Objectives of the University.** – The University shall offer curricular
programs in science and technology, education, business, humanities, law, medicine and allied
medical professions, sports and human kinetics, and other programs, both in the undergraduate
and graduate, that the Board of Regents may approve as deemed necessary.

The University witnesses the transformation of the Tarlac Province into a fast developing
and growing economic site of the country and thus recognizes the significant roles of the local
government units and the need to support and strengthen the local chief executives’ leadership
and management skills that will further improve the delivery of human and social services in the
province and in the region. Hence, the University shall offer post graduate programs on public
administration, public works, human services, social work, and executive programs that are
responsive to the needs of the business and industry, public servants and leaders and would be
leaders (such as Executive Programs/ Ladderized Programs for Leaders, Public Servants,
Business Managers/ Officers, etc.).

A laboratory school (early childhood, primary, junior and a senior high school, and
special education) shall be established under the College of Teacher Education for the
enhancement of its curricular programs.

SECTION 4. **The Governing Board; manner of appointment.** –

(a) **Composition** – The governing body of the University shall be the Board of
Regents which shall be composed of the following:

- (i) Chairperson of the Commission on Higher Education (CHED), Chairperson;
- (ii) President of the University, Vice Chairperson;
- (iii) Chairpersons of the Congressional Committees on Education and Culture;
- (iv) Representative of the National Economic Development Authority (NEDA);
- (v) Representative of the Department of Science and Technology (DOST);
- (vi) Representative of the Faculty Association;
- (vii) Representative of the Non-Teaching/ Personnel Association
- (viii) President of the Supreme Student Council or the student representative elected by the student council: *Provided*, That in the absence of a student council president or a student representative elected by the student council, the University shall schedule one (1) week for the campaign and election of student representative;
- (ix) President of the alumni association;
- (x) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization chosen from among lists of at least five (5) persons qualified in the city or the province where the school is located, as recommended by the search committee constituted by the Board in consultation with the Chairperson of the CHED based on the normal standards and qualifications for the position;

The faculty, non-teaching/non-academic staff and the student council shall represent their respective federations. The private sector representatives shall be appointed by the Board of Regents/Trustees upon recommendation of a duly constituted search committee.

(b) *Term of office* – The president of the faculty, president of the non-teaching/ non-academic personnel and alumni associations and the student regents shall sit in the board until expiration of their term of office in such capacities.

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

(c) *Meetings; quorum* – The Board of Regents shall regularly convene at least once every quarter. The Chairperson of the Board of Regents may call a special meeting whenever necessary: *Provided*, that members are notified in writing at least three (3) days prior to the said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: *Provided*, that the Chairperson of the CHED who is the chairperson of the Board or the president of the university is among those present in the meeting. In the absence of the Chairperson 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 in the said meeting, the president of the university as vice chairperson shall be the presiding officer: *Provided*, further, That this proviso notwithstanding, the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the regular Chair to the Board, in which case said CHED Commissioner shall act as the presiding officer.

The members shall serve without compensation, but they shall be reimbursed for necessary expense incurred in their attendance of meetings of the Board or in connection with their official business authorized by the resolution of the Board.

1
2 **SECTION 5. Powers and duties of Governing Boards.** – The governing board shall
3 have the following specific powers and duties in addition to its general powers of administration
4 and the exercise of all the powers granted to the board of directors of a corporation under Section
5 35 of Republic Act No. 11232, otherwise known as the Revised Corporation Code of the
6 Philippines:

- 7
8 (a) to enact rules and regulations not contrary to law as may be necessary to carry out the
9 purposes and functions of the University;
10
11 (b) to receive and appropriate all sums as may be provided, for the support of the University
12 in the manner it may determine, in its discretion, to carry out the purposes and functions
13 of the university;
14
15 (c) to receive in trust legacies, gifts and donations of real and personal properties of all kinds,
16 to administer and dispose the same when necessary for the benefit of the university,
17 subject to limitations, directions and instructions of the donors, if any. Such donations
18 shall be exempt from all taxes and shall be considered as deductible items from the
19 income tax of the donor;
20
21 (d) to fix the tuition fees and other necessary school charges, such as but not limited to
22 matriculation fees, graduation fees and laboratory fees, as their respective boards may
23 deem proper to impose after due consultations with the involved sectors.
24

25 Such fees and charges, including government subsidies and other income generated by
26 the University shall constitute a special trust fund and shall be deposited in any authorized
27 government depository bank. All interests that shall accrue there from shall be part of the same
28 fund for the use of the university: *Provided*, That income derived from university hospitals, if
29 established, shall be exclusively earmarked for the operating expenses of the hospitals.
30

