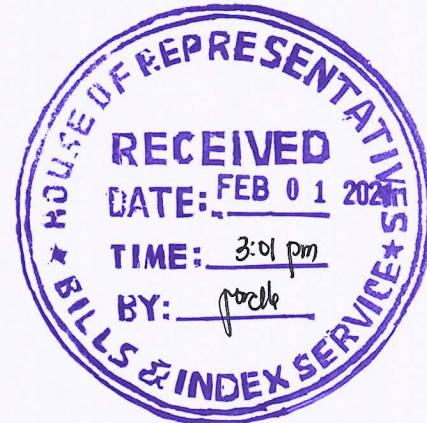


Republic of the Philippines
House of Representatives
Quezon City, Metro, Manila

Eighteenth Congress
_____ Session

HOUSE BILL NO. 8596



Introduced by DEPUTY SPEAKER VILMA SANTOS-RECTO

6th District Of Batangas

REP. ELENITA MILAGROS "EILEEN" ERMITA-BUHAIN

1st District Of Batangas

REP. RANEO "RANIE" E. ABU

2nd District Of Batangas

REP. MA. THERESA V. COLLANTES

3rd District Of Batangas

REP. LIANDA B. BOLILIA

4th District Of Batangas

REP. MARIO VITTORIO "MARVEY" A. MARIÑO

5th District of Batangas

AN ACT
DECLARING THE BATANGAS STATE UNIVERSITY AS THE
NATIONAL ENGINEERING UNIVERSITY, STRENGTHENING FOR
THE PURPOSE, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The Batangas State University has an enduring history of providing quality, relevant and accessible education and training to the Filipino youth since its humble beginnings some 117 years ago.

Established as a Manual Training School in 1903, the University is the oldest educational institution in the CALABARZON Region. It was named Batangas Trade School in 1905 but gained national trade status only on June 18, 1952 by virtue of Republic Act 741. Known for its excellent vocational and technical courses, it became the top provider of skilled workers in the establishment of several big manufacturing and industrial plants in Batangas and nearby provinces. In 1957, by virtue of R.A. 4769, the institution was converted into a school of arts and trade and was named Pablo Borbon Memorial Regional School of Arts and Trade. The School continued to offer various vocational and technical courses based on the increasing demands for manpower in the area. In 1965, it offered Bachelor of Science in Industrial education to fill the gap for vocational education teachers brought about by the rapid enrolment growth in vocational and technical education programs.

Recognizing its role and early contribution in the economic growth and development in the area, the school was converted into a state college in 1968 through R.A. 5270 and was renamed Pablo Borbon Memorial Institute of Technology (PBMIT). Aside from technical education and professional instruction in industrial education, it was mandated to offer, as it did so, engineering programs to uplift the technological potential and talents of the youth in this part of the archipelago. Since then, the Institute provides progressive leadership in the field of technical, industrial, technological, and engineering education.

With the remarkable achievements of the Institute and its graduates in a span of more than three (3) decades, in terms of: its superior performance in licensure examinations; as a consistent top performing school in mechanical engineering coupled with a number of topnotchers in different engineering programs; the high employability of its graduates; and its growing relevance and accessibility through the establishment of nine (9) extension campuses in different municipalities in the Province of Batangas, it was finally elevated into a state university in 2001 by virtue of R.A. 9045. It was named Batangas State University.

Since its conversion to a state university, the University's programs in engineering, allied sciences, and technology have propelled its rise to national service, prominence and recognition. It already produced almost 200 topnotchers in licensure examinations mostly in engineering and other top performing programs of the University. It has gained the national recognition as a Center of Excellence (COE) in Electronics Engineering, and as Centers of Development in Electrical Engineering and Mechanical Engineering, and similarly with the other programs of the university.

The University has ten (10) engineering, computer science, and IT programs accredited by the United States Accreditation Board for Engineering and Technology (ABET), the global gold standard for engineering and computing. It is the first and only state university in the country whose engineering, computing science and IT programs are ABET accredited, which gives the University a due recognition that the quality of its graduates are at par with foreign universities of similar accreditation- a distinctive mark of quality and excellence.

The 11,169 or 27% of its total enrolment during the 1st Semester, AY 2020-2021, belongs to the College of Engineering, Architecture and Fine Arts, making the University as one of the Philippines' leading providers of engineering education and producers of engineers and professionals in the region and in the country. Some of its graduates assumed a prominent role in the practice of their profession that contributed to the development of the industry locally and globally. Few are occupying key positions in the government with certain degree of pride and distinction as an alumni of the University.

Currently, the University has eleven (11) campuses with 41,132 students, coming from 35 different provinces, cities and municipalities all over the country. They are enrolled in over 100 undergraduate and graduate degree programs, which include 45 graduate and undergraduate programs in a wide range of fields in engineering. In 2018, the

University started offering programs in disaster risk management, the first among SUCs in the CALABARZON Region.

As part of its ten-year strategic plan, the University offers new and emerging graduate and undergraduate programs with curricula that would develop 21st century competencies, and advance the UN Global Goals for Sustainable Development (SDGs) as well as the Philippines' National Harmonized Research Agenda. These include aerospace engineering, geological engineering, geodetic engineering, biomedical engineering, naval architecture and marine engineering, ceramics engineering, transportation engineering, metallurgical engineering, materials engineering, earthquake engineering, energy engineering, engineering management, engineering education, and highly specialized fields in artificial intelligence, advance manufacturing, construction management, data science and analytics, and public health for disaster response.

