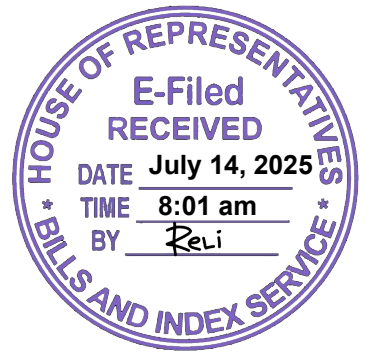


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. **1805**

EXPLANATORY NOTE

This bill was approved by the House of Representatives during the 19th Congress.

In order to transform the Mindanao State University into a world-class university, it is necessary to amend their charter and introduce improvements to the same.

The existing charter of the MSU is currently 6 decades old and is already obsolete, unresponsive and weak in relation to the University's urgent needs and requirements in view of the prevailing domestic and global challenges it faces.

This bill seeks to address the weaknesses of the charter of the MSU and proposes amendments that would strengthen the University and make it adaptable to today's highly globalized world.

In view of the foregoing consideration, immediate approval of this bill is highly recommended.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS)
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HOUSE OF REPRESENTATIVES

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AN ACT

**STRENGTHENING THE MINDANAO STATE UNIVERSITY SYSTEM 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 Mindanao State University System Charter*”.

SEC. 2. *Declaration of Policy.* The State shall promote, foster, nurture and protect the rights of all citizens to quality education. To this end, the state shall continually strengthen and improve the university system of the Mindanao State University (MSU).

The MSU was established as a potent instrument to implement more effectively the policy of the government on the education, integration, and development of the Filipino youth, including Muslims and other indigenous peoples (IPs), into the national body politic towards achieving peace, development, and national unity.

In addition to its original mandate as a comprehensive university, the MSU is hereby designated as the national peace and development university. As such, the MSU shall be recognized as an institution of higher education for peace and development whose aim is to promote the principles of understanding, mutual respect, peaceful co-existence, democracy, and justice, and cooperation among the people in keeping with the noble aspirations embodied in the Charter of the United Nations. It shall also initiate, maintain, and promote programs and policies on peace education, peace research, conflict resolution, multiculturalism, pluralism, and diversity, as well as strengthen its commitment to peace and development.

SEC. 3. *Commitment to Peace and Development.* - The MSU, as a national peace university, shall harness the expertise of the members of its community and other individuals to regularly study the state of the nation in relation to its quest for peace and development in the primary areas of politics and economics, among others, identify key concerns, formulate responsive policies regarding these concerns, and give advice and recommendations to Congress and the President of the Philippines. The Congress of the Republic of the Philippines, the Supreme Court and other lower courts, other government agencies and instrumentalities, as well as any constitutional body may request the MSU to conduct research or provide advice on any matter involving public policy relating to peace and development. The budget for such research or request for advice shall come from the appropriation of these public agencies.

SEC. 4. *Objectives of the MSU.* As a national peace university, a public and secular comprehensive university system, and a community of scholars dedicated to the search for truth, knowledge, and peace, the MSU shall perform its unique and distinctive leadership in higher education and national education development and shall continue affirmative action for the benefit of IPs, Muslims and other disadvantaged sectors of Mindanao through the following strategic activities:

a. Set standards and initiate innovations in teaching, research, and extension, as well as in establishing and maintaining centers of excellence in peace studies, engineering, pure and applied sciences, social sciences and philosophy, arts and humanities, education, business, information and industrial technology, law, medical and allied sciences, and in other disciplines;

b. Serve as a graduate university providing advanced studies and specialization for scholars, scientists, writers, artists and professionals, especially those who serve on the faculties of state and private colleges and universities;

c. Serve as a research university in the various fields of its expertise and specialization by conducting basic and applied research and development, promoting research in the various colleges and universities;

d. Serve as the leading educational institution in achieving peace in the country and by initiating and implementing policies and programs that promote peace education and conflict resolution;

e. Provide various forms of community, public and volunteer services, and scholarly and technical assistance to the government, the private sector and civil society while maintaining its standards of excellence, thereby exemplifying the essence of a public service institution;

f. Provide scholarly and technical assistance to the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM);

g. Provide opportunities for training and learning in progressive leadership, responsible citizenship, and the development of democratic values, institutions and practices;

