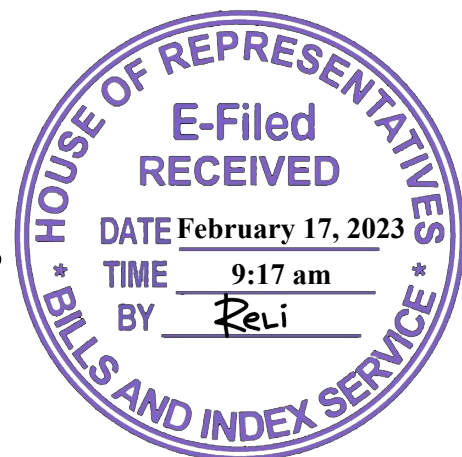




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
First Regular Session

HOUSE BILL NO. 7204

Introduced by Representative Allen Jesse C. Mangaoang

EXPLANATORY NOTE

This bill aims to declare the Kalinga State University as a national university of culture, arts and indigenous governance, revising for the purpose Republic Act No. 10584, otherwise known as *“An Act Converting the Kalinga-Apayao State College in the City of Tabuk, Province of Kalinga into a State University to be Known as the Kalinga State University and Appropriating Funds Therefor.”*

The 1987 Constitution recognizes the importance of education in nation building and improving the quality of lives of their citizens.

Sections 1 and 2 of Article XIV of the 1987 Constitution provides that:

“Section 1. The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.”

“Section 2. The State shall:

“(1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society. xxx”

The Kalinga State University was established on May 24, 2013, under Republic Act No. 10584, entitled *“An Act Converting the Kalinga-Apayao State College in the City of Tabuk, Province of Kalinga into a State University to be known as the Kalinga State University and Providing Funds Therefor.”* The university provides higher education and advanced professional instructions and

trainings in the arts, agriculture, forestry, social and natural sciences and technology, and other relevant fields of study. It also promotes and undertakes research and extension services and provides leadership in its areas of specialization. The university is committed to provide quality education and steadfast in developing the human resources in the Province of Kalinga.

Accessibility to quality education is imperative to improve the quality of life of the Filipino people. In this regard, by increasing the funding and strengthening the curricula of Kalinga State University and declaring it as a state university of culture, arts, and indigenous governance, the university will be in a better position to efficiently and effectively pursue its mission of providing quality education to the residents of the province. Focus is given to self-governance, promotion of cultural identity, and improvement of the arts.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ALLEN JESSE C. MANGAOANG



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

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HOUSE BILL NO. 7204

Introduced by Representative Allen Jesse C. Mangaoang

AN ACT

DECLARING THE KALINGA STATE UNIVERSITY AS A NATIONAL UNIVERSITY OF CULTURE, ARTS, AND INDIGENOUS GOVERNANCE, REVISING FOR THE PURPOSE REPUBLIC ACT NO. 10584, ENTITLED “AN ACT CONVERTING THE KALINGA-APAYAO STATE COLLEGE IN THE CITY OF TABUK, PROVINCE OF KALINGA INTO A STATE UNIVERSITY TO BE KNOWN AS THE KALINGA STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR”

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Revised Charter of the Kalinga State University.*”

SEC. 2. *Declaration of Policy.* – The State shall promote quality education that is accessible and relevant to the changing needs of the people and society. It shall also strengthen the cultural identity of its people by promoting their culture, arts and indigenous governance. Towards this end, the State shall establish a

1 university that promotes these fields of study consistent with standards set by the
2 world's leading institutions of learning.

3 SEC. 3. ***National University for Culture, Arts and Indigenous***
4 ***Governance.*** – The Kalinga State University (KSU) is hereby declared as the
5 National University of Culture, Arts, and Indigenous Governance.