The above cited new programs complement the equally important degree programs in engineering, which put the University to prominence and national recognition that include: mechanical engineering, electrical engineering, chemical engineering, civil engineering, computer engineering, electronics engineering, food engineering, industrial engineering, instrumentation and control engineering, mechatronics engineering, petroleum engineering, sanitary engineering, and a degree program in architecture, interior design, and fine arts and design.

The University also boasts of its 29 ASEAN Engineers in the faculty roster awarded by the ASEAN Federation of Engineering Organizations (AFEO). It is the highest among higher education institutions in the country. They are allowed to practice their profession outside of their home country and carry with them an ASEAN-approved and recognized professional qualification, which makes them globally competitive to the utmost benefits of our students and the whole academic community.

Its partnerships and linkages with foreign universities for instruction and research have also grown over the years. It has an on-going partnerships with a number of Universities in Asia, Australia and in the US, and a number of foreign students in its registry, which taken together, makes the University's internationalization initiatives for excellence more pronounced and beneficial to both faculty and students.

With research and innovation as a powerful means of transforming lives, the University spearheaded, despite of the limited funding support, the establishment of various research centers, including the Science, Technology, Engineering and Environment Research Hub or STEER Hub, recognized by the Regional Development Council of Region IV-A as the CALABARZON's Center for Science, Technology, Engineering and Environmental Research.

In 2018, the University established the Verde Island Passage Center for Oceanographic Research and Aquatic Life Sciences or VIP Corals, and has started conducting collaborative research with other researchers of SUCs in both MIMAROPA and CALABARZON regions. The Center provides research, teaching and extension services

relevant to the marine resources and its maritime environment in the VIP declared as the "*center of the center of marine biodiversity in the world*". The Center also trains LGUs in the VIP on marine protection, livelihood programs, policy formulation thereof, and in boosting the local tourism industry.

To further strengthen the University's research program and to specifically address the challenges in the areas of resilient infrastructure, disaster risk reduction and management, tourism, GIS application development, and agriculture e-commerce among others, the BRIDGES or Building Research and Innovation Development Goals for Engineering SUCs is established. It is a research - based extension service program of the University geared towards providing solutions in the problems of the community through active collaboration with state universities and colleges in the country.

On May 22, 2020 by virtue of Proclamation No. 947, President Rodrigo R. Duterte designated the BatStateU Knowledge, Innovation, and Science Technology or KIST Park as a Special Economic Zone. It is the first KIST Park registered by the Philippine Economic Zone Authority or PEZA. It is envisioned as the country's primary seedbed and enclave for technology that nurtures the development and growth of new, small, high-tech firms. It shall facilitate the transfer of university know-how to locator-companies and vice-versa, encourage the development of faculty or student-based spin-offs, and stimulate the development of innovative products and processes.

With all its academic, research and extensions gains and successes, the University received in 2020 a three-star rating from Quacquarelli Symonds (QS) Stars University Rating, putting the University in the QS list of top universities.

Other remarkable achievements of the University over the past years that contributed to its rise and prominence include the following:

1. Batangas State University was named one of the country's model higher education institutions by the Commission on Higher Education (CHED) in 2016.
2. The University is designated a Level IV state university and an institutionally ISO 9001:2015 certified, which demonstrate its excellence in instruction, research competence, active community service, efficient management of resources; and its capacity to consistently provide education services that satisfactory meets stakeholders' expectations as well as comply with applicable statutory and regulatory requirements respectively.
3. Two of the University's research projects the Tactical Operation Amphibious Drive or TOAD and the Solar-Powered Isotropic Generator of Acoustic Wave or SIGAW received the National Gawad KALASAG (Kalamidad at Sakuna Labanan, Sariling Galing ang Kaligtasan) from the Office of Civil Defense-NDRMC.

4. The University was also awarded in 2019 the most sustainable and eco-friendly school in the region, the Nestle Water Leadership Award, the One MERALCO Energy Leadership Award, and adjudged as the National Winner-College Level for the Energy Leadership Award.
5. Since 2015, massive infrastructure development and acquisition of laboratory equipment and other instructional materials were undertaken to provide its students an environment conducive for learning and an educational experience that will make them competent and morally upright citizens of the country. A once typical campus with few old and almost dilapidated buildings was transformed to a welcoming and inclusive learning environment with amenities and facilities at par with the best universities and colleges in the country today.

As the University celebrates its 118 years of meaningful existence and the 50th Anniversary of the College of Engineering, it is now strongly poised to embark on even larger mandate of scaling towards greater heights the engineering education in the country. Boldly and courageously the University envisions to become the national engineering university.

Consistent thereto, the University's Strategic Plan 2019-2029 *Scaling Greater Heights of Excellence in Innovation and Social Transformation* has articulated the University's commitment to further strengthen its strategic focus for excellent instruction, high impact research and community engagement, and greater public service benefit of a national engineering university. Its strategic goals and initiatives are anchored on: Brand of Excellence, Accessibility, Social Relevance, Inclusive Innovation, Capacity, and Sustainability or simply, BASICS.

Complimentary to the strategic plan, the University crafted the Engineering Development Program FY 2021-2025. The Five-Year Engineering Development Program demonstrates a transformative institutional mind set and contains action-driven initiatives to help the University evolve from being a higher education leader in the region to an important national leader in producing the country's highly-skilled knowledge force in the global knowledge economy with emphasis on the United Nations Sustainable Development Goals (SDGs). The plan includes: a program for human resource development, the establishment of the Center for Innovations in Engineering Education (CIEE), Engineering Development Hub, Communal Spaces for Innovation and Success Building, Engineering and Technology Library; the BatStateU Engineering Research Agenda; and Engineering Extension Services Agenda over the next five years, 2021-2025.

