

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

20TH Congress

FIRST REGULAR SESSION

HOUSE BILL NO. 1099



Introduced by Representative **CAROLINE B. AGYAO**

EXPLANATORY NOTE

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

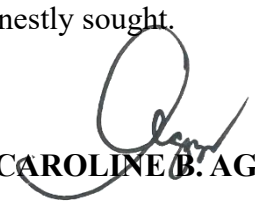
Sections 1 and 2 of Article XIV of the 1987 Constitution provides that the State shall protect and promote the right of all citizens to quality education and shall take appropriate steps to make such education accessible to all. It shall establish, maintain and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.

This bill aims to strengthen the Kalinga State University by strengthening its research and curricula in the various fields of study consistent with standards set by the world's leading institutions of learning.

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 Philippines.

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 establishing it as a leading 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, the Cordillera Region and the rest of the country.

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


CAROLINE B. AGYAO

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AN ACT STRENGTHENING THE KALINGA STATE UNIVERSITY, EXPANDING ITS CURRICULAR OFFERINGS AND THE COMPOSITION OF THE GOVERNING BOARD, AND APPROPRIATING FUNDS THEREFOR

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

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

3
4 **SEC. 2. *Declaration of Policy.*** – The State shall promote, foster, nurture, and
5 protect the right of all citizens to accessible quality education. It shall establish,
6 maintain, and support a complete, adequate, and integrated system of education towards
7 globalization that is relevant to the needs of the people and society.

8
9 To this end, the Kalinga State University (KSU) and its constituent units shall be
10 strengthened as a State University to enhance its capability to provide accessible quality
11 education. It shall also be further strengthened by expanding its curricular offerings and
12 the composition and powers of its governing board, developing the competencies and
13 encouraging the specialization of its constituent units, engaging in conventional or
14 alternative instructional techniques, methodologies and strategies, and fostering a unique
15 and distinctive academic leadership towards the improvement of KSU as an academic
16 institution and the delivery of higher education services in the Province of Kalinga and
17 Cordillera Administrative Region (CAR).

18
19 **SEC. 3. *University Campuses.*** – The KSU shall be comprised of its existing
20 campuses in the Municipality of Rizal and Barangay Dagupan, Tabuk City as well as its

regular and extension campuses, colleges, academic or nonacademic units, and all other KSU campuses that may be established in the future. The main campus of the KSU shall be in the Tabuk City, Province of Kalinga.

SEC. 4. General Mandate. – The KSU shall primarily provide advanced education, higher technological, professional courses and training programs in the arts, culture, agriculture, forestry, social and natural sciences and technology, and other relevant fields of study. It shall also undertake research and extension services and production activities, in support of the socio-economic development of the Province of Kalinga and CAR.

SEC. 5. Curricular Offerings. – The KSU shall primarily offer undergraduate and graduate courses, advance professional and technical instruction and training within its areas of specialization in the fields of arts, culture, agriculture, forestry, social and natural sciences and technology, and other relevant fields of study, as the Board of Regents may deem necessary for the accomplishment of its objectives, and those which respond to the human resource development needs of the Province of Kalinga and Cordillera Administrative Region: *Provided*, That KSU shall comply with the policies, standards, and guidelines of the Commission on Higher Education (CHED) for the offering of courses and the introduction of new or revised programs.

The KSU 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 memoranda with other institutions: *Provided*, That KSU shall comply with the policies, standards, and guidelines of the CHED for the operation of regular or extension campuses.

The existing reasonably-sized laboratory junior and senior high school shall continue to operate under the supervision of the College of Education of the KSU to serve the in-campus requirements of its students.

SEC. 6. Sports, Culture, and the Arts. – The KSU shall undertake and support comprehensive sports programs, promote physical education, uphold excellence, and encourage competitive participation in sports activities. It shall instill school identity and solidarity and cultivate pride, self-discipline, and teamwork. The KSU shall strengthen culture and the arts and strategic national resources and promote its importance to our identity, social well-being, and in the preservation of the cultural heritage of the country.