6 As the National University of Culture, Arts and Indigenous Governance, the
7 KSU shall:

8 (a) Provide world-class academic training to young Filipinos in culture,
9 arts, and indigenous governance and other fields of study, molding them into
10 responsible citizens aware of their role in nation-building and motivated to meet
11 the challenges and opportunities presented to them as the country pursues its
12 development goals, particularly in infrastructure development, environmental
13 protection, information and telecommunications, manufacturing, transportation,
14 and land and shelter development;

15 (b) Offer advanced studies and specialization for future educators and
16 academics including experts in the fields of cultural anthropology, peace
17 advocacy, education, agriculture, forestry, engineering, business, civil service,
18 public administration, rural and urban planning, community organizing, and other
19 similar fields;

20 (c) Strengthen its existing programs by developing and offering industry-
21 driven cultural programs; spearheading collaboration between the academe and

arts; and leading in the implementation of innovative pedagogies in cultural education through the Heritage and Cultural Center;

(d) Serve as a research university in culture, arts, and indigenous governance, and other related fields of specialization by conducting basic and applied research and development;

(e) Intensify scientific, innovative, and technological research and development that may lead to the development of high-impact research, start-ups and spinoffs and technology transfer of products and services in areas such as, geographic, environment, information and computer technology, and environmental research in the Cordillera Administrative Region;

(f) Provide progressive leadership in setting academic standards and innovations in advanced instruction, research, and professional training in the fields of culture, arts, indigenous governance, peace education, agriculture, forestry, engineering, education, entrepreneurship and maintain centers of excellence in such disciplines and professions;

(g) Offer undergraduate and graduate courses within the areas of specialization and according to its capabilities, including medical and allied health, law, engineering, natural and applied sciences, teacher education, business, technology, management, social sciences, arts and culture, agriculture, forestry and other related fields as the Board of Regents may deem necessary to carry out its objectives;

1 (h) Protect and promote the professional and economic rights and welfare
2 of its academic and non-academic personnel; and

3 (i) Provide extra-curricular, civic and social activities to its students to
4 promote leadership, responsible citizenship, democratic values, healthy practices
5 and an active social life to its student, with an aim towards the promotion of
6 nationalism and a deep and enduring pride in the national identity.

7 SEC. 4. **University Campuses.** – The KSU is composed of the main and
8 constituent campuses established by its governing board upon the
9 recommendation of its President.

10 The extension campuses located in Rizal and Dagupan shall now be
11 converted into constituent campuses.

12 SEC. 5. **Commitment to National Development.** – The KSU shall harness
13 the expertise of the members of its community to aid in national development of
14 culture, arts and indigenous governance to preserve and develop culture and arts
15 in the country.

16 SEC. 6. **Social Responsibility.** – The KSU shall continue to serve the
17 Filipino nation and humanity. While it carries out the obligation to pursue
18 universal principles, it must relate its activities to the needs of the Filipino people
19 and their aspirations for social progress and transformation. The KSU shall
20 strengthen its extension services and shall provide venues for volunteerism.

21 SEC. 7. **Democratic Access.** – The KSU shall have an equitable admission
22 process to prioritize the access of disadvantaged and underprivileged students,

1 such as indigenous people, persons with disabilities, and poor but deserving
2 students, to its programs and services.

3 No student shall be denied admission to the KSU by reason solely of age,
4 gender, nationality, religious belief, economic status, ethnicity, physical
5 disability, and political opinion or affiliation.

6 In recognition of the separation of Church and State, the KSU shall
7 guarantee religious freedom.

8 SEC. 8. ***Sports, Culture, and the Arts.*** – The KSU shall undertake and
9 support comprehensive sports programs, promote physical education, uphold
10 excellence, and encourage competitive participation in sports activities. It shall
11 instill school identity, solidarity, pride, self-discipline, and teamwork. The KSU
12 shall strengthen culture and the arts as a strategic national resource, and promote
13 its importance to our identity, social well-being, and preserve the cultural heritage
14 of the country.

15 SEC. 9. ***Administration.*** – There shall be a central administration headed by
16 the KSU president, who shall provide leadership and overall strategic direction
17 in the areas of academic excellence, research, extension services, infrastructure
18 development, linkages and partnerships, and resource management designed to
19 achieve its vision and mission.

20 The KSU president shall be assisted by the vice president who shall be
21 designated by the Board of Regents upon the recommendation of the KSU

1 president, subject only to certain limitations and insofar as delegated by the KSU
2 president and authorized by the Board of Regents.