All that the University has done and continuously been doing for the past years are geared towards its vision of becoming "*A premier national university that develops leaders in the global knowledge economy*". Beyond its vision is the attainment of national relevance by making significant contribution in the economy and of playing a dynamic role in the sustainable national development. It shall produce adequate and well-trained engineers and other professionals who can provide solutions to country's

challenges in energy, infrastructures, environment, information and telecommunication, construction, production, transportation and other facilities for living. All these find harmony to the University's hallmark of service: *Leading Innovations, Transforming Lives*.

Recognizing the need for a shared commitment, to provide leadership, and to take a specific action to support the University in its strategic initiatives to be declared as the national engineering university, the BatStateU Board of Regents, during its regular meeting on December 02, 2020, passed Resolution No. 138, s. 2020 unanimously endorsing the declaration of the Batangas State University as the national engineering university.

There can be no better time to fully support and declare the Batangas State University as *the national engineering university*.

As the National Engineering University, Batangas State University will be more learner-centered, reform and transformation-focused; provide greater access, relevance and inclusivity with a broader geographical service areas and sectors of the society; adopt a more innovative educational approaches including contents, methods, practices and means of delivery; and attain a responsible and accountable governance and management that combines social vision, and greater understanding of the framework for change and development, and of shaping a new vision for engineering education in the country.

The immediate passage of this measure is highly sought.



VILMA SANTO-RECTO



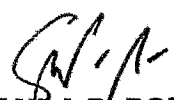
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DECLARING THE BATANGAS STATE UNIVERSITY AS THE
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THE PURPOSE, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title.* — This Act shall be known as "The Batangas State University
Charter of 2021"

SEC. 2. *Declaration of Policy.*—The Batangas State University is hereby declared as
the national engineering university.

The State shall promote quality education that is accessible and relevant to the
changing needs of the people and society. In this light, the State shall
strengthen the Batangas State University as the national engineering university.

SEC.3. *Purpose of the University.*—As the national engineering university, committed
for the development of leaders in the global knowledge economy, the Batangas
State University shall:

- (a) Lead in the generation of productive knowledge, innovation and technology to develop relevant and technical higher order skills needed to compete in the global knowledge economy;
- (b) Provide progressive leadership in setting academic standards and initiating innovations in advanced instruction, research, and professional training in the fields of engineering education, and maintain centers of excellence in such disciplines and professions;
- (c) Strengthen engineering programs of the country through the development and offering of industry-driven and emerging engineering programs; spearhead collaboration between the academe and engineering industries; and lead in the implementation of innovative pedagogies in engineering education through the Center for Innovations in Engineering Education (CIEE);
- (d) Make important contribution to the economy by producing adequate and well-trained engineers and other professionals who can provide solutions to country's challenges in energy, infrastructures, environment, information and telecommunication, construction, production, transportation and other facilities for living;
- (e) Serve as a graduate university by providing advanced studies and specialization for engineers, scientists, entrepreneurs, industry practitioners, and other professionals, primarily for those who serve as faculty of the state and private colleges and universities;
- (f) Serve as a research university in engineering and related field of specialization by conducting basic and applied research and development, promoting research in various colleges and universities in the country, and contributing to the dissemination and application of knowledge;
- (g) Contribute to national economic growth, jobs creation, domestic and foreign investment, and community wellbeing through the university-based Knowledge, Innovation and Science Technology (KIST) Park, designated as a Special Economic Zone by virtue of the Presidential Proclamation No. 947 dated 22 May 2020.

- (h) Lead in the protection, conservation, and strategic management of the Verde Island Passage (VIP), described as the "center of the center of marine shore fish biodiversity in the world" by developing biodiversity experts, conducting collaborative research, marine exploration, community education and training, and establishment of the Verde Island Passage Center for Oceanographic Research and Aquatic Life Sciences (VIP CORALS) endorsed by the Regional Development Council-CALABARZON as the National Center for Marine Biodiversity in VIP;
- (i) Intensify scientific, innovative, and technological research and development that would lead in the development of high-impact research, startups / spinoffs and technology transfer of products and services in specific areas such as electronic systems, environment, information and computing technology, material science and testing, and advanced manufacturing through the established research centers under the Science, Technology, Engineering and Environment Research (STEER) Hub, recognized by the Regional Development Council as CALABARZON's Center for Science, Technology, Engineering and Environment Research;
- (j) Provide an avenue for the professional advancement of Disaster Risk Management (DRM) managers and practitioners by offering academic programs in DRM and contribute in ensuring a resilient community thru the Adaptive Capacity-building and Technology Innovation for Occupational health and Natural disaster (ACTION) Center endorsed by the Regional Development Council-CALABARZON as National Center for Disaster Risk Reduction and Management, and Climate Change Adaptation Education and Research;
- (k) Offer undergraduate and graduate courses within the areas of specialization and according to its capabilities, including among others, medical and allied health, natural and applied sciences, teacher education, business, technology, management, social sciences, arts and culture, agriculture, and other related fields, as the Board of Regents may deem necessary to carry out its objectives, specifically, in order to provide greater access for deserving students in tertiary education and an adequate response to the particular needs of the government, the society and the industry in these fields;
- (l) serve as a public service university by providing various forms of community, public, and volunteer service, as well as scholarly and technical assistance to the

government, private sector, and civil society while maintaining its standards of excellence;

