



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

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9121



Introduced by REPRESENTATIVE AURELIO "DONG" D. GONZALES, JR.

AN ACT
ESTABLISHING THE DON HONORIO VENTURA STATE UNIVERSITY SYSTEM,
EXPANDING ITS CURRICULAR OFFERINGS, PRESCRIBING POWERS OF ITS
GOVERNING BOARD, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

This bill seeks to establish the Don Honorio Ventura State University (DHVSU) as a University System, to be known as the Don Honorio Ventura State University System.

The Commission on Higher and Technical Education (CHED) defines university system as "an organized academic entity composed of separate but correlated units, at least one of which has university level status. A single board responsible for the formulation of system-wide policies and programs governs a University System. The System shall have the general powers of a corporation set forth in the Revised Corporation Law. A University System must have a clearly defined organization that is governed primarily by the board and by a set of officers, both system-wide and for each constituent unit."¹

The Don Honorio Ventura State University is a state-funded university, with its main campus located in the Municipality of Bacolor, Province of Pampanga. Its regular campuses are situated in the municipalities of Apalit, Candaba, Porac, Mexico, Santo Tomas and Lubao—all in the Province of Pampanga. The University is headed by a University President, with the Board of Regents as its governing body. Campus directors serve as heads or administrator of the DHVSU campuses.

To provide accessible and quality education to the citizenry at all levels pursuant to Section 1, Article XIV of the 1987 Constitution, DHVSU has been continuously and consistently strengthened by significant pieces of legislation: first by R.A. 9832, which granted its Technological State University status, followed by R.A. 11169 which further elevated it into a State University-level enabling it to expand its curricular offerings, and R.A. 11781 which converted DHVSU's extension campuses into regular campuses.

DHVSU is one of the premier educational institutions in Central Luzon, and is home to a number of excellent graduates who became board toppers in the fields of Psychology, Architecture and Engineering. These achievements are testament to the excellent quality of education and instruction provided by University.

¹ CHED Memorandum Order No. 08 Series of 2003

With the increasing challenges of modern education, there is a need to further consolidate and strengthen the synergy of DHVSU and its campuses, hence, its conversion to a University System will greatly enhance the University's delivery of quality education, and in turn, support the socioeconomic development of the Province of Pampanga and Central Luzon.

In view of foregoing, the approval of this measure is immediately sought.


REP. AURELIO "DONG" D. GONZALES, JR.
3rd District, Pampanga



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

Section 1. *University System.* – The Don Honorio Ventura State University (DHVSU) located in the Municipality of Bacolor, with campuses in the Municipalities of Mexico, Porac, Sto. Tomas, Lubao, Candaba and Apalit, all in the Province of Pampanga, as well as the other campuses that will be created prior to the effectivity of this Act, is hereby established as a university system, hereinafter referred to as DHVSU System. Its main campus shall be located in the municipality of Bacolor, Province of Pampanga.

Section 2. *General Mandate.* – The DHVSU System shall primarily provide advance instruction and professional training in education, engineering, science and technology, arts and humanities, information and communication technology education, liberal arts, medical, health-related programs, and other relevant fields of study. It shall also undertake research, extension services, and production activities and provide progressive leadership in its areas of specialization in support of the socioeconomic development of the Province of Pampanga and Region III.

Section 3. *Curricular Offerings.* – The DHVSU System shall primarily offer technical-vocational, undergraduate and graduate courses in the fields of education, engineering, science and technology, arts and humanities, information and communications technology, liberal arts, legal management, law, medicine and allied sciences, health-related courses, entrepreneurial programs, creative industries, travel management, and other relevant courses within its areas of specialization and based on its capabilities, as the Board of Regents may deem necessary to carry out its objectives, in order to meet the needs of the Province of Pampanga and Region III: *Provided*, That no degree program shall be offered without the approval of the Commission on Higher Education before the same shall be approved by the Board.

The DHVSU System may open new branches or extension campuses in consortium with other academic institutions as it may deem necessary, to improve access to quality education, promote innovation and progress in the academe, and advance its research capabilities, subject to applicable arrangements with other institutions.