h. Serve as a regional and global university that shall enhance the visibility of the MSU through the production of high-impact researches and innovations, as well as keep abreast with global trends by pursuing partnerships and collaborative relationships with national and international universities, research institutions, and industries, in cooperation with international and scientific unions, networks of universities and scholarly and professional associations in the Asia-Pacific region and around the world;

i. Provide democratic governance in the MSU based on collegiality, representation, accountability, transparency, gender mainstreaming and active participation of its constituents, and promote the holding of fora for students, faculty, research, extension and professional staff and alumni to discuss non-academic issues affecting the MSU;

j. Advance the professional and economic rights and welfare of its academic and non-academic personnel;

k. Institutionalize culturally appropriate and conflict sensitive development through peace research, peace education and community service; and

l. Promote the concept of peace as a personal and communal goal through the conduct of customized training-workshops for various groups and the production of contextualized peace manuals and other literature, in partnership with local and international partners.

SEC. 5. The MSU System. As a system, the MSU shall be composed of the following constituent units and campuses: 1) MSU-Main Campus in Marawi City (MSU-Marawi); 2) MSU-Iligan Institute of Technology (MSU-IIT); 3) MSU-Tawi-Tawi College of Technology and Oceanography (MSU-TCTO); 4) MSU-General Santos City; 5) MSU-Sulu; 6) MSU-

Maguindanao; 7) MSU-Naawan; 8) MSU-Zamboanga Sibugay; 9) MSU-Lanao National College of Arts and Trades; 10) MSU-Sultan Naga Dimaporo; and 11) MSU-Maigo School of Arts and Trades; and those that may be recognized and established by the Board of Regents, upon the recommendation of the MSU President.

The constituent units shall have substantial autonomy in the management of their affairs as may be determined by the Board of Regents. Constituent units which are governed by their own Charters and are consequently enjoying fiscal autonomy shall retain their rights and privileges as provided therein and shall have their own budget specifically appropriated in the General Appropriations Act (GAA).

The MSU, in addition to its laboratory high schools, shall continue to operate its community high schools located in conflict-affected areas pursuant to its original mandate.

SEC. 6. *Seat of Administration and Seal of the MSU.* The seat of administration of the MSU shall be in Marawi City. There shall be one common seal of the MSU, which shall feature a figure of a Meranao *awang* (boat) in full sail in the head of the seal, and a Maguindanao lamp with three rays emanating from its flame resting atop the Meranao *awang* with the number “1961” written on it. The MSU colors shall be “sotra” or magenta and gold. In addition, all existing logos and seals of the different campuses and colleges shall be retained and placed side by side with the common seal of the MSU: *Provided*, That the Board may, in the future, revise and adopt a new common seal after consulting all campuses.

SEC. 7. *Academic Freedom.* The MSU has the right and responsibility to exercise academic freedom.

SEC. 8. *Academic Excellence.* The MSU shall maintain and enhance its high academic standards in the performance of its functions of instruction, research, and extension service.

SEC. 9. *Social Responsibility.* The MSU is committed to serve the Filipino nation and humanity. In promoting the universal principles of peace and democracy through quality education, its activities shall be geared towards achieving the aspirational goals of the Filipino in general, and the IPs, Muslims and the marginalized sectors of Mindanao in particular, for the achievement of social progress and transformation, cohesion, and national unity.

SEC. 10. *Democratic Access.* No student shall be denied admission to the MSU by reason of age, gender, ethnicity, nationality, religious belief, economic status, political opinion, or physical disability. The MSU shall take affirmative steps to enhance access of disadvantaged students to its programs and services.

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

SEC. 11. *Institutional Autonomy.* The unique and strategic role of the MSU as a comprehensive and national peace university shall be accorded the broadest appreciation, cooperation and support of the agencies and instrumentalities of the government. In this regard, its autonomy and independence as an institution of learning shall be respected at all times. The MSU shall exclusively determine its teaching, research and extension thrusts, plans, policies, programs and standards and on the basis of such determination, the MSU shall recommend its annual budget to the President of the Republic of the Philippines and Congress.