SEC. 7. Administration. – The KSU shall have the general powers of a corporation set forth in Republic Act (RA) No. 11232, otherwise known as the “Revised Corporation Code of the Philippines”. The exercise of its corporate powers shall be vested exclusively in the Board of Regents and the President of the KSU.

SEC. 8. The Governing Board. – The governing board of the KSU shall be the Board of Regents, hereinafter referred to as the Board. The Chairperson of the Board shall be the Chairperson of the CHED and the Vice-Chairperson shall be the President of the KSU. The following shall be the 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 (NEDA);
- (d) Regional Director of the Department of Agriculture;
- (e) Regional Director of the Department of Science and Technology;
- (f) Regional Director of the CHED;
- (g) President of the federation of faculty associations of the KSU;
- (h) President of the federation of student councils of the KSU;
- (i) President of the federation of alumni associations of the KSU;
- (j) Representative of the nonteaching personnel association of the KSU; and
- (k) 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 Kalinga as recommended by a Search Committee constituted by the President of the KSU System, in consultation with the Chairperson of the CHED and other members of the Board, based on the guidelines, qualifications, and standards for the position set by the Board. They shall serve for a term of two (2) years from the date of appointment.

The terms of office of the Presidents of the federation of faculty associations, federation of student councils, federation of alumni associations, and the representative of the nonteaching personnel association of the KSU shall be coterminous with their terms of office, as provided under their respective constitutions and bylaws.

SEC. 9. Powers and Duties of the Board. – The administration of the KSU and the exercise of its corporate powers are vested in the Board, which 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 RA No. 11232, 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 RA 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 KSU, the vice presidents, deans, directors, heads of the campuses, faculty members, and other officials of the KSU;
- (d) Prescribe the salaries of faculty members and administrative officials, and employees, subject to the provisions of RA No. 11466, otherwise known as the “Salary Standardization Law of 2019”, and other laws amendatory thereto, civil service rules and regulations governing hours of service and such other requirements and conditions, other pertinent laws, rules and regulations;

(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 KSU, shall constitute its funds to be used exclusively in the pursuit of its mandate as a State University, 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 KSU;

The fees and charges collected by the KSU, including government subsidies and proceeds from other income sources, as well as interests that would accrue therefrom, shall be retained by the University: *Provided*, That in no case shall the said income be used for the payment of allowances and other benefits not authorized by law: *Provided, further*, That all fiduciary fees shall be disbursed for the specific purpose for which they were collected;

If the KSU, for reasons beyond its control, would not be able to pursue any project 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: *Provided*, That funds collected from students for specific purposes shall not be realigned or reprogramed to other expenditures;

(f) Adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students in accordance with RA No. 10931, or the “Universal Access to Quality Tertiary Education Act”;

(g) Establish professorial chairs in the KSU and provide fellowships for qualified faculty members, and academic and athletic scholarships to deserving students;

(h) Receive and appropriate sums as may be provided by law for the support of the KSU, and all other sums in the manner it may, in its discretion, determine to carry out the purposes and functions of the KSU;

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

(j) Award honorary degrees upon persons in recognition of their outstanding contributions in 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 KSU, and authorize the awarding of certificates of completion of nondegree and nontraditional courses;

(k) Establish research and extension centers to promote the development of the KSU;

(l) 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;

(m) Adopt modern and innovative modes of transferring knowledge for the promotion of greater access to education such as the use of information technology, the dual training system, open distance learning, and community laboratory;

(n) Collaborate with the governing bodies of other state universities and colleges within the Province of Kalinga and Cordillera Administrative Region, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the KSU to make it more efficient, relevant, productive and competitive;

(o) Absorb non-chartered tertiary education institutions within the Province of Kalinga and CAR as branches, extension campuses, and 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 KSU, to be financed by the CHED, subject to the rules and regulations of the Commission on Audit, 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 as well as public, private, local or foreign institutions and agencies for the furtherance of the purposes and objectives of the KSU;