Section 4. *Administration.* – The DHVSU System shall have the general powers of a corporation set forth in Republic Act No. 11232, otherwise known as the “Revised Corporation Code of the Philippines.” The administration of the DHVSU System and the exercise of its corporate powers shall be vested exclusively in the Board of Regents and the President of the DHVSU System.

Section 5. Governing Board. – The governing body of the DHVSU System shall be the Board of Regents, hereinafter referred to as the Board, which shall be chaired and co-chaired by the Chairperson of the Commission on Higher Education (CHED) and the President of the DHVSU System, respectively, and with the following, as members:

- a) Chairperson of the Committee on Higher, Technical and Vocational Education of the Senate;
- b) Chairperson of the Committee on Higher and Technical Education of the House of Representatives;
- c) Regional Director of the National Economic and Development Authority;
- d) Regional Director of the Department of Science and Technology;
- e) President of the federation of faculty associations of the DHVSU System;
- f) President of the federation of student councils of the DHVSU System;
- g) President of the federation of alumni associations of the DHVSU System;
- h) Representative of the non-teaching or personnel association of the DHVSU System; and
- i) Two (2) prominent citizens from the private sector who have distinguished themselves in their professions or fields of specialization.

The Board shall appoint two (2) prominent citizens who shall be selected from a list of at least five (5) qualified persons from the Province of Pampanga, as recommended by a search committee constituted by the President of the DHVSU System, in consultation with the Chairperson of the CHED and other members of the Board, based on the guidelines on qualification standards for the position set by the Board. They shall serve for a term of two (2) years from the date of appointment.

The President of the federation of faculty associations, the President of the federation of student councils, the President of the federation of alumni associations, and the Representative of the non-teaching personnel shall serve contemporaneously in the Board and their terms of office as provided under their respective associations' constitutions and bylaws.

In case of vacancy among appointive positions in the Board, the vacancy shall be filled by the Board following guidelines set by it, and the appointee shall hold office only for the unexpired portion of the term.

Section 6. Powers and Duties of the Board. – In addition to its general powers of administration and the powers granted to the board of directors of a corporation under existing law, the Board shall have the following specific powers and duties:

- a) Promulgate and implement policies in accordance with the declared State policies on education, other pertinent provisions of the Constitution on education, agriculture, science and technology, and the policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";
- b) Approve the curricula, instructional programs, and rules on student discipline drawn by the Administrative and Academic Councils as herein provided;

- c) Appoint, upon the recommendation of the President of the DHVSU System, the vice presidents, chancellors, deans, directors, heads of the campuses, faculty members, and other officials and employees of the DHVSU System;
- d) Fix and adjust the salaries of faculty members, administrative officials and employees, subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provision of existing law to the contrary notwithstanding; and remove them for cause in accordance with the requirements of due process of law;
- e) Hear and decide administrative cases or matters brought before it on appeal from the Office of the President involving DHVSU System officials and employees, in accordance with the Civil Service Commission (CSC) Rules on Administrative Cases;
- f) 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 DHVSU System, shall constitute its special trust funds, and shall be deposited in any authorized government depository bank. All interests that shall accrue therefrom shall form part of the same funds for the use of the DHVSU System;

Any provision of existing law, rule or regulation to the contrary notwithstanding, any income generated by the DHVSU System from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the DHVSU System and may be disbursed by the Board for instruction, research, extension services or other programs or projects of the DHVSU System: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these are collected: *Provided, however*, That if, for reasons beyond its control, the DHVSU System shall not be able to pursue any project for which the funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the DHVSU System;

- g) Adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students in accordance with Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act";
- h) Establish professorial chairs in the DHVSU System and provide fellowships for qualified faculty members, and scholarships to deserving students;
- i) Receive and appropriate sums as may be provided for by law for the support of the DHVSU System, and all other sums in the manner it may, in its discretion, determine to carry out the purposes and functions of the DHVSU System;
- j) Set the policies on admission and graduation of students;
- k) Establish research and extension centers to promote the development of the

DHVSU System;