- (m) Strengthen its Laboratory and Integrated Schools for basic education by focusing and adopting advanced teaching and learning on science, technology, engineering and mathematics to serve as feeder schools for engineering, science and technology programs of the University. *Provided*, that the operation of the Integrated School shall be self-liquidating, through payment of tuition and other school fees by the students as approved by the governing board;
- (n) Protect and promote the professional and economic rights and welfare of its academic and non-academic personnel;
- (o) Provide opportunities for training and learning in leadership, responsible citizenship, and the development of democratic values, institutions and practice through academic and non-academic programs, including sports and the enhancement of nationalism and national identity;
- (p) Serve as a regional and global university in cooperation with international and scientific unions, networks of universities, scholarly and professional associations in the Asia Pacific region and around the world; and
- (q) Provide democratic governance in the University based on collegiality, representation, accountability, transparency and active participation of its constituents, and promote the holding of fora for students, faculty, researchers, extension program specialists, staff, and alumni to discuss non-academic issues affecting the University.

SEC.4. *The University.* —The Batangas State University shall be composed of constituent campuses and extension campuses established by its governing board upon the recommendation of the President of the University. The constituent campuses include: Batangas State University-Pablo Borbon; Batangas State University-Alangilan; Batangas State University ARASOF-Nasugbu; Batangas State University JPLPC-Malvar; Batangas State University-Lipa and those that may be created in the future. The extension campuses include: Lobo Campus, Mabini Campus, Balayan Campus, Rosario Campus, Lemery Campus, San Juan Campus and those that may be created in the future. It is referred to in this law as the "University."

SEC. 5. *Academic Freedom.* - The University shall enjoy academic freedom as provided for in Republic Act No. 8292, and paragraph 2, Section 5, Article XIV of the 1987 Constitution.

SEC.6. *Academic Excellence.*—The University has the responsibility to maintain and enhance its high academic standards in the performance of its functions of instruction, research and extension, and public service.

SEC.7. *Commitment to the National Development.*—The University shall harness the expertise of the members of its community and other individuals in relation to the country's quest for national development in the primary areas of engineering, science, and technology, for wealth creation, improvement of the quality of life, real economic growth, and transformation of the society.

The members of the university community with profound scientific and professional knowledge shall contribute to or take a solicited involvement in the public policy process.

SEC.8. *Social Responsibility.*—The University is committed to serve the Filipino nation and humanity. While it carries out the obligation to pursue universal principles, it must relate its activities to the needs of Filipino people and their aspirations for social progress and transformation. The University may provide venues for volunteerism.

SEC.9. *Democratic Access.*—The University shall take affirmative steps which may take the form of an alternative and equitable admissions process to enhance the access of disadvantaged students, such as indigenous peoples, Persons with Disabilities (PWDs), poor and deserving students, including but not limited to valedictorians and salutatorians of public high schools, and students from depressed areas, to its programs and services.

No students shall be denied admission to the university by reason solely of age, gender; nationality, religious belief, economic status, ethnicity, physical disability, or political opinion or affiliation.

The University recognizes the separation of Church and State. It shall guarantee religious freedom and shall not discriminate on the basis of religion.

SEC.10. *Sports, Culture and the Arts.*—The University shall undertake and support comprehensive sports programs that promote physical education, uphold excellence and encourage competitive participation in sports activities, instill school identity and solidarity, cultivate pride, self-discipline and teamwork. The University shall strengthen culture and the arts as a strategic national resource, and promote its importance to our identity, social wellbeing, and preserve our cultural heritage.

SEC.11 *Institutional Autonomy*- As the national engineering university, it shall be treated with greater flexibility. The University shall exclusively determine its teaching, research, extension services thrusts, plans, policies, programs and standards, as approved by the Board of Regents, consistent with its purpose, and in accordance with the national goals and priorities.

SEC. 12 *Administration*.- The University shall have the general powers of a corporation set forth in the "Revised 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.

There shall be a central administration headed by the University President, which will provide leadership and overall strategic direction of the University in the areas of academic, research, extension services, infrastructure development, linkages and partnerships, and resource management designed to achieve its vision and mission.

The administration of the constituent campuses is vested in the Chancellor, who shall be designated by the Board of Regents upon the recommendation of the President, subject only to certain limitations and insofar as delegated by the President of the University and authorized by the Board of Regents.

The administration of extension campuses shall be headed by the Campus Directors who shall be designated by the Board of Regents upon the recommendation of the President, subject only to certain limitations and insofar as delegated by the President of the University and authorized by the Board of Regents.

SEC. 13 *The Board of Regents.*—

(1) The governing body 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), chairperson;
- (b) The President of the University, co-chairperson;
- (c) Chairperson of the Committee on Higher and Technical Education of the Senate, member;
- (d) Chairperson of the Committee on Higher and Technical Education of the House of Representatives, member;
- (e) The Director General of the National Economic and Development Authority (NEDA), member;
- (f) The Secretary of the Department of Science and Technology (DOST), member;
- (g) The President of the federation of faculty associations of the University, member;
- (h) The President of the federation of student councils, member;
- (i) The President of the federation of the alumni associations of the University, member; and
- (j) Two (2) private sector representatives who have distinguished themselves in their professions or fields of specialization, chosen from among a list of at least three (3) qualified persons as recommended by the search committee constituted by the President of the University in consultation with the Chairperson of the governing board based on the normal standards and qualifications of the position, members. *Provided*, That one of the private sector representative must have a distinctive contribution in the field of engineering and technology, reputable practice of the profession, and advancement of engineering education in the country;

The regents holding office as members of the Board at the time of the effectivity of this Act shall continue to serve until the expiration of their appointments;

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 associations shall be coterminous with their respective terms of office.