(r) Import books or publications, instruments, equipment and apparatuses for economic, technical-vocational, scientific, medical, philosophical, historical, legal or cultural purposes;

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

(t) Receive, in trust, all 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 KSU and subject to the limitations, directions, and instructions of the donor, if any;

(u) Extend the term of the President of the KSU 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 such extension shall be subject to the term limits provided in Section 11 of this Act: *Provided, further*, That the President's performance has been rated by the Board as outstanding and a unanimous recommendation for such extension has been decided upon by the Search Committee;

(v) Delegate any of its powers and duties provided to the President and other officials of the KSU, as it may deem appropriate, so as to expedite the administration of the affairs of the KSU;

(w) Establish policy guidelines and procedures for participative and transparent decision-making within the KSU;

(x) Where most advantageous to the KSU, outsource the management of nonacademic services such as health, food, building 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 KSU.

SEC. 10. *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 a 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 KSU is among those present in the meeting.

In case the Chairperson of the CHED cannot attend a meeting of the Board, a CHED Commissioner duly designated by Chairperson of the CHED as representative to the meeting, shall have all the rights and responsibilities of a regular member: *Provided*, That during the meeting, the President of the KSU, as Vice Chairperson, shall be the presiding officer: *Provided, further*, That this provision notwithstanding, the Chairperson of the CHED may 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 Chairpersons of the Senate Committee on Higher, Technical and Vocational Education and the House Committee on Higher and Technical Education cannot attend the Board meeting, they may designate their respective representatives, who shall have the same rights and responsibilities as 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.

SEC. 11. *The University President.* – The KSU shall be headed by a President who shall be appointed by the Board, subject to its guidelines, qualification and standards, and based on the recommendation of a Search Committee duly constituted for the purpose of selecting the President.

The KSU President shall render full-time service and shall have a term of four (4) years, and may be reappointed to another term: *Provided*, That in order to effect the smooth transition of the KSU upon the effectivity of this Act, the incumbent President of the KSU, if qualified, shall serve as the first president of the strengthened KSU.

Within six (6) months before the expiration of the term of office of the President of the KSU, the Board shall constitute the Search Committee for the Presidency, and shall ensure the appointment or reappointment of a president on or before the expiration of the term.

1 The powers and duties of the President of the KSU, in addition to those
2 specifically provided for in this Act, shall include those usually pertaining to the Office
3 of the President of similar state universities and colleges and those delegated by the
4 Board.

5
6 The salary of the President of the KSU shall be in accordance with RA No.
7 11466, and such other laws amendatory thereto, which may hereinafter be enacted, and
8 on the joint circular for state universities and colleges' leveling instruments, and
9 guidelines of the CHED and the DBM.

10
11 In case of a vacancy in the Office of the President by reason of death, compulsory
12 retirement, resignation, removal for cause, or incapacity of the President to perform the
13 functions of the office, the Board shall designate an Officer-in-Charge (OIC) of the
14 KSU, pending the appointment of a new President: *Provided*, That the OIC shall serve
15 only during the unexpired portion of the term.

16
17 The President of the KSU shall be assisted by the following officials: Vice
18 President for Academic Affairs; Vice President for Administration, Planning, and
19 Finance; Vice President for Research, Development, and Extension; Vice President for
20 Linkages, Production, and Research Generation; and the Vice President for Quality
21 Assurance. They shall all be appointed by the Board upon the recommendation of the
22 President of the KSU.

23
24 **SEC. 12. *The Secretary.*** – The Board shall appoint a Secretary who shall serve as
25 such for both the Board and the KSU and shall keep all records and proceedings of
26 meetings of the Board. The Secretary of the KSU shall serve upon each member of the
27 Board the appropriate notice of board meetings.

28
29 **SEC. 13. *The Treasurer.*** – The Treasurer of the Philippines shall be the *ex officio*
30 Treasurer of the KSU.