SEC. 12. *Integration of Education and Livelihood for Deserving Students and their Families.* The National Government shall strengthen the MSU System by supporting the integration of education and livelihood for its students and their families as simultaneous and mutually-reinforcing goals. It shall provide the following:

- a. Lodging for qualified students and professors in each of the MSU campuses;

b. Implementation of a Senior High School Program in all MSU campuses for deserving students of the BARMM, including the provision of a scholarship fund to enable high school graduates to enter reputable Philippine universities;

c. Funding for the implementation of a program for continuing learning and professional development of teaching faculty, including participation in foreign-funded scholarships;

d. A tutorial system for elementary and high school students to augment classroom-based learning with the goal of reinforcing knowledge acquisition;

e. Scholarship grants for deserving and qualified college graduates who wish to pursue post-graduate studies;

f. Livelihood opportunities for deserving students and their families; and

g. Funding support for the creation and maintenance of a research and development (R&D) center to be managed by the MSU that shall promote basic and advance academic R&D, strengthen the R&D capabilities of the MSU, identify and implement R&D development priority areas according to the harmonized national R&D agenda; and enhance the conduct of R&D in the country, especially in Mindanao, to spur countryside development.

SEC. 13. *Sports.* The MSU shall undertake and support comprehensive sports programs that promote physical education, uphold excellence, and encourage competitive participation in sports activities, instill school identity and solidarity, cultivate pride, self-discipline, and teamwork, which serve as a foundation for fostering active participation in the MSU, as well as in nation building.

SEC. 14. *The Board of Regents.* The governing body of the MSU shall be the Board of Regents, hereinafter referred to as the Board. The Chairperson of the Board shall be the Chairperson of the Commission on Higher Education (CHED) and the Vice-Chairperson shall be the President of the MSU. 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. Chairperson of the Committee on Basic, Higher and Technical Education of the BARMM Parliament;
- d. Secretary of the National Economic and Development Authority or his or her designee;
- e. Faculty Regent;
- f. Student Regent;
- g. Alumni Regent;
- h. Staff Regent;
- i. Three (3) Chancellor Regents from MSU-IIT, MSU-Tawi-Tawi College of Technology and Oceanography (MSU-TCTO), and MSU-General Santos City;
- j. Three (3) Appointive Regents, preferably an MSU alumnus and presently not employed by the MSU, who are:
 - (a) One (1) prominent national educator;
 - (b) One (1) representative of the cultural communities; and
 - (c) One (1) representative of the private sector who is distinguished in a profession or field of specialization.

The Board shall appoint one (1) prominent citizen who shall be selected from a list of at least five (5) qualified persons from Mindanao, as recommended by a Search Committee

constituted by the President of the MSU System, in consultation with the Chairperson of the CHED and other members of the Board, based on the standards and qualifications for the position set by the Board. The citizen appointed as board member shall serve for a term of two (2) years from the date of appointment.

The regent representatives from the faculty, student, alumni, staff, the three (3) chancellors from MSU-IIT, MSU-TCTO, and MSU-General Santos City; and the three (3) MSU appointive alumnus 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. In the case of a sectoral Regent, membership in the Board shall cease upon suspension, separation, or recall.

SEC. 15. Powers and Duties of the Board. The administration of the MSU System and the exercise of its powers are vested in the Board, which shall have the following specific powers and duties in addition to the general powers of administration and the powers granted to the board of directors of a corporation under Section 35 of Republic Act (RA) No. 11232, otherwise known as the "Revised Corporation Code of the Philippines":

- a. Define the thrusts of the MSU and adopt broad policy guidelines to ensure their implementation;
- b. Lead with transparency, respect, understanding, service, and teamwork in upholding the public trust;
- c. Approve the curricula, instructional programs, and rules on student discipline drawn by the Administrative and Academic Councils as herein provided;
- d. Approve the creation, merger or abolition of academic programs, upon recommendation of the University's Academic Council through the President of the MSU, subject to the policies, standards, and guidelines of the CHED;
- e. Create, organize, reorganize, merge or abolish constituent campuses, extension campuses, colleges, institutes, and other academic and administrative units of the MSU;
- f. Approve the graduation of students and grant of honors, as recommended by the Academic Council through the President of the MSU;
- g. Appoint, upon the recommendation of the President of the MSU, faculty members and other officials and employees in accordance with the compensation and position classification system; to draw up a position classification and compensation plan for its faculty and staff; to fix and adjust salaries and benefits of faculty members and other employees; to determine the hours of service of faculty and staff, and such other terms and conditions of employment as it may deem proper; to grant leaves of absence under such regulations as it may promulgate, any other provision of law to the contrary notwithstanding; and to remove faculty and staff for cause as provided by law after due investigation and proper hearing;
- h. Fix the tuition fees and other necessary school charges, as the Board may deem proper to impose, after due consultation with the students concerned.