3 The administration of the constituent campuses is vested in the chancellor,
4 who shall be designated by the Board of Regents, upon the recommendation of
5 the president of KSU, subject only to certain limitations and insofar as delegated
6 by the president of the KSU and authorized by the Board.

7 The chancellor shall be assisted by the vice chancellor who shall likewise be
8 designated by the Board of Regents, upon the recommendation of the KSU
9 president.

10 SEC. 10. **Board of Regents.** – The KSU shall be governed by the Board of
11 Regents, hereinafter referred to as the Board. It shall be headed by the chairperson
12 of the Commission on Higher Education and the KSU president, with the
13 following as members:

14 (a) Chairpersons of the Committee on Higher, Technical and Vocational
15 Education of the Senate and Committee on Higher and Technical Education of
16 the House of Representatives;

17 (b) Director general of the National Economic and Development Authority
18 (NEDA);

19 (c) Secretary of Science and Technology;

20 (d) Presidents of the federation of faculty associations, student councils
21 and alumni of the KSU; and

1 (e) Two (2) representatives of the private sector who have distinguished
2 themselves in their fields of specialization, chosen from among a list of at least
3 three (3) qualified persons as recommended by a committee constituted by the
4 president of the KSU, and other members of the Board, based on the standards
5 and qualifications for the position set by the Board: *Provided*, That one (1) of the
6 representatives must come from the tribal leaders of Kalinga.

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

10 The terms of office of the president of the federation of faculty associations,
11 the president of the federation of student councils, and the president of the
12 federation of alumni associations shall be coterminous with their terms of office.

13 For the purpose of this section, the associations of faculty, alumni and
14 student councils in each constituent campus shall organize themselves to form
15 their respective federations, which in turn shall elect their federation officials.
16 The alumni representative must not be a faculty member or an employee of the
17 KSU.

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

20 In case of vacancy in the office of the president, the officer-in-charge
21 designated by the Board shall serve for the unexpired term.

1 SEC. 11. **Compensation.** – Members of the Board shall serve without
2 compensation but are entitled to reimbursement of actual and necessary expenses
3 incurred for official businesses authorized by the Board, subject to existing laws,
4 rules, and regulations.

5 SEC. 12. **Meetings; Quorum.** – The Board shall convene at least every
6 quarter. The chairperson of the Board may call a special meeting whenever
7 necessary: *Provided*, That members are notified in writing at least five (5)
8 working days prior to the meeting. The notice shall contain a brief description of
9 the agenda items to be discussed.

10 A quorum of the Board shall consist of majority of all its members holding
11 office at the time of the meeting: *Provided*, That the chairperson from the CHED
12 or the president of the KSU are among those present.

13 SEC. 13. **Powers and Duties of the Board.** – The administration of the KSU
14 and the exercise of its corporate powers are vested in the Board, which shall have
15 the following specific powers and duties:

16 (a) Define the mission and vision statements of the KSU and adopt the
17 broad policy guidelines to ensure its effective implementation;

18 (b) Preserve the integrity of the KSU;

19 (c) Approve the institution, merger or abolition of academic programs,
20 upon recommendation of the University's Academic Council through the
21 president of the KSU;

1 (d) Create, organize, reorganize, merge or abolish constituent or extension
2 campuses, and institutes;

3 (e) Approve the institutional programs and rules on student discipline
4 drawn by the administrative and academic councils;

5 (f) Approve the graduation of students and grant of honors, as
6 recommended by the academic council through the president;

7 (g) Appoint faculty members, officials and employees;

8 (h) Draw up a position classification and compensation plan for its faculty
9 and staff, subject to the review and approval of the Department of Budget and
10 Management (DBM);

11 (i) Fix the tuition fees and other necessary school charges after due
12 consultation with the students concerned. Such fees and charges, including
13 government support and other income generated by the KSU, constitute the KSU
14 special trust fund. It shall be deposited in any authorized government depository
15 bank. All interests that accrue therefrom form part of the same funds for the use
16 of the KSU.

