

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



House Bill No. 5892

Introduced by **Representative Rommel Rico T. Angara**

**AN ACT CONVERTING THE AURORA STATE COLLEGE OF TECHNOLOGY
IN THE PROVINCE OF AURORA, AND ALL ITS SATELLITE CAMPUSES
LOCATED IN THE MUNICIPALITY OF MARIA AURORA, CASIGURAN,
AND SAN LUIS, ALL IN THE PROVINCE OF AURORA, INTO A STATE
UNIVERSITY TO BE KNOWN AS THE AURORA STATE UNIVERSITY OF
SCIENCE AND TECHNOLOGY (ASUST), AND APPROPRIATING FUNDS
THEREFOR**

EXPLANATORY NOTE

The present Aurora State College of Technology (ASCOT) was created on December 30, 1993 by virtue of Republic Act No. 7664, drafted and sponsored by the late Senate President Edgardo Angara and the late representative Benedicto G. Miran.

Since its establishment, ASCOT has developed into an institution of higher learning. At present, it has three (3) campuses located in the municipalities of Maria Aurora, Casiguran and San Luis, has a total student population six thousand three hundred forty four (6, 344) and a total workforce of four hundred four (404). Through the years, ASCOT has continuously and effectively implement its mandates of providing technical and professional training in the field of arts and sciences, education, agriculture, engineering, technology and short-term vocational courses.

As the university continues its mission to produce more globally-competitive graduates in different industries, it is imperative that ASCOT be declared a state university. This will aid in providing more privileges and quality education to the students and young generation of the Province of Aurora who rely on public tertiary education to finish their studies. It must be noted that Section 1, Article XIV of the Philippine Constitution provides for the right of all citizens to quality education at all levels and that appropriate measures must be taken by the government in order to make such education accessible to all.

In this regard, this bill seeks to convert ASCOT into a state university to be known as the Aurora State University of Science and Technology (ASUST) and be provided with the necessary funding for this purpose.

The approval of this bill is earnestly sought.


ROMMEL RICO T. ANGARA

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

1 **Section 1. Establishment/Integration.** - There is hereby established a state
2 university in the Province of Aurora to be known as the Aurora State University of
3 Science and Technology (ASUST), hereinafter referred to as the University, by
4 converting the Aurora State College of Technology (ASCOT) in Baler, Aurora, and
5 all its satellite campuses located in the Municipality of Maria Aurora, Casiguran and
6 San Luis, all located in the Province of Aurora. The main campus of the University
7 shall be in Baler, Aurora with extension campuses in the municipalities Maria
8 Aurora, Casiguran and San Luis, Province of Aurora.

9 **Section 2. General Mandate.** - The University, shall primarily provide an
10 advance education, leadership management, higher scientific and technological
11 instruction, and training in the fields of marine science, forestry, and environmental
12 sciences, liberal arts, science and mathematics, information and technology
13 education, engineering, health profession education, architecture and related
14 programs, teacher education, maritime education, social sciences, agri-business
15 and entrepreneurship, business and management, multi and interdisciplinary
16 courses, law and/or juris doctor, and other relevant fields of study as approved by
17 the Board of Regents (BOR). It shall also undertake research, extension and short-
18 term courses, income generating services and provide progressive leadership in its
19 areas of specialization in Aurora and in Region III.

20 **Section 3. Academic Freedom and Institutional Autonomy.** - The University
21 shall enjoy academic freedom and institutional autonomy, pursuant to Paragraph
22 2 Section 5 of Article XIV of the Constitution.

23 **Section 4. Curricular Offerings.** - The University shall offer undergraduate,
24 graduate, graduate school for international cooperation and development, and
25 postgraduate programs and short-term courses in the fields of marine biology,
26 forestry and environmental sciences, disaster risk management, data science and
27 analytics, meteorology, geology, oceanography, cybersecurity, fisheries

28 technology, agriculture, veterinary medicine, behavioral and social sciences,
29 medicine and other health sciences, juris doctor/law, culture and arts, human
30 services such as guidance and counselling, special needs education, accountancy,
31 indigenous people studies/education, tourism and hospitality management,
32 business-related programs, agribusiness, nautical and maritime programs,
33 industrial technology, aviation related programs, maritime education, chemistry,
34 chemical, structural, geodetic, petroleum, engineering, robotics, renewable and
35 sustainable energy, statistics and mathematics, research and development
36 communication, urban and environmental planning, urban planning and landscape
37 architecture, interior design, liberal arts programs, education and teacher training,
38 information and communications technology, library and information science,
39 developmental management, leadership management programs and human
40 kinetics within its capacity and areas of specialization, as the Board of Regents
41 may deem necessary to carry out its objectives, and to respond to human resource
42 development needs of the Province of Aurora and the entire country.