31
32 **SEC. 14. *The Administrative Council.*** – There shall be an Administrative Council
33 consisting of the President of the KSU as Chairperson, and the vice presidents, deans,
34 directors, and other officials of equal rank, as members. The Administrative Council
35 shall review and recommend to the Board the policies that shall govern the
36 administration, management, and development planning of the KSU.

37
38 **SEC. 15. *The Academic Council.*** – There shall be an Academic Council, which
39 shall formulate academic policies. It shall be composed of the President of the KSU,
40 who shall act as Chairperson, and all academic staff with the rank of at least an assistant
41 professor, as members.

42
43 The Academic Council shall review and recommend the curricular offerings and
44 rules on student discipline, subject to the approval of the Board. It shall fix the
45 requirements for the admission of students, as well as for their graduation and
46 conferment of degrees, subject to the review and approval of the Board through the
47 President of the KSU.

48
49 It shall exercise disciplinary power over the students of the KSU and formulate
50 rules and regulations on student discipline, subject to the approval of the Board.

1 **SEC. 16. Heads of University Campuses.** – The campuses of the KSU shall each
2 be headed by a Campus Director who shall serve as head or administrator of each of the
3 campuses and shall render full-time service for a term of two (2) years and may be
4 reappointed to another term.

5
6 The Campus Director shall be appointed or designated by the Board, upon the
7 recommendation of the Search Committee and the KSU President, subject to the
8 guidelines, qualifications, and standards set by the Board: *Provided*, That upon the
9 effectivity of this Act, the incumbent Campus Directors of the existing campuses of the
10 KSU shall continue to serve as such.

11
12 **SEC. 17. The Faculty.** – No political belief, sex, gender preference, cultural or
13 community affiliation, ethnic origin, or religious opinion or affiliation shall be a matter
14 of inquiry in the appointment of faculty members of the KSU: *Provided*, That said
15 appointment shall be subject to the guidelines, qualifications, and standards set by the
16 Board: *Provided, further*, That no member of the faculty shall teach for or against any
17 particular religious denomination.

18
19 **SEC. 18. Academic Freedom and Institutional Autonomy.** – The KSU shall enjoy
20 academic freedom and institutional autonomy pursuant to Paragraph 2, Section 5 of
21 Article XIV of the Constitution.

22
23 **SEC. 19. Scholarship Programs and Admission.** – The KSU shall provide
24 scholarship programs and other affirmative action programs to assist poor but deserving
25 students who qualify for admission to the KSU.

26
27 No student shall be denied admission to the KSU by reason of sex, gender, religion,
28 cultural community affiliation, and ethnic origin, or any other forms of discrimination.

29
30 **SEC. 20. Loan or Transfer of Supplies, Apparatuses, or Equipment, and Detail of**
31 **Personnel.** – Heads of national government agencies and instrumentalities may, upon
32 the request of the Board through the President of the KSU, loan or transfer of supplies,
33 apparatuses, or equipment, and detail personnel to the University: *Provided*, That such
34 loan, transfer or detail shall not be detrimental to public service.

35
36 The personnel to be detailed to the University shall perform such duties as may be
37 deemed required by the President of the KSU and the time spent for such duties shall be
38 counted as part of the detailed personnel's regular service.

39
40 **SEC. 21. Assets, Liabilities and Personnel.** – All assets, both real and personal,
41 personnel and records of the KSU, as well as its liabilities or obligations, shall remain
42 under the name of the KSU: *Provided*, That the positions, rights, and security of tenure
43 of faculty members and personnel therein employed under existing laws shall be
44 respected: *Provided, further*, That the incumbents occupying the positions shall remain
45 in the same status until otherwise provided for by the Board: *Provided, finally*, That the
46 KSU shall also accordingly upgrade or increase its human resource component as may
47 be deemed appropriate by the Board.