- l) Award honorary degrees upon persons in recognition of their outstanding contributions on the fields of education, public service, arts, science and technology, sports and human kinetics or any field of specialization within the academic competency of the DHVSU System, and authorize the awarding of certificates of completion of non-degree and nontraditional courses;**
- m) Develop academic arrangements for institutional capability building with appropriate institutions and agencies, whether public, private, local or foreign, and appoint experts or specialists as consultants, part-time, visiting or exchange professors, scholars or researchers, as the case may be;**
- n) Adopt modern and innovative modes of transmitting knowledge to allow greater access to education such as the use of information technology, online programs, the dual training system, open distance learning, and community laboratory;**
- o) Absorb non-chartered tertiary institutions within the province of Pampanga and Region III as branches, extension or external centers, in coordination with the CHED and in consultation with the Department of Budget and Management (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 DHVSU System, to be financed by CHED, subject to 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) Create, organize, reorganize, merge or abolish regular and extensions campuses, colleges, institutes, and other academic and administrative units of the DHVSU System;**
- r) Develop consortia and other economic forms of linkages with local government units (LGUs), as well as public, private, local or foreign institutions and agencies for the furtherance of the purposes and objectives of the DHVSU System;**
- s) Import economic, technical and cultural books and publications;**
- t) Enter into joint ventures with the business industry for the profitable growth and management of economic assets the proceeds of which shall be used for the development and strengthening of the DHVSU System;**
- u) Receive, in trust, legacies, gifts and donations of real property and personal properties of all kinds and administer and dispose of the same, when necessary, for the benefit of the DHVSU System and subject to the limitations, directions and instructions of the donor, if any;**
- v) Delegate any of its powers and duties to the President and other officials of the DHVSU System, as it may deem appropriate, so as to expedite the administration of the affairs of the DHVSU System;**
- w) Establish policy guidelines and procedures for the participative and transparent decision-making within the DHVSU System;**
- x) Where most advantageous to the DHVSU System, privatize the management**

of non-academic services such as health, food, buildings or grounds or property maintenance, and such other similar activities;

- y) 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; and
- z) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of the DHVSU System.

Section 7. Meetings of the Board. – The Board shall regularly convene once every three (3) months. The Chairperson of the Board may, however, call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) days prior to the conduct of 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 DHVSU System 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 regular member: *Provided*, That during the meeting, the President of the DHVSU System, as Vice Chairperson, shall be the presiding officer: *Provided*, further, That this provision notwithstanding, the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in which case, the said CHED Commissioner shall act as the presiding officer.

In case the Chairperson of the Senate Committee on Higher, Technical and Vocational Education and the House Committee on Higher and Technical Education will not be 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 to 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 8. DHVSU System President. – The DHVSU System shall be headed by a President who shall be appointed by the Board subject to its guidelines on qualifications and standards, and based on the recommendation of a search committee duly constituted for the purpose of selecting the President. The DHVSU System President shall render full-time service, serve a term of four (4) years, and may be reappointed to another term: *Provided*, That this provision shall not adversely affect the term of the incumbent President.

Within six (6) months before the expiration of the term of office of the incumbent President of the DHVSU System, the Board shall constitute the Search Committee for the Presidency.

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

The salary of the President of the DHVSU System shall be in accordance with Republic Act No. 11466, otherwise known as the “Salary Standardization Law of 2019,” and such

other laws amendatory thereto, which may hereinafter be enacted and shall be comparable to that being received by the presidents of similar educational institutions.

In case of a vacancy in the Office of the President by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the President to perform the functions of the office, the Board shall designate an Officer-in-Charge of the DHVSU System, pending the appointment of a new President: *Provided*, That the Officer-in-Charge shall serve only during the unexpired portion of the term.

The President of the DHVSU System shall be assisted by a Vice President for Academic Affairs, a Vice President for Administration, and a Vice President for Research, Development and Extension, who shall all be appointed by the Board upon the recommendation of the President of the DHVSU System.

Section 9. *The Secretary of the DHVSU System.* - The Board shall appoint a Secretary who shall serve as such for both the Board and the DHVSU System and shall keep all records and proceedings of meetings of the Board. The Secretary of the DHVSU System shall serve upon each member of the Board the appropriate notice of board meetings.

Section 10. *The Treasurer of the DHVSU System.* - The Treasurer of the Philippines shall be the *ex officio* Treasurer of the DHVSU System.