Such fees and charges, including government subsidies and other income generated by the MSU, 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 MSU.

Any provision of existing law, rule or regulation to the contrary notwithstanding, any income generated and collected by the MSU or by its subsidiaries, as well as from operation of auxiliary services and land grants, shall be retained by the MSU and may be disbursed by the Board for instruction, research, extension services or other programs and projects of the MSU; for the professional growth and development, health, welfare, and other benefits of the students, faculty members and administrative personnel; for the acquisition, construction maintenance and repair of needed instructional and auxiliary facilities, equipment, buildings and other infrastructure;

development of economic assets, and for expenses necessary for the attainment of its purposes under its approved program of expenditures.

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

- i. 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, otherwise known as the "Universal Access to Quality Tertiary Education Act";
- j. Establish professional chairs in the MSU and provide fellowships, scholarships and grants, including athletic grants, and to award the same to faculty, staff and students having special evidence of merit, especially those who are poor and deserving individuals;
- k. Receive all sums provided by law and by other legal sources, and appropriate them in the manner it deems appropriate and facilitative of the accomplishment of the objectives of the MSU;
- l. Set policies on admission and graduation of students;
- m. Award honorary degrees upon persons in recognition of learning, statesmanship, or eminence in the field of engineering, science, technology, education, public service or in any field of specialization within the academic competency of the MSU, upon recommendation of a committee created by the President of the MSU: *Provided*, That such degrees shall not be conferred in consideration of any payment, gift or other valuable consideration;
- n. Establish research and extension centers to promote the development of the MSU;
- o. Authorize its faculty and staff to travel abroad to study, deliver papers, attend conferences and disseminate research outcomes and findings: *Provided*, That the fellowship, scholarship or grant is authorized by the Board: *Provided, further*, That research and other activities funded by the MSU shall include such fields or topics that may likely generate products, services and new technology that may potentially be adopted for commercial application, and whose financial and economic benefits may be enjoyed by the faculty and staff who were involved in said research, subject to existing rules and regulations;
- p. 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, and researchers, as the case may be;
- q. Develop consortia and other economic forms of linkages with local government units (LGUs), as well as public, private, local or foreign institution and agencies for the furtherance of the purposes and objectives of the MSU;
- r. Enter into joint ventures with business and industry for the profitable management of the economic assets, the proceeds of which shall be used for the development and strengthening of the MSU, and for the professional growth and development, health, welfare, and other benefits of the students, faculty members and administrative personnel;
- s. Receive in trust, such 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 MSU and subject to the limitations, discretion and instructions of the donor, if any;
- t. Extend the term of the President of the MSU beyond the age of retirement, but not beyond the age of seventy (70), based on the guidelines, qualifications and standards set by the Board and in accordance with existing Civil Service rules and regulations: *Provided*, 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;

- u. Set the guidelines governing the selection of a shortlist for the applicants and nominees for the University president following a process of democratic consultation with the university community which shall be submitted to the Office of the President of the Philippines. The president of the Philippines shall appoint the university president from among the shortlisted applicants or nominees submitted by the Board;
- v. Extend, with their consent, the tenure of faculty members of the MSU beyond the compulsory retirement age, on recommendation of the units, upon endorsement of the President of the MSU, and in accordance with existing Civil Service rules and regulations whenever their services are especially needed: *Provided, however*, That no extension of tenure shall be made beyond the age of seventy (70);
- w. 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;
- x. Delegate any of its powers and duties to the President or other officials of the MSU, as it may deem appropriate, so as to expedite the administration of the affairs of the MSU;
- y. Prescribe rules for its own government and discipline of the faculty and other personnel and to enact for the governance of the MSU such general policies, rules and regulations, not contrary to law, as are consistent with its purposes;
- z. Where most advantageous to the MSU, privatize the management of nonacademic services such as health, food, building or grounds or property maintenance, and such other similar activities;
- aa. Recommend the creation of additional plantilla items to the Department of Budget and Management in line with the functions of the University and in consultation with the Civil Service Commission (CSC), and consistent with the scientific career system; and
- bb. Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of the MSU.