48
49 All parcels of land belonging to the government that are occupied by the KSU and
50 all its campuses are declared as property of the KSU and shall be titled under its name:
51 *Provided*, That should the KSU cease to exist or be abolished or should such

1 aforementioned parcels of land be no longer needed by the KSU, the same shall revert to
 2 the concerned local government units or to the Republic of the Philippines, as the case
 3 may be.

4
 5 **SEC. 22. *Duty and Tax Exemptions.*** – The importation of books or publications,
 6 instruments, equipment and apparatuses which are for economic, technical, vocational,
 7 scientific, medical, philosophical, historical, legal or cultural purposes made by the
 8 KSU, upon certification by the CHED, shall be exempt from customs duties in
 9 accordance with the provisions of RA No. 10863, otherwise known as the “Customs
 10 Modernization and Tariff Act (CMTA)”.

11
 12 All grants, bequests, endowments, donations, and contributions made to and used
 13 actually, directly, and exclusively for educational purposes by the KSU, shall be exempt
 14 from donor’s tax and the same shall be considered as allowable deductions from gross
 15 income for purposes of computing the taxable income of the donor in accordance with
 16 the provisions of the National Internal Revenue Code of 1997, as amended.

17
 18 **SEC. 23. *Development Plan, Management Audit, and Organizational,***
 19 ***Administrative, and Academic Structure.*** – Within one hundred twenty (120) days after
 20 the approval of this Act, the KSU shall accomplish the following:

- 21
 22 (a) Submit a five (5)-year development plan, including its program budget to the
 23 CHED for recommendation to the DBM;
 24
 25 (b) Set up its organizational, administrative, and academic structure, including the
 26 appointment of key officials of the KSU; and
 27
 28 (c) Undergo a management audit in coordination with the CHED.

29
 30 **SEC. 24. *Filing of Report.*** – On or before the fifteenth (15th) day of the second (2nd)
 31 month after the opening of regular classes each year, the Board shall file a detailed
 32 report on the progress, condition, and needs of the KSU with the Office of the President
 33 of the Philippines and both Houses of Congress, through the Chairperson of the CHED.

34
 35 **SEC. 25. *Supplementary Application.*** – The provisions of RA No. 8292, otherwise
 36 known as the “Higher Education Modernization Act of 1997”, shall form part of this
 37 Act.

38
 39 **SEC. 26. *Transitory Provision.*** – Upon the effectivity of this Act, all employees of
 40 the KSU shall be retained in their present positions and no one shall be adversely
 41 affected by the approval of the amendments to the original charter.

42
 43 **SEC. 27. *Parity Clause.*** – All other powers, functions, privileges, responsibilities,
 44 and limitations under existing laws shall be deemed granted to or imposed upon the
 45 KSU and its officials, whenever appropriate.

46
 47 **SEC. 28. *Appropriations.*** – The amount necessary to carry out the initial
 48 implementation of this Act shall be charged against the current year’s appropriation of
 49 the KSU. Thereafter, such sums as may be necessary for the continued implementation
 50 of this Act shall be included in the annual General Appropriations Act.

1 **SEC. 29. *Implementing Rules and Regulations.*** – Within ninety (90) days from the
2 effectivity of this Act, the Board shall, in consultation with the CHED, formulate rules
3 and regulations to implement its provisions.
4

5 **SEC. 30. *Separability Clause.*** – If, for any reason, any part or provision of this Act
6 is declared invalid or unconstitutional, the remaining parts or provisions not affected are
7 in full force and effect.
8

9 **SEC. 31. *Repealing Clause.*** – RA No. 10584 entitled, “An Act Converting the
10 Kalinga-Apayao State College in the City of Tabuk, Province of Kalinga into a State
11 University to be Known as the Kalinga State University and Appropriating Funds
12 Therefor”, and other laws, presidential decrees, executive orders, and rules and
13 regulations contrary to or inconsistent with the provisions of this Act are amended,
14 repealed, or modified accordingly.
15

16 **SEC. 32. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
17 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,