

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2814



Introduced by **Rep. FERDINAND ALEXANDER A. MARCOS**
1st District, Ilocos Norte

EXPLANATORY NOTE

President Ferdinand E. Marcos established the Mariano Marcos State University (MMSU) on January 6, 1978 by virtue of Presidential Decree No. 1279. The decree merged the then Mariano Marcos Memorial College of Science and Technology (MMMCST) in Batac and the Northern Luzon State College (NLSC) in Laoag City, and integrated the college departments of the Ilocos Norte Agricultural College (INAC) and the Ilocos Norte College of Arts and Trades (INCAT).

MMSU's mandate is to provide advanced instruction in the arts, agricultural and natural sciences, and technological and professional fields. Since its creation, MMSU has served as a premier institution of higher learning in Ilocos Norte, committed to providing accessible, inclusive, and high-quality education to the people of the province and the entire Ilocos Region.

This bill seeks to formally establish the Open University System of Mariano Marcos State University (MMSU-OUS), which has long operated as the university's distance education arm. The MMSU-OUS provides flexible, technology-enabled instruction, research, and extension services to learners who are unable to access formal, campus-based education due to geographical, economic, professional, or personal constraints.

The COVID-19 pandemic highlighted the indispensable value of remote and online learning platforms. MMSU-OUS rose to this challenge and emerged as a crucial vehicle for sustaining uninterrupted, quality education across the university. Through its demonstrated capacity to deliver effective alternative learning modalities, the MMSU-OUS has proven essential in extending MMSU's mission beyond conventional

academic boundaries. As the education sector adapts to a post-pandemic landscape, the MMSU-OUS continues to play a transformative role in democratizing access to higher education. It serves not only residents of Ilocos Norte but also students from remote and underserved communities across the country and even abroad.

To sustain and institutionalize these efforts, this bill proposes to establish the MMSU Open University System as a permanent component of the university. It seeks to provide the necessary legal foundation and ensure the long-term funding, development, and expansion of MMSU-OUS. By doing so, Congress reaffirms its commitment to promoting equity, inclusivity, and innovation in higher education.

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



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AN ACT
ESTABLISHING THE OPEN UNIVERSITY OF THE MARIANO
MARCOS MEMORIAL STATE UNIVERSITY IN THE
PROVINCE OF ILOCOS NORTE AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. Establishment. — There is hereby established the Mariano Marcos State University (MMSU) - Open University (MMSU-OU) in the Province of Ilocos Norte. It shall operate as an autonomous academic unit of the University.

SEC. 2. General Mandate. The MMSU Open University, hereinafter referred to as the "MMSU-OU," shall primarily provide distance education to individuals who lack access to schools, colleges, and universities or to those who, for any reason, cannot avail themselves of the conventional mode of instruction. The paramount goal of the system is to strengthen the competence of highly qualified professionals for research and consultancy, managerial positions, outcome-effective human resource development trainers, and to cooperate with various local and international agencies to produce transformational educational leadership through the use of Information and Communications Technology (ICT) and complementary resource management. It shall also undertake research, extension services, and production activities in support of the socio-economic development of the Province of Ilocos Norte and provide progressive leadership in its areas of specialization within the Province of Ilocos Norte and in Region I.

SEC. 3. Curricular Offerings. The MMSU-OU shall offer degree and non-degree programs, including undergraduate, graduate, post-graduate, and continuing professional education courses within its areas of competency and specialization, as the MMSU Board of Regents (hereinafter referred to as the "Board"), may deem necessary to carry out its objectives, and those which respond to the human resource development needs of the Province of Ilocos Norte and Region I.

SEC. 4. Governance. Being an academic unit within the MMSU System, the governance of the MMSU-OU shall continue to be vested in the Board, whose powers are defined under Presidential Decree No. 1279, otherwise known as "Merging The Mariano Marcos Memorial College Of Science And Technology And Northern Luzon State College Into A State University To Be Known As The Mariano Marcos State University, Transferring The College Level Courses Of Ilocos Norte Agricultural College And Ilocos Norte College Of Arts And Trades Into Said University, Providing A Charter For The Purpose, And Appropriating Funds Therefor," and other applicable laws and regulations, unless otherwise provided or amended elsewhere in this Act.