17 Any income generated and collected by the KSU or by its subsidiaries, shall
18 be used for research, extension services or other projects of the KSU for the
19 professional growth, development, health, welfare, and other benefits of the
20 students, faculty members and administrative personnel and for the acquisition,
21 construction, maintenance and repair of its facilities and for the development of
22 economic assets.

1 (j) Adopt and implement a socialized scheme of tuition and other school
2 fees for greater access of poor but deserving students;

3 (k) Set policies on admission and graduation of students;

4 (l) Award honorary degrees upon persons in recognition of learning,
5 statesmanship, or eminence in the field of engineering, science, technology,
6 education, public service or in any field of specialization within the academic
7 competency of the KSU, upon recommendation of a committee created by the
8 president of the KSU. Such degrees shall not be conferred in consideration of any
9 payment, gift or other valuable consideration;

10 (m) Authorize its faculty and staff to travel abroad to study, deliver papers,
11 attend conferences and disseminate research;

12 (n) Provide fellowships, scholarships and grants, including athletic grants
13 and to award the same to faculty, staff and students having special evidence of
14 merit, especially those who are poor and deserving individuals;

15 (o) Develop academic arrangements for institutional capability building
16 with appropriate institutions and agencies, whether public, private, local or
17 foreign and appoint experts or specialists as consultants, part-time, visiting or
18 exchange professors, scholars, and researchers, as the case may be;

19 (p) Develop consortia and other economic forms of linkages with local
20 government units, as well as public, private, local or foreign institution and
21 agencies for the furtherance of the purposes and objectives of the KSU;

1 (q) Elect the president of the KSU based on standards and guidelines set
2 by the Board;

3 (r) Extend the tenure of faculty members of the KSU beyond the
4 compulsory retirement age whenever their services are especially needed. No
5 extension of tenure shall be made beyond the age of seventy (70);

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

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

12 (u) Develop mechanisms for the efficient adoption of public-private
13 partnerships in the areas of research, instruction, extension and in the acquisition
14 of facilities and structures of the KSU; and

15 (v) Promulgate rules and regulations, as may be necessary, to carry out the
16 purposes and functions of the KSU.

17 SEC. 14. **University President.** – The president of the KSU is its chief
18 academic officer, head of the university, faculty and chief executive officer. The
19 president shall render full-time service.

20 The president shall have a term of four (4) years, and may be reappointed to
21 another term. In case of vacancy in the office of the president by reason of death,
22 resignation, removal for cause or incapacity of the president to perform the

1 functions of the office, the Board shall designate an officer-in-charge of the KSU
2 who shall come from the KSU community, pending the appointment of a new
3 president. In no case shall the search and appointment of the next president be
4 longer than ninety (90) calendar days from the date when the vacancy occurs. The
5 designated officer-in-charge shall not be allowed to run as president.

6 SEC. 15. ***Secretary of the KSU and of the Board.*** – The secretary of the
7 KSU and of the Board shall keep all records concerning the KSU.

8 SEC. 16. ***Academic Council.*** – There shall be an academic council
9 consisting of the president of the KSU as chairperson, the vice president for
10 academic affairs as vice chairperson, and all faculty members of the KSU holding
11 the rank of assistant professor and higher, as members.

12 SEC. 17. ***Powers of the Academic Council.*** – The academic council
13 shall exercise the following powers:

14 (a) Review and propose academic policies and standards, curricular
15 offerings, instructional evaluation and assessment systems of the university;

16 (b) Recommend to the Board, through the president, the award of all
17 honorary degrees;

18 (c) Fix the requirements for admission to any college or unit, graduation,
19 and the grant of honors, subject to the prescribed university policies and
20 guidelines;

21 (d) Recommend to the Board, through the president of the KSU, matters
22 pertaining to the conduct and welfare of the KSU;

1 (e) Prescribe the academic programs including their institution, revision,
2 abolition and merger, subject to the approval of the Board;

3 (f) Recommend to the Board, through the president of the KSU, the
4 graduation of students and the grant of honors; and

5 (g) Adopt internal rules of procedure.