For the purpose of the provisions of this section, the associations of faculty, alumni and student councils in each Constituent Campus shall organize themselves to form their respective federations, which in turn shall elect their federation officials. *Provided*, That the alumni representative to the Board must not be a faculty or an employee, regardless of status or rank, of the University at the time of representation.

The two (2) private sector representatives shall serve for a term of two (2) years, and may be reappointed for another term only.

In case of vacancy in the office of the president, the officer-in-charge of the University designated by the Board shall serve for the unexpired term only or until such time that a new president is elected.

(3) Compensation- Members of the Board shall serve without compensation other than per diem and reimbursement for necessary and miscellaneous expenses incurred in attendance to meetings of the Board and other official business authorized by the Board.

(4) Meetings; Quorum- The Board shall convene regularly. The Chairperson of the Board may call a special meeting whenever necessary: *Provided*, That members are notified in writing at least five (5) working days prior to the meeting: *Provided further*, That the notice shall contain a brief description of the agenda items to be discussed.

A majority of all members of the Board holding office at the time the meeting is called 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 the chairperson, shall represent the chairperson 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 the co-chairperson shall be the

presiding officer. *Provided, further,* That the preceding 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.

If the Chairpersons of the Senate Committee on Higher and Technical Education, and the House Committee on Higher and Technical Education, as well as the Secretary of DOST, and the Director General of NEDA are unable to attend any regular meeting, or special session of the Board, they may designate in writing their representatives to the meeting which the designees shall present to the Board Secretary before the start of the meeting. *Provided,* That the NEDA and the DOST shall be represented by their respective Regional Directors in CALABARZON. They shall be entitled to seat, voice and vote.

Provided further, that the members of the Board may exercise their right to vote through remote communication and in *absentia* as provided for in section 49 of the Revised Corporation Code of the Philippines.

SEC. 14. *Powers and Duties of the Board of Regents.*— The administration of the University and the exercise of its corporate powers are vested in 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 Section 35 of the Revised Corporation Code of the Philippines:

- (a) To define in general terms the thrusts of the University and adopt broad policy guidelines to ensure their implementation;
- (b) To preserve the integrity of the university;
- (c) To approve the institution, merger or abolition of academic programs, upon recommendation of the University's Academic Council through the President of the University;
- (d) To approve the graduation of students and grant of honors, as recommended by the Academic Council through the President;

(e) To confer honorary degrees upon persons in recognition of learning, statesmanship, or eminence in the field of engineering, science, technology, education, public service or in any field of specialization within the academic competence of the University, upon recommendation of a committee created by the President of the University: *Provided*, That such degrees shall not be conferred in consideration of any payment, gift or other valuable consideration;

(f) To approve the rules on student discipline recommended by the Academic Council through the President of the University, with the Board retaining the power to review and pass final judgment on student disciplinary cases;

(g) To create, organize, reorganize, merge or abolish constituent campuses, extension campuses, colleges, institutes, and other academic and administrative units of the university;

(h) To establish professorial chair awards;

(i) To provide fellowships, scholarships and grants, including athletic grants and to award the same to faculty, staff and students having special evidence of merit, especially those who are poor and deserving individuals;

(j) To elect the President of the University following a process of democratic consultation with the university community based on standards and guidelines set by the Board.

(k) To appoint, upon recommendation of the President of the University, faculty members and other officials and employees; to draw up a position classification and compensation plan for its faculty and staff, and, any law to the contrary notwithstanding; to fix and adjust salaries and benefits of the faculty members and other employees; to determine the hours of service of faculty and staff, and such other terms and conditions of employment as it may deem proper; to grant leave of absence under such regulations as it may promulgate, any other provisions of law to the contrary notwithstanding; and to remove them for cause as provided by law after due investigation and proper hearing;

(l) To extend, with their consent, the tenure of faculty members of the University beyond the compulsory retirement age, any other provision of law to the country notwithstanding, on recommendation of the units and upon endorsement of the President of the University, whenever their services are

especially needed: Provided, however, that no extension of tenure shall be made beyond the age of seventy (70);

(m) To fix the tuition fees and other necessary school charges, as the Board may deem proper to impose, after due consultation with the students concerned, subject to the provisions of R.A. 10931 and its IRR.

Such fees and charges, including government support and other income generated by the University, shall constitute special trust funds and shall be deposited in an authorized government depository bank. Any and all interest that shall accrue therefrom shall form part of the same funds for the use of university.

Any provision of law to the contrary notwithstanding, any income generated and collected by the University or by its subsidiaries as well as from operation of auxiliary services and land grants, shall be retained by the University, and may be disbursed at the discretion of the Board for instruction, research, extension or other programs/projects of the University; for the professional growth and development, health, welfare, and other benefits of the students, faculty members and administrative personnel; for the acquisition, construction maintenance and repair of needed instructional and auxiliary facilities, equipment, buildings and other infrastructure; development of economic assets, and for expenses necessary for the attainment of its purposes under its approved program of expenditures.