SEC. 16. Meetings and Quorum. 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 MSU 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 MSU, 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 to act as the presiding officer in the absence of the Chairperson of the Board.

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 a Board meeting, they may designate their respective representatives 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.

SEC. 17. The University President. – The MSU shall be headed by a President who shall be appointed by the President of the Republic of the Philippines from among the shortlist

submitted by the Board. The MSU President shall render full-time service and serve for a term of six (6) years without reappointment.

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

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

The salary of the President of the MSU shall be in accordance with the existing compensation laws, 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 vacancy in the Office of the President by reason of death, compulsory retirement, resignation, removal for cause, or incapacity to perform the functions of the office, the Board shall designate an Officer-in-Charge (OIC), pending the appointment of a new President: *Provided*, That the OIC shall serve only during the unexpired portion of the term.

The President of the MSU shall serve as Chancellor of the MSU-Main Campus in Marawi City. The President shall be assisted by an Executive Vice President, a Vice President for Academic Affairs, a Vice President for Administration and Finance, a Vice President for Planning and Development, and a Vice President for Research and Extension, who shall all be appointed by the Board upon the recommendation of the President of the MSU.

SEC. 18. Powers and Duties of the MSU President. The administration of the MSU shall be vested in the President, with the following powers and functions:

- a. Carry out the general policies laid down by the Board;
- b. Exercise general supervision over the MSU, including investments and financial undertakings, all officers, members of the teaching staff, and employees of the MSU System;
- c. Exercise general supervision over extra-curricular activities of students and issue adequate rules for the organization and conduct of legitimate affairs of student organizations;
- d. Recommend the transfer of faculty and employees from one department or unit of the MSU to another with the written consent of the faculty member or employee concerned: *Provided*, That: 1) there is no demotion in rank and salary; 2) the transfer is with the consent of the head of the unit; and 3) the transfer is in the best interest of the service;
- e. Serve as the official center of communication among the faculty, employees, and students of the MSU, on the one hand, and the Board, on the other hand;
- f. Prepare an annual report to the Board on the work and accomplishments of the previous year and the needs for the current year;
- g. Present to the Board the proposed plans, programs and annual budget of the MSU, including the budgetary estimates on income and expenditures;
- h. Execute and sign, on behalf of the MSU, all contracts, deeds and other instruments necessary for the proper conduct of the business of the MSU, unless the authority is otherwise delegated by the Board to the chancellors or heads of the constituent universities;
- i. Exercise general responsibility over the enforcement of discipline and for the maintenance of satisfactory academic standards in all its units;

j. Modify or disapprove any action or resolution of any college, faculty or administrative body, if the larger interest of the MSU so requires. The decision of the MSU President to modify or disapprove such act or resolution shall be communicated in writing to the body immediately affected, and the reasons for the action shall be stated therein. Thereafter, the MSU President shall accordingly inform the Board, which may take any action it may deem appropriate in connection therewith; and

k. Exercise such other powers as elsewhere provided in this Act, or as authorized by the Board: *Provided*, That the President may delegate in writing any of the above stated functions to the chancellors, campus directors, or to any officer in the MSU.

SEC. 19. *The Secretary of the University and of the Board.* The Board, upon the recommendation of the University President, shall appoint a Secretary who shall serve as such for both the Board and the MSU, and keep all records and proceedings of the Board. The Secretary of the MSU shall serve upon each member of the Board the appropriate notice of board meetings.

SEC. 20. *The Constituent Unit University Councils.* There shall be a University Council in each constituent unit consisting of the Chancellor as Chairperson, and all faculty members in the constituent unit holding the rank of assistant professor and higher, as members.

The MSU campuses shall have the authority to enter into partnerships and agreements with agencies, organizations, institutions, and individuals, local and international, public and private, for the purpose of carrying out the mandate of the MSU, including receiving funding and other support for its programs, projects, and activities. This is in line with promoting collaboration in general, and internationalization in particular.