43 The University may operate a reasonably-sized science and technological
44 laboratory high school under the College of Education of ASUST to serve the in-
45 campus requirements of its students.

46 **Section 5. Administration.** - The University shall have the general powers
47 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
48 known as "The Corporation Code of the Philippines". The administration of the
49 University and the exercise of its corporate powers shall be vested exclusively in
50 the Board of Regents and the President of the University.

51 **Section 6. The Board of Regents.** - The governing board of the University
52 shall be the Board of Regents, hereinafter referred to as the Board, which shall be
53 chaired and co-chaired by the Chairperson of the Commission on Higher Education
54 (CHED) and the President of the University, respectively, with the following as
55 members:

56 (a) Chairperson of the Committee on Higher, Technical and Vocational
57 Education of the Senate;

58 (b) Chairperson of the Committee on Higher and Technical Education of the
59 House of Representatives;

60 (c) Regional Director of the National Economic and Development Authority
61 (NEDA);

62 (d) Regional Director of the Department of Science and Technology (DOST);

63 (e) Regional Director of the Department of Agriculture (DA);

64 (f) President of the Federation of the Faculty Associations of the University;

65 (g) President of the Federation of Student Councils of the University;

66 (h) President of the Federation of Alumni Associations of the University;

67 (i) President of Non-Teaching Employees Association; and

(j) Two (2) prominent citizens from the private sector who have distinguished themselves in their professions or fields of specialization and a resident of Aurora.

The Board shall appoint the two (2) prominent citizens from a list of at least five (5) qualified persons in the Province of Aurora where the University and its campuses are located, as recommended by a search committee constituted by the President of the University, in consultation with the Chairperson of the CHED and the other members of the Board, based on the standards and qualifications for the position. They shall serve for a term of two years from the date of appointment.

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 and the President of Non-Teaching Employees Association, shall be coterminous with their respective terms of office, as set forth in their respective constitutions and by-laws.

The three (3) prominent citizens shall serve for a term of two (2) years from the date of appointment.

Section 7. Powers and Duties of the Board of Regents. - In addition to its general powers of administration and the powers granted to the Board of Directors of a corporation under existing laws, the Board shall have the following specific powers and duties:

(a) Promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Constitution on education, agriculture, science, and technology, as well as the policies, standards, and thrusts of the CHED under the Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";

(b) Approve the curricula, instructional programs, and rules of discipline drawn by the Administrative and the Academic Councils herein provided;

(c) Appoint, upon the recommendation of the President of the University, the vice presidents, deans, directors, heads of the campuses, faculty members, and other officials and employees of the University;

(d) Fix and adjust the salaries of faculty members, and 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; grant them, at its discretion, leave of absence under such regulations as it may promulgate, any provision of existing law to the contrary notwithstanding; and remove them for cause in accordance with the requirements of due process of law;

(e) 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 concerned sectors. The fees and charges, including government subsidies and other income generated by the

110 University, shall constitute its special trust funds, and shall be deposited in any
111 authorized government depository bank, and all interests that shall accrue
112 therefrom, shall form part of the same funds for the use of the University;

113 Any provision of existing law, rule, or regulation to the contrary
114 notwithstanding, any income generated by the University from tuition fees and
115 other charges, as well as from the operation of auxiliary services, and land grants,
116 shall be retained by the University, and may be disbursed by the Board for
117 instruction, research, extension services or other programs and projects of the
118 University: Provided, that all fiduciary fees shall be disbursed for the specific
119 purposes for which these are collected. If, for reasons beyond its control, the
120 University shall not be able to pursue any project for which the funds have been
121 appropriated and allocated under its approved program of expenditures, the Board
122 may authorize the use of said funds for any reasonable purpose which, in its
123 discretion, may be necessary and urgent for the attainment of the objectives and
124 goals of the University;

125 (f) Adopt and implement a socialized scheme of tuition and other school fees
126 for greater access of poor but deserving students in accordance with Republic Act
127 No. 10931, or the "Universal Access to Quality Tertiary Education Act":

128 (g) Establish professorial chairs in the University and provide fellowships for
129 qualified faculty members, and scholarships to deserving students;

130 (h) Receive and appropriate all sums as may be provided for the support of
131 the University in the manner it may determine, in its discretion, to carry out the
132 purposes and functions of the University;

133 (i) Set the policies on admission and graduation of students;