Section 11. *The Administrative Council.* - There shall be an Administrative Council consisting of the President of the DHVSU System as chairperson, and the vice presidents, deans, directors and other officials of equal rank as members, that shall review and recommend to the Board the policies that shall govern the administration, management and development planning of the DHVSU System.

Section 12. *The Academic Council.* - There shall be an Academic Council, which shall formulate academic policies. It shall be composed of the President of the DHVSU System, who shall act as chairperson, and all academic staff with the rank of at least an assistant professor, as members.

The Academic Council shall have the power to review and recommend the curricular offerings and rules of discipline, subject to the approval of the Board. It shall fix the requirements for the admission of students, as well as for their graduation and conferment of degrees, subject to review and approval by the Board through the President of the DHVSU System. It shall exercise disciplinary power over students of the DHVSU System and shall formulate academic policies and rules and regulations on discipline, subject to the approval of the Board.

Section 13. *Heads of DHVSU System Campuses.* - The Campus Directors shall respectively serve as heads or administrator of the DHVSU System's campuses and render full-time service.

They shall be appointed or designated by the Board, upon recommendation of the search committee and the President, subject to the guidelines, qualifications and standards set by the Board: *Provided*, That, upon the effectivity of this Act, the incumbent Campus Directors of the existing campuses of the DHVSU shall continue to serve as such.

Section 14. *Faculty.* - No political belief, gender preference, cultural or community affiliation or ethnic origin, and religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the DHVSU System: *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 15. *Academic Freedom and Institutional Autonomy.* - The DHVSU System shall enjoy academic freedom and institutional autonomy pursuant to paragraph 2, Section 5 of Article XIV of the Constitution.

Section 16. *Scholarship Programs and Admission.* - The DHVSU System shall provide a scholarship program and other affirmative action programs to assist poor but deserving students who qualify for admission to the DHVSU System.

No student shall be denied admission to the DHVSU System 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 DHVSU System, such apparatus, equipment or supplies as may be needed by the DHVSU System, and to detail employees for duty therein when, in the judgment of the head of bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to public service.

The employees so detailed shall perform such duties as required of them by the President of the DHVSU System and the time so employed 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 DHVSU, as well as liabilities or obligations, are hereby transferred to the DHVSU System: *Provided*, That the positions, rights and security of tenure of faculty members and personnel therein employed under existing laws prior to the integration into a university system shall be respected: *Provided, further*, That the incumbents occupying the positions shall remain in the same status until otherwise provided for by the Board: *Provided, finally*, That the DHVSU System shall also accordingly upgrade or increase its human resources component as may be deemed appropriate by the Board.

All parcels of land belonging to the government occupied by the DHVSU and all its campuses are hereby declared to be the property of the DHVSU System, and shall be titled under that name: *Provided*, That should the DHVSU System cease to exist or be abolished or should such aforementioned parcels of land be no longer needed by the DHVSU System, the same shall revert to the concerned LGU or to the Republic of the Philippines, as the case may be.

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

All grants, bequests, endowments, donations and contributions made to and used actually, directly and exclusively for educational purposes by the DHVSU System, shall be exempt from donor's tax and the same shall be allowed 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. Transitory Provision. –Upon the effectivity of this Act, all employees of the DHVSU shall be retained in their present positions.

Section 21. *Development Plan, Management Audit, and Organizational, Administrative and Academic Structure.* - Within a period of one hundred twenty (120) days after the approval of this Act, the DHVSU System shall accomplish the following:

- (a) Submit a five (5)-year development plan, including its program and budget to the CHED for recommendation to the DBM;
- (b) Set up its organizational, administrative, and academic structure, including the appointment of key officials of the DHVSU System; and
- (c) Undergo a management audit in coordination with the CHED.

Section 22. *Filing of Report.* - On or before the fifteenth (15th) day of the second (2nd) month after the opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines, through the Chairperson of the CHED, and with both Houses of Congress, a detailed report on the progress, conditions and needs of the DHVSU System.

Section 23. *Supplementary 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 DHVSU System.

Section 24. *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 DHVSU System and its officials, whenever appropriate.

Section 25. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the DHVSU. Thereafter, such sums as may be necessary for the continued operation and maintenance of the DHVSU System shall be included in the annual General Appropriations Act.

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 thereby shall remain in full force and effect.

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

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

Approved,