SEC. 21. *The University Council.* The University Council shall be the highest academic body of the MSU and shall exercise the following powers:

a. Prescribe the academic programs, including their institution, revision, abolition, or merger, subject to the approval of the Board on recommendation by the President of the MSU;

b. Recommend to the Board, through the MSU President, the graduation of students and grant of honors;

c. Determine the requirements for admission to any college or unit, graduation, and the grant of honors subject to the minimum system-wide requirements;

d. Undertake a periodic review of academic courses, programs, standards, thrusts, and policies; and

e. Adopt internal rules of procedure consistent with the provisions of this Act.

SEC. 22. *The Chancellor of a Constituent Unit.* The Administration of each constituent unit is vested in the Chancellor or the President, in the case of the MSU-Main Campus in Marawi City, as the case may be, insofar as authorized by the Board and the President of the University. The Chancellor of the constituent unit shall be elected by the Board, upon nomination of the President of the University, following a process of democratic consultation with the university community and others of the constituent university based on standards and guidelines set by the Board. The Chancellor of each constituent unit shall serve for a term of three (3) years, subject to one (1) reappointment. The Chancellor shall report to the President of the University, and shall perform the duties and functions elsewhere stated in this Act, and all the usual, necessary and related functions of the Office of the Chancellor, subject to the policies and rules prescribed by the Board. The Board shall determine the compensation of the Chancellor.

In case of vacancy in the office of the Chancellor by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the Chancellor to perform the functions of the office, the president shall designate an OIC within sixty (60) calendar days from the date of vacancy, until a chancellor shall have been elected and qualified. The successor or the OIC shall serve only the unexpired portion of the term.

SEC. 23. Heads of University Campuses. - The campuses of the MSU shall each be headed by a Campus Director who shall serve as head or administrator of each of the campuses and shall render full-time service for a term of two (2) years and may be reappointed to another term.

The Campus Director shall be appointed or designated by the Board, upon the recommendation of the Search Committee and the MSU President, subject to the guidelines on qualification standards set by the Board: *Provided*, That upon the effectivity of this Act, the incumbent Campus Directors of the existing campuses of the MSU shall continue to serve as such.

SEC. 24. The Faculty. - The teaching staff of each college shall constitute its faculty. The faculty of a college shall be presided over by a Dean. The Dean shall be elected by the Board upon nomination of the President of the University and recommendation of the Chancellor of the constituent university, following a process of consultation with the constituents of the college based on standards and guidelines set by the Board.

If a vacancy occurs in the office of the Dean before the completion of the term of office of the Dean, the Chancellor shall appoint an acting Dean while a search process is in progress. In no case shall the search and election of the next Dean be longer than sixty (60) calendar days from the date when the vacancy occurs.

SEC. 25. Requisites of Appointment of Faculty and Staff. 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 MSU: *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: *Provided, finally*, That faculty members may be exempted from the CSC examinations provided that they shall comply with other Civil Service requirements.

SEC. 26. Student Councils and Publications. -

a. There shall be established a College Student Council in every college or degree-granting unit; a University Student Council as the highest student governing body for every constituent campus; and a Federation of University Student Councils for the MSU.

All university student councils of every constituent unit are integral members of the federation and shall be mandated to adhere to internal rules of procedure crafted and approved by the members of the federation. The student councils shall serve as the primary student bodies that shall advance the interests, grievances, welfare, and aspirations of the students. The student councils shall have the power to adopt internal rules of procedure consistent with the provisions of this Act. Student councils are to be present and included in the consultation of all matters that concerns student policy, review, and implementation; and

b. Subject to due and comprehensive consultation with the students, there shall be a student publication established in every constituent unit and college to be founded by students. 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. 27. Research, Development and Extension (RDE) Centers. Each constituent unit shall have RDE centers, with each college having at least one (1) RDE center with an annual appropriated budget. Currently recognized RDE centers shall be carried over as established

RDE centers and shall be provided with the same annual appropriation. Thereafter, the establishment of new RDE centers must be approved by the Board. A new RDE center may be created upon the recommendation of the Office of the Vice-President for RDE and upon the endorsement of the President. Each of the RDE centers shall be headed by a director who shall be appointed by the Board, upon the recommendation of the MSU President, or designated by the Chancellor where the RDE is hosted, to be confirmed by the Board.