134 (j) Award honorary degrees upon persons in recognition of their outstanding
135 contribution in the fields of education, public service, arts, science and technology,
136 agriculture, or any field of specialization within the academic competence of the
137 University, and authorize the awarding of certificates of completion of non-degree
138 and non-traditional courses;

139 (k) Establish research, extension centers and graduate school for
140 international cooperation

141 to promote the development of the University and internationalization;

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

146 (m) Adopt modern and innovative modes of transmitting knowledge for the
147 promotion of greater access to education such as the use of information
148 technology, dual training system, open distance learning, and community
149 laboratory:

(n) Collaborate with other governing boards of the state universities and colleges (SUCs) within Central Luzon and other SUCs in the country, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the University to make it more efficient, relevant, productive and competitive;

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

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

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

(r) Import economic, technical and cultural books and publications;

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

(t) Receive, in trust, legacies, gifts, and donations of real and personal properties of all kinds and 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;

(u) Authorize the construction or repair of its buildings, machinery, equipment, and other facilities, and the purchase and acquisition of real property, including the necessary supplies, materials, and equipment;

(v) Extend the term of the President of the University beyond the age of retirement, but not beyond the age of seventy (70), based on the guidelines, qualifications, and standards set by the Board: Provided, That the performance of the President has been rated by the Board as outstanding and unanimous recommendation has been decided by the Search Committee;

(w) 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;

(x) Establish policy guidelines and procedures for participative decision-making and transparency within the University;

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

(z) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of the University.

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

A 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 is among those present in the meeting.

In case the CHED Chairperson cannot attend a meeting of the Board, a CHED Commissioner duly designated by the CHED Chairperson as representative to the meeting, shall have 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 authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in which case, the said CHED Commissioner, as the regular Chairperson of the Board, shall act as the presiding officer.

In case the Chairpersons of the Senate Committee on Education, Arts and Culture and the House Committee on Higher and Technical Education are not able to attend the Board meeting, they may designate their respective representatives to attend the meeting, who shall have the same rights and responsibilities as the regular members of the Board,

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

Section 9. The University President. - The University shall be headed by a President, who shall render full-time service and shall be appointed by the Board, subject to the guidelines, qualifications and standards set by the Board, upon the recommendation of a duly constituted search committee. The University President shall have a term of four (4) years and shall be eligible for re-appointment to another term. Six months before the expiration of the first term of the University President, the Board of Regents shall create an Evaluation Committee to evaluate the performance of the President if he/she deserves for re-appointment. A majority vote of the Board of Regents shall be the basis of his/her re-appointment; *Provided*, that in order to affect the smooth transition to a state university, the incumbent President of the Aurora State College of Technology, if qualified, shall serve as the first President of the University.

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

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

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

242 The salary of the President of the University shall be in accordance with
243 Republic Act No. 6758, or the "Compensation and Position Classification Act of
244 1989", as modified by Joint Resolution No. 4 dated June 17, 2009, and by such
245 other laws amendatory thereto, which may hereinafter be enacted, and shall be
246 comparable to that being received by the presidents of similar educational
247 institutions.

248 The President of the University shall be assisted by a Vice-President for
249 Academic Affairs, a Vice-President for Administration, Planning and Finance, and
250 a Vice-President for Research, Innovation, Extension, and Training, and Vice
251 President for Business Affairs, who shall be appointed by the Board upon the
252 recommendation of the President of the University.

253 **Section 10. *The Secretary of the University.*** - The Board shall appoint a
254 Secretary who shall serve as such for both the Board and the University and shall
255 keep all records and proceedings of the Board. The Secretary of the University
256 shall serve upon each member of the Board the appropriate notices of Board
257 meetings.

258 **Section 11. *The Treasurer of the University.*** - The Treasurer of the
259 Philippines shall be the *ex officio* Treasurer of the University.

260 **Section 12. *The Administrative Council.*** - There shall be an Administrative
261 Council consisting of the President of the University as Chairperson, and the vice
262 presidents, deans, directors, and other officials of equal rank as members, whose
263 duties are to review and recommend to the Board the policies governing the
264 administration, management and development planning of the University.

265 **Section 13. *The Academic Council.*** - There shall be an Academic Council
266 to be composed of the President of the University, who shall act as Chairperson,
267 and all academic staff with the rank of at least an assistant professor, as members.

268 The Academic Council shall have the power to review and recommend the
269 curricular offerings and rules of discipline of the University, subject to the approval
270 of the Board. It shall fix the requirements for the admission of students, as well as
271 for their graduation and conferment of degrees, subject to review and approval by
272 the Board through the President of the University. It shall have the disciplinary
273 power over students of the University and shall formulate academic policies, and
274 rules and regulations on discipline, subject to the approval of the Board.