If the University, for reasons beyond its control, shall not be able to pursue any project or purpose for which funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said fund for any reasonable purpose for which it deems necessary and urgent for the attainment of the objectives of the university, including utilization for the professional growth, and other benefits of the students, faculty members and administrative personnel. Provided, That trust funds created by law for a specific purpose, other than special trust funds constituted herein shall not be reprogrammed to other expenditures;

(n) To receive and appropriate all sums as may be provided by law for the support of the university to the ends specified by law, and all other sums in the

manner it may, in its discretion, determine to carry out the purposes of the University;

(o) To authorize the construction, maintenance or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment.

(p) To receive in trust legacies, gifts and donations of real and personal property of all kinds and to administer and dispose the same when necessary for the benefit of the University and subject to the instructions of the donor, if any.

(q) Notwithstanding any provisions of law to the contrary, to authorize its faculty and staff to travel abroad to study, deliver papers, attend conferences and disseminate research: *Provided*, That the fellowship, scholarship or grant is authorized by the Board: *Provided*, finally, That research and other activities funded by the University shall likewise undertake research in fields or topics with promising commercial applications, and that the faculty and staff involved in said research be allowed to participate in its financial or economic benefits; subject to existing rules and regulations;

(r) To delegate any of its powers and duties to the President and/or other officials of the University as it may deem appropriate so as to expedite the administration of the affairs of the University;

(s) To prescribe rules for its own government and discipline of the faculty and other personnel and to enact for the governance of the University such general policies, rules and regulations, not contrary to law, as are consistent with its purposes;

(u) To set policies on admission and graduation of students;

(v) To approve the curricula, institutional programs and rules of discipline drawn by the academic council as herein provided;

(w) To establish research and extension centers of the University where such will promote the development of the latter;

(x) To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the University;

(y) To develop academic arrangements for institution capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts/specialists as consultants, or visiting or exchange professors, scholars, researchers, as deemed necessary;

(z) To enter into joint ventures and/or public private partnerships (PPPs) 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 same, and for the professional growth and development, health, welfare, and other benefits of the students, faculty members and administrative personnel;

(aa) To privatize, where most advantageous to the University, management of non-academic services such as health, food, building, grounds or property maintenance and such other similar activities;

(bb) To develop mechanisms for the efficient adoption of public-private partnerships (PPP) in the areas of research, instruction, extension and in the acquisition of facilities and structures of the University;

(cc) To extend the term of the President of the University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous approval of the Board; and

(dd) To exercise such powers as may be proper and necessary to carry out the objectives of this Act.

SEC. 15, *The President of the University.*—The President of the University is the chief academic officer, head of the university faculty and the chief executive officer of the University. The President of the University shall exercise the powers specifically provided for in this Act, those determined by the Board, those which pertain to the office of the President of a University, and those which are related or necessary to its functions.

The President of the University who shall render full-time service shall be elected by the Board, upon recommendation of a duly constituted search committee. The President of the University shall have a term of four (4) years and shall be eligible for reappointment for another term, upon recommendation of a duly constituted evaluation committee

In case of vacancy by reason of death, resignation, removal for cause or incapacity of the President to perform the functions of his office, the Board shall have the authority to designate an officer-in-charge pending the appointment of a new president. In no case shall the search and appointment of the next President be longer than ninety (90) calendar days from the date when the vacancy occurs. The newly appointed President shall serve a full term. *Provided,* That the designated Officer-in-Charge shall not be allowed to join as candidate in the search process.

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 a similar university, and those delegated by the Board.

SEC. 16. *The Secretary of the University and of the Board of Regents.*—There shall be a Secretary of the University designated by the Board, who shall also be the Secretary of the Board, and who shall keep such records of the University.

SEC. 17. *The Academic Council* – There shall be an academic Council consisting of the President of the University as chairperson, the Vice President for Academic Affairs as vice chairperson, and all faculty members of the University holding the rank of assistant professor and higher as members.

SEC. 18. *Powers of the Academic Council.*—The academic council shall be the highest academic body of the University and shall exercise the following powers:

- (a) review and propose academic policies and standards, curricular offerings, instructional evaluation and assessment systems;
- (b) recommend to the Board, through the President of the University, the award of all honorary degrees;

- (c) fix the requirements for admission to any college or unit, graduation, and the grant of honors subject to the prescribed university policies and guidelines;
- (d) recommend to the Board, through the President of the University, on matters pertaining to the conduct and welfare of the University, but are not limited to, preparation of the academic calendar, student life, standards of conduct and discipline, living conditions, organizations, sports, culture and the arts, and participation in extracurricular activities;
- (e) prescribe the academic programs including their institution, revision, abolition and merger, subject to the approval of the Board;
- (f) recommend to the Board, through the President of the University, the graduation of students and the grant of honors;
- (g) Adopt internal rules of procedure, not contrary to law, and consistent with the provisions of this Act.

SEC. 19. *University Administrative Council.* - There shall be created in the University a university administrative council, which shall be composed of the President as Chairperson and, with the vice presidents, chancellors, vice chancellors, deans, associate deans, directors, assistant directors, and other officials of equal rank, as members. The President of the University, as Chairperson thereof, shall constitute the university administrative council.

SEC. 20. *Duty of the University Administrative Council.* - The university administrative Council so formed and constituted shall review and recommend, in accordance with the direction of the Board, appropriate policies governing the administration, management and development planning of the University.

SEC. 21. *University Research Council.* - There shall be created in the University a university research council, which shall be composed of the President as Chairperson, the Vice President for Research, Development and Extension Services as Vice Chairperson, with the Vice President for Academic Affairs, Vice President for Administration and Finance, Vice President for Development and

External Affairs, Chancellors, Vice Chancellors for Research, Development and Extension Services, Director for Research, Director for Research Management Services, Director STEER Hub, Director for Finance, Assistant Director for Research, Assistant Director for Research Management Services, and Head of established Research Centers as members.