6 SEC. 18. **Administrative Council.** – There shall be created an
7 administrative council consisting of the president of the KSU as chairperson; the
8 vice president for administration and finance as vice chairperson and the vice
9 presidents, chancellors, deans, university chairpersons, directors, and other
10 officials of equal rank, as members.

11 SEC. 19. **Duty of the Administrative Council.** – The administrative
12 council shall review and recommend appropriate policies governing the
13 administration, management and development planning of the KSU.

14 SEC. 20. **Research Council.** – There shall be created in the KSU a
15 research council, which is composed of the president of the KSU, as chairperson,
16 the vice president for research, development and extension services, as vice
17 chairperson, and with the director for Research Services, head of established
18 Research Centers, as members.

19 The research council shall act as an advisory body to the President on
20 matters of research directions, planning, fund sourcing and allocation, and the
21 formulation and review of policies and guidelines pertaining to the research
22 program of the KSU.

1 SEC. 21. ***Extension Services Council.*** – The extension services council is
2 composed of the president of the KSU, as chairperson; the vice president for
3 research development and extension services, as vice chairperson; and with the
4 director for extension, and college extension chairpersons, as members.

5 It shall act as an advisory body to the President on matters of setting
6 extension services direction, planning, fund sourcing and allocation, and in
7 reviewing and recommending policies and guidelines pertaining to the extension
8 services program of the KSU.

9 SEC. 22. ***Chancellor of the Constituent Campus.*** – The chancellor shall
10 be in charge of the administration of each constituent campus. The chancellor
11 shall be designated by the Board upon recommendation of the president of the
12 KSU.

13 SEC. 23. ***Faculty.*** – No political belief, gender preference, cultural or
14 community affiliation or ethnic origin, nor religious opinion or affiliation shall
15 be a matter of inquiry in the appointment of faculty members of the KSU:
16 *Provided*, That said appointment shall be subject to the guidelines, qualifications
17 and standards set by the Board: *Provided, further*, That no member of the faculty
18 shall teach for or against any particular church or religious sect.

19 SEC. 24. ***Student Affairs.*** – There shall be established a college student
20 council and university student council.

21 The university student council is composed of students from constituent
22 campuses and their extension campuses elected to represent themselves. The

college student council is composed of students from specific colleges or groups of colleges within the same university. The university student council shall serve as the primary student body that shall advance the interests, welfare, and aspirations of the students of the KSU.

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. 25. ***Academic Freedom and Institutional Autonomy.*** – The University shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the Philippines.

SEC. 26. ***Land Grants and Real Properties.*** – The State may support the KSU in the form of a lump sum amount in the annual General Appropriations Act 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 KSU.

The Board may plan, design, approve and cause the implementation of land leases. Such mechanisms and arrangements must sustain and protect the environment in accordance with law. It is exclusive of the academic core zone of the campuses of the KSU.

1 The Board may approve the implementation of joint ventures. When real
2 properties of the KSU are involved, only the income derived by the KSU from
3 the use of the real properties are subject of its participation or obligation in the
4 joint ventures. No joint venture must result in the alienation of the real properties
5 of the KSU.

6 Any plan to generate revenues and other sources from land grants and other
7 real properties entrusted to the KSU must be consistent with the academic mission
8 and orientation of the university and protect it from undue influence and control
9 of commercial interests. Such projects shall be approved by the Board subject to
10 a transparent and democratic process of consultation with the constituents of the
11 KSU. The funds generated from such projects are not meant to replace, in part or
12 in whole, the annual appropriations provided by the national government to the
13 KSU.

14 SEC. 27. ***Safeguards on Assets Disposition.*** – The preservation of the
15 value of the assets of the KSU must be of primordial consideration.

16 The sale of any existing real property of the KSU is prohibited.

17 A lease of more than five (5) years must be:

18 (a) Discussed with the members of the Board in any of its formally
19 convened regular or special meeting;

20 (b) Based on a multi-year comprehensive development plan, crafted, and
21 developed by qualified urban planning professionals having at least five-year

1 experience, with prior consultations with and concurrence of third-party experts
2 and duly approved by a majority vote of all the members of the Board; and

3 (c) Subject to competitive and public bidding;

4 (1) In the case of two (2) failed biddings and negotiated
5 transactions, the Board, when considering the approval of any
6 such transaction, shall secure a fairness opinion report from an
7 independent third-party body. The third-party body must have
8 three (3) members, one (1) of which must be from a bank as
9 identified by the Board; one (1) from the provincial assessor's
10 office; and one (1) from the KSU.