Section 14. Heads of University Campuses. - The Campus Administrator shall serve as heads of the University campuses and shall render full-time service.

They shall be appointed or designated by the Board upon the recommendation of the President, subject to the guidelines, qualifications, and standards set by the Board: *Provided*, that the incumbent Campus Directors of the existing campuses of the Aurora State College of Technology shall serve as Campus Directors of their respective campuses upon the effectivity of this Act.

Section 15. The Faculty. - No political belief, gender preference, cultural or community affiliation or ethnic origin, nor 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 the guidelines, qualifications, and 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 16. Scholarship Program and 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 gender, religion, cultural or community affiliation, or ethnic origin.

Section 17. 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 the 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, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to public service.

The employee to be detailed shall perform such duties as required of them by the President of the University, and the time served shall be counted as part of their regular service

Section 18. Assets, Liabilities, and Personnel - All assets, real and personal, personnel and records of the Aurora State College of Technology, as well as 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 Aurora State College of Technology and all its campuses are hereby declared to be the property of the University, and shall be titled under its name: Each major campuses (Zabali Campus in Baler, Bazal Campus in Maria Aurora and Esteves Campus in Casiguran) must have at least a land area of 100 hectares in order to support the laboratory requirements of the different program offerings based on CHED Memorandum Orders, guidelines and standard policies and in support to the research laboratory field, extension and the implementation of income generating projects of the University except for San Luis Campus with limited area of coverage. *Provided*,

that should the University cease to exist or be abolished or should such
aforementioned parcels of land be no longer needed by the University, the same
shall revert to the LGUs concerned only by virtue of another Republic Act.

Section 19. *Tax Exemption on Importation and Donations.* - The
importation of economic, technical, and cultural books or publications, which are
for economic, technical, vocational, scientific, philosophical historical, or cultural
purposes made by the University, upon certification by the CHED, shall be exempt
from customs duties in accordance with the provision of Republic Act No. 10863,
otherwise known as the Customs Modernization and Tariff Act (CMTA)".

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

**Section 20. *Development Plan, Management Audit, and New
Organizational Structure*** Within the period of one hundred twenty (120) days after
the approval of this Act, the University shall accomplish the following:

(a) Submit a five (5)-year development plan, including its program budget,
to the CHED for corresponding recommendation to the DBM;

(b) Undergo a management audit in cooperation with the CHED; and

(c) Set up its organizational, administrative, as well as academic structure,
including the appointment of key officials of the University.

Section 21. *Compliance with CHED Requirements.* - The provisions of this
Act notwithstanding, the establishment or conversion of the institution into a state
university shall become effective only upon the determination and declaration by
the CHED, based on the recommendation of a panel of experts, that the institution
has complied with the requirements for a university status. The CHED, through its
regional office, shall regularly provide technical assistance to the institution and
monitor compliance with the requirements of the Commission.

The CHED shall designate a panel of experts who shall prepare a
recommendation to the Chairperson of the CHED, on whether the institution has
substantially complied with the requirements for the grant of university status.

The following are the operational requirements for a university:

(a) Level III accreditation or equivalent under CHED policies for at least four
(4) of its undergraduate programs, one (1) in liberal arts and one (1) in the
sciences, and two (2) of its graduate programs;

(b) Ratio of qualified full-time faculty with requisite degrees to number of
students;

(c) Adequate library and laboratories;

(d) Research and development output of practical and commercial application to the community;

(e) Relevant linkages and outreach programs that are of service to the community; and

(f) Relevant academic policies, systems and processes.

The institution shall retain its status prior to the effectivity of this Act, unless in the meantime it is able to comply with the requirements provided herein within five years from the approval of this Act.

Section 22. Appropriations. — The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations for the Aurora State College of Technology. Thereafter, such sums as may be necessary for the continued operation and maintenance of the University shall be included in the annual General Appropriations Act.

Section 23. 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 24. Filing of Report. — On or before the fifteenth (15%) day of the second month after opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines and both Houses of Congress, through the CHED Chairperson, a detailed report on the progress, conditions, and needs of the University.

Section 25. Parity Clause. - All other powers, functions and privileges, responsibilities, and limitations to state universities and their officials under existing laws shall be deemed granted to or imposed upon the University and its officials whenever appropriate.

Section 26. Implementing Rules and Regulations. — Within sixty (60) days from the effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules and regulations to fully implement the provisions of this Act.

Section 27. Separability Clause. — If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 28. Repealing Clause. — All laws, presidential decrees, executive orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 29. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.