SEC. 22. *Duty of the University Research Council.* – The university research council so formed and constituted shall act as an advisory body to the President on matters of setting research direction, planning, fund sourcing and allocation, and in reviewing and/or recommending policies and guidelines pertaining to the Research Program of the University.

SEC. 23. *University Extension Services Council.* - There shall be created in the University a university extension services council, which shall be composed of the President as Chairperson, the Vice President for Research, Development and Extension Services as Vice Chairperson, with the Vice President for Academic Affairs, Vice President for Administration and Finance, Vice President for Development and External Affairs, Chancellors, Vice Chancellors for Research, Development and Extension Services, Director for Extension Services, Director for Finance, and Assistant Director for Extension Services as members.

SEC. 24. *Duty of the University Extension Services Council.* - The university extension services council so formed and constituted shall act as an advisory body to the President on matters of setting extension services direction, planning, fund sourcing and allocation, and in reviewing and/or recommending policies and guidelines pertaining to the Extension Services Program of the University.

SEC. 25. *The Chancellor of the Constituent Campus.*—The Administration of each constituent campus is vested in the Chancellor insofar as delegated by the President of the University and authorized by the Board. The Chancellor of the constituent campus shall be designated by the Board upon recommendation of the President of the University. The Chancellor shall report to the President of the University, and shall perform the duties and functions elsewhere stated in this Act, and all the usual, necessary and related functions of the Office of the Chancellor subject to the policies and rules prescribed by the Board.

SEC.26. *The Faculty.*—The teaching staff of each college shall constitute its faculty. The College Faculty shall be presided over by a Dean. The Dean shall be designated by the Board upon recommendation of the President of the University.

SEC.27. *Appointment Requisites and Practice of Profession.*—Faculty members and researchers of the university shall be exempt as such from any civil service examination as a requisite to appointment. In the appointment of faculty members, no religious test shall be applied, nor shall the religious or political opinions or affiliations of the faculty members of the university be made subject of examination or inquiry.

SEC.28. *Student Affairs.*—(a) There shall be established in the University the following student councils: for every college, a college student council; and for every constituent campus, a campus student council; and for the University, a federation of all student councils.

The university student council shall be composed of elected students from constituent campuses and their extension campuses. The student council shall serve as the primary student body that shall advance the interests, welfare and aspirations of the students of the University. It shall have the power to adopt internal rules of procedure consistent with the provisions of this Act;

(b) Subject to due and comprehensive consultation with the students, there shall be a student publication established in every constituent campus to be funded by student fees. Freedom of expression and autonomy in all matters of editorial and fiscal policy shall be guaranteed especially in the selection of its editors and staff.

SEC.29. *Land Grants and Other Real Properties of the University.*—(a) The State shall support the Batangas State University as the national engineering university in the form of lump sum amount, through general appropriations and other financial benefits, and in kind, through land grants and donations and use of other real properties. To carry out the intent of these grants, income derived from the development of all land grants and real properties shall be used to further the ends of the university, as may be determined and decided by the Board;

(b) Such parcels of land ceded by law, decree or presidential issuance to the University are hereby declared to be reversed for the purposes intended. The absolute ownership of the University over these landholdings, including those covered by original and transfer certificates of title in the name of the Batangas State University and their future derivatives, is hereby confirmed. Where the issuance of proper certificates of title is yet pending for these landholdings, the appropriate government office shall expedite the issuance thereof within six months from the date of effectivity of this Act: *Provided*, That all registration requirements necessary for the issuance of the said titles have been submitted and complied with;

(c) The Board may plan, design, approve and/or cause the implementation of land leases: *Provided*, That such mechanisms and arrangements shall sustain and protect the environment in accordance with law, and be exclusive of the academic core zone of the campuses of the Batangas State University: *Provided*, further, That such mechanisms and arrangements shall not conflict with the academic mission of the University;

(d) The Board may allow the use of the income coming from real properties of the University as security for transactions to generate additional revenues when needed for educational purposes;

(e) The Board may approve the implementation of joint ventures: *Provided*, That in the event real properties of the University are involved, only the income derived by the University from the use of the real properties shall be the subject of its participation or obligation in the joint ventures: *Provided*, further, That no joint venture shall result in the alienation of the real properties of the University; and

(f) Any plan to generate revenues and other sources from land grants and other real properties entrusted to the University shall be consistent with the academic mission and orientation of the university as well as protect it from undue influence and control of commercial interests: *Provided*, That such programs, projects or mechanisms shall be approved by the Board subject to a transparent and democratic process of consultation with the constituents of the University: *Provided*, further, That funds generated from such programs, projects or mechanisms shall not be meant to replace, in part or in whole, the annual appropriations provided by the national government to the University.

SEC.30. *Safeguards on Assets Disposition.*—The preservation of the value of the assets of the University shall be of primordial consideration.

The sale of any existing real property of the University shall be prohibited: *Provided,* That the Board may alienate real property donated after the effectivity of this Act if the terms of the donation specifically allow it.