31 Any provision of existing laws, rules and regulations to the contrary notwithstanding, any
32 income generated by the University from tuition fees and other charges, as well as from the
33 operation of auxiliary services and land grants, shall be retained by the University, and may be
34 disbursed by the Board of Regents for the professional growth and development, health, welfare,
35 and other benefits of the students, faculty members and other personnel: *Provided*, That all
36 fiduciary fees shall be disbursed for the specific purposes for which they are collected.
37

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

- 44 (e) to adopt and implement a socialized scheme of tuition and school fees for greater access
45 to poor but deserving students;
46
47 (f) to authorize the construction or repair of its buildings, machineries, equipment and other
48 facilities and the purchase and acquisition of real and personal properties including
49 necessary supplies, materials and equipment. Purchases and other transactions entered

1 into by the university through the Board of Regents shall be exempt from all taxes and
2 duties;

3
4 (g) to appoint, upon the recommendation of the President of the University, vice presidents,
5 deans, directors, heads of departments, faculty members and other officials and
6 employees;

7
8 (h) to fix and adjust salaries of faculty members and administrative officials and employees
9 subject to the provisions of the revised compensation and classification system and other
10 pertinent budget and compensation laws governing hours of service, and such other
11 duties and conditions as it may deem proper; to grant them, at its discretion, leaves of
12 absence under such regulations as it may promulgate, any provisions of existing law to
13 the contrary notwithstanding; and to remove them for cause in accordance with the
14 requirements of due process of law; Newly appointed faculty and personnel who has
15 exceptional and outstanding qualification will be evaluated using the approved
16 instrument and shall enjoy commensurate salary subject to the availability of funds.

17
18 Approved faculty ranks without available budget allocation from the national government
19 shall be funded by the university through its income.

20
21 The board will approve granting of compensation to extra load. Designated/appointed
22 personnel shall be given an additional remuneration equivalent to the position during their
23 incumbency.

24
25 Any work in excess/beyond the regular working hours/load shall be provided an
26 acceptable remuneration.

27
28 For Presidents and Vice presidents who served for two (2) years, they shall retain their
29 equivalent compensation, whichever is higher relative to their academic rank, upon the
30 expiration or termination of their appointment provide that they delivered excellent service
31 during their incumbency;

32
33 (i) to set the number of prescribed working hours of faculty members considering their four-
34 fold functions on instruction, research, extension, and production.

35
36 (j) to approve the curricula, institutional programs and rules of discipline drawn by the
37 administrative and academic councils as herein provided;

38
39 (k) to set policies on admission, retention and graduation of students;

40
41 (l) to award honorary degrees upon persons in recognition of outstanding contribution in the
42 field of education, public service, arts, science and technology, sports and human kinetics
43 or in any field of specialization within the academic competence of the university and to
44 authorize the award of certificates of completion of non-degree and non-traditional
45 courses;

46
47 (m) to absorb non-chartered tertiary institutions within their respective provinces in
48 coordination with the CHED and in consultation with the Department of Budget and
49 Management, and to offer therein needed programs or courses, to promote and carry out
50 equal access to educational opportunities mandated by the Constitution;

- 1
- 2 (n) to establish campuses in different cities and municipalities of the province and define the
- 3 administration thereof;
- 4
- 5 (o) to establish research and extension centers of the University where such will promote the
- 6 development of the latter;
- 7
- 8 (p) to establish chairs in the University and to provide fellowships for qualified faculty
- 9 members and scholarships to deserving students;
- 10
- 11 (q) to delegate any of its powers and duties provided for hereinabove to the president and/or
- 12 other officials of the University as it may deem appropriate so as to expedite the
- 13 administration of the affairs of the University;
- 14
- 15 (r) to authorize an external management audit of the institution, to be financed by the CHED
- 16 and to institute reforms, including academic and structural changes, on the basis of the
- 17 audit results and recommendations;
- 18
- 19 (s) to collaborate with other governing boards of SUCs within the province or the region,
- 20 under the supervision of the CHED and in consultation with the Department of Budget
- 21 and Management, the restructuring of the University to become more efficient, relevant,
- 22 productive, and competitive;
- 23
- 24 (t) to enter into joint ventures with business and industry for the profitable development and
- 25 management of the economic assets of the institution, the proceeds from which to be
- 26 used for the development and strengthening of the University;
- 27
- 28 (u) to develop consortia and other forms of linkages with local government units, institutions
- 29 and agencies, both public and private, local and foreign, in furtherance of the purposes
- 30 and objectives of the institution;
- 31
- 32 (v) to develop academic arrangements for institution capability building with appropriate
- 33 institutions and agencies, public or private, local or foreign, and to appoint
- 34 experts/specialists as consultants, or visiting or exchange professors, scholars,
- 35 researchers, as the case may be;
- 36
- 37 (w) to set up the adoption of modern and innovative modes of transmitting knowledge such as
- 38 the use of information technology, the dual system, open learning, community
- 39 laboratory, etc., for the promotion of greater access to higher education;
- 40
- 41 (x) to establish policy guidelines and procedures for participative decision-making and
- 42 transparency within the institution;
- 43
- 44 (y) to privatize, where most advantageous to the institution, management and non-academic
- 45 services such as health, food, building or grounds or property maintenance and similar
- 46 such other objectives; and
- 47
- 48 (z) to extend the term of the president of the university beyond the age of retirement but not
- 49 later than the age of seventy (70), whose performance has been unanimously rated as