11 The members are entitled to a reasonable *per diem* as the Board
12 may specify; and

13 (2) If the contract or transaction involves an amount more than
14 Fifty million pesos (P50,000,000.00), it must be approved by
15 at least three-fourths of all the members of the Board:
16 *Provided*, That the splitting of contracts, which is by breaking
17 up a contract into smaller quantities or amounts or dividing
18 contract implementation into artificial or arbitrary phases or
19 subcontracts for the purpose of circumventing this provision,
20 shall not be allowed.

21 SEC. 28. ***Management of Funds.*** – There shall be established an
22 independent trust committee to manage the funds of the university. The

1 committee shall be composed of the president of the KSU as chairperson, a
2 representative from the bank identified by the Board, and the provincial assessor.
3 The members of the independent trust committee are entitled to a reasonable *per*
4 *diem*, as the Board may specify.

5 The independent trust committee shall recommend to the Board five (5)
6 universal banks selected on a prudent basis. Trust departments shall manage the
7 corporate and other funds through trust agreements of the KSU in a non-directed
8 basis. Any such agreement shall be for a period of not more than two (2) years.

9 The independent trust committee shall provide the Board with direction on
10 appropriate investments with the view of preserving the value of funds while
11 allowing the KSU to earn a reasonable return.

12 SEC. 29. ***Reportorial Requirements and Auditing of Accounts.*** – The
13 KSU shall submit an annual report to the Congress of the Philippines containing
14 the financial statements, statement of assets and liabilities, statement of income
15 from tuition fees and other revenue sources. All accounts and disbursements of
16 the KSU shall be audited by the Commission on Audit.

17 SEC. 30. ***Tax Exemptions.*** – The importation of economic, technical,
18 and cultural books or publications, which is for economic, technical, vocational,
19 scientific, philosophical, historical or cultural purposes made by the University,
20 upon certification by the CHED, shall be exempt from customs duties in
21 accordance with the provisions of Republic Act No. 10863, as amended,
22 otherwise known as the “*Customs Modernization and Tariff Act.*”

1 Donations in any form to KSU shall be exempt from the donor's tax and the
2 same shall be considered as allowable deduction from the gross income in the
3 computation of the income tax of the donor, in accordance with the provisions of
4 the National Internal Revenue Code of 1997, as amended.

5 SEC. 31. **Appropriations.** – The amount necessary for the effective
6 implementation of this Act shall be charged against the annual General
7 Appropriations Act.

8 SEC. 32. **Development Plan and Organizational Structure.** – Within one
9 hundred twenty (120) days after the approval of this Act, the KSU shall
10 accomplish the following:

11 (a) Submit a five-year development plan, including its corresponding
12 program budget to the CHED and DBM;

13 (b) Set up its organization, as well as its academic structure, and designate
14 the key officials and administrative personnel of the KSU; and

15 (c) Secure additional plantilla positions, including technical and key
16 administrative positions.

17 SEC. 33. **Separability Clause.** – If any part of this Act is declared invalid
18 or unconstitutional, the remaining parts or provisions not affected shall remain in
19 force and effect.

20 SEC. 34. **Repealing Clause.** – Republic Act No. 10584, entitled "*An Act*
21 *Converting the Kalinga-Apayao State College in the City of Tabuk, Province of*
22 *Kalinga into a State University to be known as the Kalinga State University and*

1 *Providing Funds Therefor,* ” is hereby repealed. All other laws, executive orders,
2 issuances, presidential decrees, rules and regulations inconsistent with or contrary
3 to the provisions of this Act are hereby amended, modified or repealed
4 accordingly.

5 SEC. 35. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
6 publication in the *Official Gazette* or in a newspaper of general circulation.

7 Approved,