Notwithstanding the provision of this act or any other law to the contrary, the lease of more than five (5) years of the assets of the University and any transaction referred to in Section 29 shall be subject to the following conditions and procedures:

- (a) The transactions shall be discussed with the members of the Board, in any of its formally convened regular or special meeting;
- (b) The transactions shall be based on a multi-year comprehensive development plan, crafted and developed by qualified urban planning professionals having at least five (5) years experience, with prior consultations with and concurrence of third-party experts and duly approved by a majority vote of all the members of the Board;
- (b) The transactions shall be subject to competitive and public bidding as provided under Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act";
- (c) In the case of two (2) failed biddings and negotiated transactions, if undertaken, the Board, when considering the approval of any such transaction, shall secure a fairness opinion report from an independent third-party body. This body shall have five (5) members, three (3) of which shall be nominated by the Bankers Association of the Philippines (BAP), Investment Houses Association of the Philippines (IHAP), Trust Officers Association of the Philippines (TOAP), or the Financial Executive Institute of the Philippines (FINEX). The members shall be entitled to a reasonable per diem as the Board may specify.

The fairness opinion report shall contain a statement expressing the opinion of the body as to the fairness to the University of the terms of the proposed

transaction, particularly its financial terms. The report shall include, but not limited to, a review and analysis of the proposed transaction, financial statements, industry information, economic conditions assumptions using management projections and the assumptions used therein and a comparison of similar transactions: *Provided*, That if the Board differs with the fairness opinion report they shall justify their decision in writing and make this available to the community of University. This provision shall not apply to leases granted to faculty and staff as part of their benefit and those for academic purposes; and

(d) If the contract or transaction involves an amount more than Fifty Million Pesos (P50,000,000.00), it shall be approved by at least three-fourths (3/4) of all the members of the Board: *Provided*, That the splitting of contracts, which is by breaking up a contract into smaller quantities or amounts or dividing contract implementation into artificial or arbitrary phases or subcontracts for the purpose of circumventing this provision, shall not be allowed.

SEC.31. *Management of Funds.*—(a) There shall be an independent trust committee to be composed of the President of the University, as Chairperson, one (1) representative each nominated by the Bankers Association of the Philippines (BAP), the Investment Houses Association of the Philippines (IHAP), the Trust Officers Associations of the Philippines (TOAP) and the Financial Executive Institute of the Philippines (FINEX). The members shall be entitled to a reasonable per diem as the Board may specify;

(b) The independent trust committee shall recommend to the Board five (5) universal banks selected on a prudent basis which trust departments shall manage the corporate and other funds through trust agreements of the University in a non-directed basis: *Provided*, That any such agreement shall be for a period of not more than two (2) years;

(c) The independent trust committee shall provide the Board with direction on appropriate investments with the view to preserving the value of funds while allowing the University to earn a reasonable return thereon.

SEC.32. *Tax Exemptions.*—The provisions of any general or special law to the contrary notwithstanding:

(a) All revenues and assets of the Batangas State University used for educational purposes or in support thereof shall be exempt from all taxes and duties;

(b) Gifts and donations of real and personal properties of all kinds shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended: Provided, That the allowable deductions shall be equivalent to 150 percent to the value of such donation. Valuation of assistance other than money shall be based on the acquisition cost of the property. Such valuation shall take into consideration the depreciated value of property in case said property has been used;

(c) Importation of economic, technical, vocational, scientific, philosophical, historical and cultural books, supplies and materials duly certified by the Board, including scientific and educational computer and software equipment, shall be exempt from customs duties;

(e) All academic awards shall be exempt from taxes.

SEC.33. *Reportorial Requirements and Auditing of Accounts.*—The University shall submit an annual report to Congress containing the financial statements, statement of assets and liabilities, statement of income from tuition fees and other revenue sources. All accounts and disbursements of the University shall be audited by the Commission on Audit.

SEC.34. *Rules of Construction.*—No statutory or other issuances shall diminish the powers, rights, privileges and benefits accorded to the University under this Act or enjoyed at present by it under other issuances not otherwise modified or repealed under this Act, unless subsequent legislation expressly provides for their repeal, amendment or modification. Any case of doubt in the interpretation of any of the provisions of this Charter shall be resolved in favor of the academic freedom and fiscal autonomy of the Batangas State University.

SEC.35. *Appropriations.*—The amount needed to carry out the implementation of this Act shall be charged against the current year's appropriations of the

University and its other internal funds. Thereafter, an amount of 300 million pesos per year for a period of five years, in addition to its regular appropriations and increases shall be included in the Annual General Appropriations Act (GAA) to accelerate and strengthen its capability as the national engineering university, and for the continued growth, operation, and maintenance of the constituent campuses of the University.

SEC. 36. Development Plan, Organizational Structure - Within 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 and DBM;
- (b) Set up its organizational, administrative as well as academic structure, including the designations of the key officials and other administrative personnel of the University;
- (c) Secure additional plantilla positions, including technical, support to technical, and key administrative positions for the existing constituent campuses and extension campuses, and augmentation of personnel services allocation from the DBM, in order to enhance efficiency and effectiveness in the administration and management of the University, and specifically, to ensure a strong administrative support for the attainment of its mandate as the national engineering university;

SEC. 37. Transitory Provision. – To provide strategic direction and leadership as the Batangas State University transitions to its pioneer status as the national engineering university, and to ensure the attainment of its distinctive and purposeful mandate as such, as declared and provided for in this Act, the incumbent President of the Batangas State University shall serve a new term as its first President as the national engineering university.

SEC.38. Separability Clause.—Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SEC.39. *Repealing Clause.*—Republic Act 9045, as amended, and all laws, decrees, orders, rules and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC.40. *Effectivity.*—This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation in the Philippines.

Approved.