SEC. 28. *Land Grants and Other Real Properties.* The State shall provide a subsidy for the MSU in the form of a lump sum amount, through general appropriations and other financial benefits, and in kind, through land grants, donations and use of other real properties. All incomes derived from the land grants and other real properties shall be used by the MSU, as may be decided by the Board.

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

SEC. 29. *Duty and Tax Exemptions.* The importation of books or publications, instruments, equipment and apparatuses which are for economic, technical-vocational, scientific, medical, philosophical, historical, legal or cultural purposes made by the MSU, upon certification by the CHED, shall be exempt from customs duties in accordance with the provisions of RA 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 MSU, shall be exempt from donor's tax and the same shall be considered as allowable deductions from gross income 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.

SEC. 30. *Auditing of Accounts.* The Commission on Audit shall audit all accounts and disbursements of the MSU.

SEC. 31. *Fiscal Autonomy of the Constituent Units.* No portion of the funds appropriated or allocated for a constituent unit shall be disbursed by the administration of the MSU System and all other incomes and earnings of the constituent campuses shall remain with the concerned constituent campuses.

SEC. 32. *Rules of Construction.* No statutory or other issuances shall diminish the powers, rights, privileges, and benefits accorded to the MSU under this Act or enjoyed at present by the MSU under other issuances not otherwise modified or repealed by this Act, unless subsequent legislation expressly provides for their repeal, amendment or modification. In case of doubt in the interpretation of any of the provisions of this Charter, the same shall be resolved in favor of the academic freedom and fiscal autonomy of the MSU.

SEC. 33. *Appropriations.* The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the MSU System. Thereafter, such amount shall be included in the annual GAA.

SEC. 34. *Transitory Provision.* The MSU shall, in addition to its laboratory high schools, continue to operate its feeder community high schools located in conflict-affected areas pursuant to its original mandate.

SEC. 35. *Implementing Rules and Regulations.* Within sixty (60) days from the approval of this Act, the Board shall, in consultation with the CHED, issue rules and regulations to implement its provisions.

SEC. 36. *Repealing Clause.* RA No. 1387, entitled “An Act Providing for the Establishment of the University of Mindanao in Dansalan City and Authorizing the Appropriation of Funds Therefor”, as amended by RA No. 1893, entitled “An Act Inserting a Preamble in Republic Act Numbered Thirteen Hundred and Eighty-Seven, entitled “An Act Providing for the Establishment of the University of Mindanao in Dansalan City and Authorizing the Appropriation of Funds Therefor”, and Amending Sections Two, Four and Sixteen of the Same and for Other Purposes”, RA No. 3868, entitled “An Act to Amend Certain Provisions of Republic Act Numbered Thirteen Hundred and Eighty-Seven, As Amended by Republic Act Numbered Eighteen Hundred Ninety-Three, Relating to the Composition and Powers of the Board of Regents of the Mindanao State University, and for Other Purposes, RA No. 5363, entitled “An Act Changing the Name of the Northern Mindanao Institute of Technology to Iligan Institute of Technology, Integrating it as a Unit of the Mindanao State University, and for Other Purposes”, RA No. 1567, entitled “An Act Converting the Lanao Provincial High School Located in the City of Dansalan, Into a National School of Arts and Trades to be Known as the Lanao School of Arts and Trades and Authorizing the Appropriation of Funds for the Purpose”, RA No. 4279, entitled “An Act to Convert the Maigo Trade School in the Municipality of Maigo, Province of Lanao del Norte, Into a Regional School of Arts and Trades of Secondary and Collegiate Levels, and to Authorize the Appropriation of Funds Therefor”, RA No. 5507, entitled “An Act Converting Caromatan Agricultural School in the Municipality of Caromatan, Province of Lanao del Norte Into a College, to be Known as Lanao del Norte Agricultural College, and Authorizing the Appropriation of Funds Therefor”, RA No. 6060, entitled “An Act to Establish the Sulu College of Technology and Oceanography as a Unit of the Mindanao State University, Defining its Objectives, Appropriating Funds Therefor, and for Other Purposes”, and all other laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 37. *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 are in full force and effect.

SEC. 38. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,