SEC. 5. Administration. The administration of the MMSU-OU shall be vested in the Chancellor of the MMSU-OU insofar as authorized by the Board and the President of the University.

SEC. 6. The Chancellor. The MMSU-OU shall be headed by a Chancellor who shall be designated by the Board, subject to its guidelines on qualifications and standards, and based on the recommendation by the University President, following a process of consultation with the constituents of the MMSU-OU. The Chancellor shall render full-time service.

Within six (6) months of the effectivity of this Act, the President of MMSU shall constitute the Search Committee for the Chancellorship. The powers and duties of the Chancellor, in addition to those specifically provided for in this Act, shall include those usually pertaining to the Office of the Chancellor of similar state universities and colleges and those delegated by the President. The Chancellor shall be entitled to benefits and privileges as may be prescribed by law and other issuances. The Chancellor of the MMSU-OU shall be assisted by a Vice Chancellor, who shall be designated by the Board.

SEC. 7. The College Dean. Each College, as may be established by the Board when it deems necessary, shall be headed by a Dean who shall be designated by the Board, subject to its guidelines on qualifications and

standards, and based on the recommendation by the University President, following a process of consultation with the constituents of the College. The Dean shall render full-time service.

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

The Dean shall be entitled to benefits and privileges as may be prescribed by law and other issuances.

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

The Dean of the College shall be assisted by a College Secretary, who shall be appointed by the President and confirmed by the Board.

SEC. 8. The Faculty. The Board shall appoint, upon the recommendation of the Chancellor and the nomination of the President of the University, the faculty members of the Colleges; *Provided*, That, 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 Colleges; *Provided*, further, That said appointment shall be subject to the guidelines, qualifications, and standards set by the Board; *Provided*, finally, That no member of the faculty shall teach for or against any particular church or religious sect.

The Open University (OU) as a Campus shall be entitled to personnel. The Board, in coordination and consultation with the Commission on Higher Education (CHED), Department of Budget and Management (DBM), and the Civil Service Commission (CSC), shall determine the additional plantilla positions to be created and filled up.

SEC. 9. Scholarship Programs and Admission. The MMSU-OU shall provide scholarships and other affirmative action programs to assist poor but deserving students who qualify for admission to the Colleges.

No student shall be denied for admission to the MMSU-OU by reason of gender, religion, cultural or community affiliation, physical disability, or ethnic origin.

SEC. 10. Academic Freedom and Institutional Autonomy. The MMSU-OU shall enjoy academic freedom, pursuant to paragraph 2, Section 5 of Article XIV of the Constitution.

SEC. 11. Assets, Liabilities and Personnel. All existing appropriations, assets, both real and personal, personnel, and records of the MMSU-OU and the Colleges, as its liabilities or obligations, shall continue to be titled or named after MMSU; *Provided*, That the positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws prior to the enactment of this Act shall be respected; *Provided*, further, That the employees currently holding the said positions shall remain in the same status; *Provided*, finally, That the MMSU-OU and the Colleges shall upgrade or increase its human resource component as may be deemed appropriate by the Board.

All parcels of land belonging to the government occupied by the MMSU-OU shall be the property of MMSU, and shall be titled under its name; *Provided*, That should the MMSU-OU or the Colleges cease to exist or be abolished or should such aforementioned parcels of land be no longer needed by MMSU, the same shall revert to the concerned local government unit or to the Republic of the Philippines, as the case may be.

SEC. 12. Duty and Tax Exemptions. The importation by the MMSU-OU or the Colleges of books or publications, equipment or instruments which are for educational, laboratory or scientific purposes shall, upon certification by the Commission on Higher Education (CHED), 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 College, shall be exempt from donor's tax and the same shall be considered as allowable deduction 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. 13. Parity Clause. All other powers, functions, and privileges, responsibilities, and limitations under existing laws shall be deemed

granted to or imposed upon the MMSU-OU and its officials, whenever appropriate.

SEC. 14. Appropriations. The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 15. Implementing Rules and Regulations. Within ninety (90) days from the approval of this Act, the Board shall, in consultation with the CHED, issue the rules and regulations to fully implement the provisions of this Act.

SEC. 16. 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. 17. Repealing Clause. All laws, presidential decrees, executive orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are amended, repealed, or modified accordingly.

SEC. 18. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,