1 outstanding and upon unanimous vote of the member of the Board and unanimous
2 recommendation by the search committee for the president of the institution concerned.
3

4 **SECTION 6. Promulgation and implementation of policies.** – The governing boards
5 shall promulgate and implement policies in accordance with the declared state policies on
6 education and other pertinent provisions of the Philippine Constitution on education, science and
7 technology, arts, culture and sports; as well as the policies, standards and thrusts of the CHED
8 under Republic Acts No. 7722.
9

10 **SECTION 7. The Administration.** – The administration of the University shall be vested
11 in the president of the University who shall render full-time service. He/she shall be appointed by
12 the Board of Regents, upon the recommendation of a duly constituted search committee. He/she
13 shall have a term of four (4) years and shall be eligible for reappointment for another term:
14 Provided, that this provision shall not adversely affect the terms of the incumbents.
15

16 The president shall be assisted by vice presidents who shall be appointed by the Board
17 upon the former's recommendation without prejudice to the appointment of more than one vice
18 president when so warranted.
19

20 In case of vacancy by reason of death, resignation, removal for cause or incapacity of the
21 president to perform the functions of his office, the Board shall have the authority to designate an
22 officer-in-charge pending the appointment of a new president.
23

24 In case of vacancy in the office of the president as mentioned in the immediately
25 preceding paragraph, his successors shall hold office for the unexpired term.
26

27 **SECTION 8. The Secretary of the University.**– The Board shall appoint a secretary
28 who shall serve as such for both the Board and the University, and shall keep records and
29 proceedings of the Board. He /she shall communicate to each member of the Board notice of
30 meetings.
31

32 **SECTION 9. The treasurer of the Philippines.** – The Treasurer of the Philippines shall
33 be the ex-officio treasurer of the University. All accounts and expenses of the University shall be
34 audited by the Commission on Audit or its duly authorized representative.
35

36 **SECTION 10. Administrative Council.** – There shall be an administrative council
37 consisting of the president of the University as Chairman, the vice president(s), deans, directors
38 and other officials of equal rank as members, and whose duty is to review and recommend to the
39 Board of Regents policies governing the administration, management and development planning
40 of the University for appropriate action.
41

42 **SECTION 11. Academic Council.** – There shall be an academic council with the
43 president of the university as Chairman and all members of the instructional staff with the rank
44 of not lower than assistant professor as members.
45

46 The academic council shall have the power to review and recommend the curricular
47 offerings and rules of discipline of the university subject for appropriate action of the Board of
48 Regents/Trustees. It shall fix the requirements for the admission of students as well as for
49 graduation and the conferment of degrees subject to review and/or approval by the Board of
50 Regents through the president of the university.

1
2 **SECTION 12. Academic freedom.** – Pursuant to paragraph 2, Section 5 of Article XIV
3 of the Constitution of the Republic of the Philippines, the University shall enjoy academic
4 freedom and institutional autonomy.

5
6 Faculty members shall enjoy academic freedom in the discharge of their professional
7 duties, particularly with regard to teaching and classroom methods.

8
9 **SECTION 13. Admission.** – No student shall be denied admission to the university by
10 reasons of sex, nationality, religion, political affiliation, or physical disability.

11
12 **SECTION 14. Filing of Report** – On or before the fifteenth (15th) day of the second
13 month after the opening of regular classes each year, the President of the University shall file
14 with the Office of the President of the Philippines through the Chairman of the CHED, and with
15 the Senate and House of Representatives a detailed report on the progress, conditions and needs
16 of the University.

17
18 **Section 15. Transitory Provisions.**– All employees of the Tarlac State University shall
19 be retained in their present positions. No one shall be adversely affected by the approval of the
20 amendments of the original charter. The incumbent President shall continue in office until the
21 expiration of one term.

22
23 **SECTION 16. Appropriations.**–The amount needed to carry out the provisions of this
24 Act is hereby authorized to be appropriated in the General Appropriations Act of the year
25 following its enactment into law.

26
27 **SECTION 17. Separability clause.** –If any provision of this Act is declared invalid or
28 unconstitutional, the remaining provisions not affected thereby shall remain in full force and
29 effect.

30
31 **SECTION 18. Repealing clause.**– All laws, decrees, executive orders, letters of
32 instruction, and other presidential issuances contrary to or inconsistent with this Act are hereby
33 repealed, amended or modified accordingly.

34
35 **SECTION 19. Effectivity.** –This Act shall take effect fifteen (15) days after its
36 publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved