



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

**TWENTIETH CONGRESS
FIRST REGULAR SESSION**

HOUSE BILL NO. 4564



**Introduced by Representative
ZIAUR-RAHMAN "ZIA" ALONTO ADIONG**

EXPLANATORY NOTE

Education is a constitutional mandate and a cornerstone of national development. Article XIV, Section 1 of the 1987 Constitution provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all. Section 2 further mandates the State to establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society.

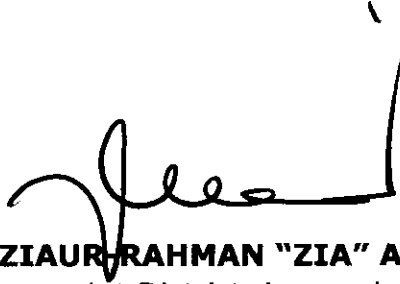
In pursuit of these constitutional directives, local government units (LGUs) across the country have established Local Universities and Colleges (LUCs) to provide accessible higher education to their constituents. At present, there are over a hundred LUCs nationwide, many of which are beneficiaries of Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act." While these institutions have played a vital role in expanding educational opportunities for students, their establishment and operations remain varied and, in many cases, inconsistent with the national higher education framework.

The absence of uniform and mandatory guidelines has resulted in uneven quality of academic programs and facilities, unsustainable financing from LGUs, duplication of program offerings without regard to local industry needs, and a lack of alignment with national priorities and standards. These issues not only undermine the credibility of some LUCs but also affect the ability of students to access truly relevant and high-quality education that equips them for the demands of both local and national development.

This bill seeks to address these challenges by prescribing mandatory guidelines for the establishment and operation of LUCs. It requires LGUs to prepare a feasibility study, secure certification of available funds, submit a project development plan, and adopt a five-year institutional development plan prior to establishing a local college or converting an existing institution into a university. The Commission on Higher Education (CHED), in coordination with the concerned LGU and the Technical Education and Skills Development Authority (TESDA), shall exercise oversight in rationalizing programs and ensuring that LUCs prioritize priority fields, adopt ladderized education pathways, and offer programs consistent with the Philippine Qualifications Framework. In doing so, the bill ensures that LUCs deliver not only accessible, but also relevant, sustainable, and high-quality education.

By institutionalizing clear standards and guidelines, this measure safeguards the quality of higher education delivered by LUCs, ensures their fiscal sustainability, aligns their programs with the developmental needs of local communities and the nation, and upholds the constitutional right of every Filipino to quality and accessible education.

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

A handwritten signature in black ink, appearing to read 'Ziaur Rahman', with a long horizontal stroke extending to the right.

REP. ZIAUR RAHMAN "ZIA" ALONTO ADIONG
1st District, Lanao del Sur



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**AN ACT
PRESCRIBING THE MANDATORY GUIDELINES FOR THE ESTABLISHMENT
AND
OPERATION OF LOCAL UNIVERSITIES AND COLLEGES**

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

SECTION 1. Title. - This Act shall be known as the "Local Universities and Colleges (LUCs) Governance Act."

SECTION 2. Declaration of Policy. - It is the policy of the State to establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society. It is also the policy of the State to protect and promote the right of all citizens to quality education and to take appropriate steps to make education accessible to all.

To this end, mandatory guidelines on the establishment of local colleges and the conversion of local colleges into universities must be prescribed to achieve a standard and integrated system of higher education, provide the appropriate direction in their governance, and ensure that they will deliver quality and relevant education to students.

SECTION 3. Definition of Terms. - As used in this Act, the following shall be defined as follows:

- a. *Degree program* refers to the set of academic programs and courses in a field

of study leading to the conferment of an undergraduate or graduate degree;

- b. *Higher education institutions (HEIs)* refer to an institutions of higher learning which primarily offers degree-granting programs duly recognized by the Commission on Higher Education (CHED) and leading to the conferment of a diploma;
- c. *Level II accreditation* refers to a status granted to an educational program after being granted the initial accreditation following a formal survey by the accrediting agency and duly certified by the accreditation federation or network, effective for a period of three (3) years;
- d. *Local college or dalubhasaan* refers to a public higher education institution with below Level II accreditation, financially supported, operated and maintained by the local government unit, and offers undergraduate or baccalaureate and graduate academic programs leading to the conferment of a degree;
- e. *Local government unit (LGU)* refers to municipalities, cities and provinces that created or established the local university or college;
- f. *Local higher education institution* refers to a public higher education institution financially supported by an LGU through an ordinance, which offers undergraduate or baccalaureate and graduate academic programs leading to the conferment of a degree;
- g. *Local university or pamantasan* refers to a public higher education institution with above Level II accreditation that is financially supported, operated and maintained by an LGU and offers undergraduate or baccalaureate and graduate academic programs leading to the conferment of a degree;
- h. *Local universities and colleges (LUCs)*, as defined in Republic Act (R.A.) No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act", refer to CHED-accredited public HEIs established by LGUs through an enabling ordinance, financially supported by the LGU concerned, and compliant with the policies, standards and guidelines of the CHED;
- i. *Non-degree program* refers to a postsecondary short-term certificate or diploma academic and technical-vocational programs below the baccalaureate or bachelor's degree;
- j. *Ordinance* refers to the enabling act of a *Sangguniang Panglunsod*, or *Sangguniang Bayan*, or *Sangguniang Panlalawigan* creating a particular local university or college and which serves as their charters; and
- k. *Technical-vocational institutions (TVIs)* refer to postsecondary education institutions that offer short-term nondegree, diploma or certificate technical-vocational education and training programs or courses.

SECTION 4. Coverage. - The provisions of this Act shall apply to the following:

- a. Existing LUCs;

- b. HEIs to be established and operated by LGUs through a local ordinance;
- c. HEIs to be established and operated by LGUs that will offer non-degree programs, but which intends to offer undergraduate and graduate degree programs;
- d. Existing TVIs established and operated by an LGU offering non-degree programs, but which intend to propose a reclassification as a college, professional institution or university; and
- e. Existing LUCs that have not met the minimum standards set by the CHED, as prescribed in its applicable and most recent issuances on Policies, Standards, and Guidelines (PSGs) for HEIs.

SECTION 5. Establishment and Operation of Local HEIs by LGUs. - A local HEI, to be known as a local college or *dalubhasaan*, or any typology assigned by the CHED in accordance with changes in the Philippine higher educational system, shall be established and operated by an LGU through an ordinance duly enacted for that purpose by the sanggunian concerned: *Provided*, That prior to the enactment of the said ordinance, the LGU establishing a local college shall demonstrate compliance with the guidelines provided in this Act, its IRR, and any relevant CHED guidelines issued hereafter, through the regional office that has jurisdiction over the area where the institution is intended to be established, to ensure full compliance with the mandatory requirements set forth in this Act.

SECTION 6. Mandatory Requirements for the Establishment of LUCs. - The CHED shall require all LUCs to submit the following requirements for review and approval:

- a. A feasibility study that shall include the following:
 - i. The necessity for a local HEI on the area;
 - ii. Human resource requirements of the industry to determine the proposed program offerings;
 - iii. Target program offerings;
 - iv. Financial capacity of the LGU to establish and sustain the operation of the LUC;
- b. Certification of availability of funds by the Treasurer of the concerned LGU, as provided under the pertinent of R.A. No. 7160, otherwise known as the "Local Government Code of 1991";
- c. A project development plan with a program of work showing that the LGU allocated a school site with appropriate size and location pursuant to the applicable provisions of R.A. No. 6541, otherwise known as the "National Building Code of the Philippines", a blueprint of the architectural design of its buildings and other physical facilities, and provisions for acquisition of instructional materials and equipment that comply with the CMOs pertinent to the program offered; and
- d. A five-year institutional development plan duly approved by the sanggunian, which shall include the following:

- i. annual budgetary allocation;
- ii. organizational structure and composition of the Governing Board, hereinafter referred to as the Board; and
- iii. personnel complement indicating the plantilla of positions to be hired on a merit system and the procedure for hiring non-plantilla items duly approved by the Civil Service Commission.

In all cases, a duly established educational institution by the LGU shall require the imprimatur of the CHED prior to the offering of higher education degree programs. It shall file with the CHED an application to offer a higher education degree program. The application shall be supported with documents indicating compliance with the PSGs relative to such degree programs.

SECTION 7. *Benefits and Incentives.* - All LUCs established in accordance with the provisions of Sections 5 and 6 of this Act shall be eligible to avail of the benefits provided under R.A. No. 10931.

They shall likewise be eligible to apply for any grant or subsidy provided by the CHED, subject to its existing requirements and guidelines. They shall also be eligible to avail of support provided by the CHED for the development of their human resources through appropriate scholarships for post-graduate studies, continuing professional development programs, and other capacity-building activities that ensure the delivery of quality education.

LUCs shall be listed in the registry of Philippine HEIs, which will assist and facilitate the mobility of students and faculty to another country for purposes of study, research, teaching, or work.

SECTION 8. *Supervisory, Monitoring, and Visitorial Power of the CHED.* - All LUCs shall be subjected to the monitoring, inspection, and evaluation of the CHED.

Pursuant to the provisions of R.A. No. 7722, otherwise known as the "Higher Education Act of 1994", the CHED shall exercise supervisory power over LUCs. Through its regional offices, the CHED shall continue to monitor, inspect, evaluate, and provide technical assistance to the LUCs.

The CHED shall, in the issuance of academic policies and standards affecting LUCs, ensure quality assurance by taking into account the different characteristics, peculiar needs, the distinct features of the LUCs, their organizational set-up, and their operation, among other considerations: Provided, That the CHED shall, at all times, devise ways and practices that will ensure that the LUCs will remain committed to the delivery of quality education to its students.

SECTION 9. *Creation of a Local Universities and Colleges Affairs Division.* - There is hereby created a Local Universities and Colleges Affairs Division (LUCD) under the Office of Institutional Quality Assurance and Governance (OIQAG), or its equivalent office in case of reorganization or rationalization, of the CHED to act on all matters related to the establishment, operation, regulation, and development of LUCs, whether existing or yet to be established. In the performance of its functions, the LUCD shall coordinate with the Association of Local Colleges and Universities

(ALCU), CHED Regional Offices, and other relevant offices, technical panels and committees of the CHED.

The functions currently being performed by other offices and divisions of the CHED in relation to LUCs are hereby transferred to the LUCD.

The LUCD shall have the following functions:

- a. Formulate policies, standards, and guidelines governing the establishment, operation, and conversion of LUCs;
- b. Recommend and implement strategies and mechanisms for the supervision, monitoring, evaluation, and development of LUCs;
- c. Accept, evaluate, and process all applications for the establishment or conversion of LUCs, including their degree and non-degree program offerings;
- d. Conduct regular performance reviews, compliance evaluations, and visitorial activities for purposes of determining adherence to Philippine laws, rules, policies, and CHED regulations; and
- e. Perform such other duties as may be necessary to carry out the purposes of this Act.

SECTION 10. *Rationalization of LUCs and Program Offerings.* - The CHED shall evaluate and rationalize all existing programs and course offerings of LUCs, particularly LUCs-beneficiaries of R.A. No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act", prioritizing programs identified by the national government to be priority programs, to ensure that they are directly aligned with the LUCs' core mandate, consistent with its supervisory and regulatory functions.

Consistent with the intentions of R.A. No. 10647 or the "Ladderized Education Act of 2014", and R.A. No. 10968 or the "Philippine Qualifications Framework (PQF) Act", LUCs must prioritize the establishment of program offerings that allow stackability of credentials, both in TVET and higher education, whether within their institution, and/or in partnership with other technical vocational and higher education institutions. This shall ensure seamless pathways for learners to pursue higher levels of skilling, education, and training. To support this effort, CHED and Technical Education and Skills Development Authority (TESDA) shall jointly initiate supports to accelerate the development of such programs in identified priority areas.

The CHED shall also ensure that the number of students admitted by the LUCs do not exceed the optimal number of students that can be enrolled in each program offered and the number of students that the existing resources and capacity of the LUCs can carry, based on predetermined parameters to be determined by the CHED.

Applications for the opening of new programs shall be evaluated to determine whether they are within the core mandate of the LUC or fall under priority fields identified by the National Government.

SECTION 11. *Tuition Fee Cap for LUCs.* - No LUC, through its governing boards, shall impose tuition fees and other school charges in an amount greater than that necessary to maintain quality instruction and reasonable operation costs, as determined in accordance with guidelines to be issued by the CHED.

In no case shall any increase in tuition fees or other school charges exceed the cap prescribed by the CHED, in consultation with the Department of the Interior and Local Government (DILG), the LGU concerned, the student body, faculty associations, and other stakeholders.

Any increase shall be subject to due consultation and public disclosure at least one (1) academic term prior to its implementation. The CHED shall monitor compliance with this provision and may disallow or roll back unjustified increases.

SECTION 12. LGU Support. - All LGUs establishing or operating a local university or college shall ensure the provision of quality tertiary education. To this end, it shall extend full cooperation and assistance to the CHED, particularly through its regional offices, in the exercise of its supervisory, monitoring, and regulatory powers over LUCs.

Such assistance shall include, but may not be limited to, the provision of relevant data and documents, facilitation of CHED inspections and evaluations, and implementation of corrective measures or recommendations issued by the CHED to ensure compliance with the requirements and standards prescribed under this Act and other applicable laws, rules, and regulations.

The LGU shall likewise allocate adequate resources to enable compliance by the LUC with CHED-prescribed standards, policies, and guidelines, to ensure the LUC's institutional development, and provision of accessible and quality education.

SECTION 13. Governing Board of LUCs. - The governing board of a College or Dalubhasaan shall be its Board of Trustees (BOT), while the governing Board of a University or Pamantasan shall be its Board of Regents (BOR).

The regular and special meetings of the BOT or BOR of the LUCs shall be specified in the ordinance creating the LUC.

- a. The governing board of the LUC shall be composed of the following:
 - i. Local chief executive, as chairperson;
 - ii. President of the LUC, as vice-chairperson;
 - iii. President of the duly recognized faculty association of the LUC, as member;
 - iv. President of the duly recognized student council of the LUC, as member;
 - v. President of the duly recognized alumni association, as member;
 - vi. Chairperson of the Committee on Education of the Sangguniang Bayan, Panlungsod, or Panlalawigan, as member;
 - vii. Representative of TESDA, as member;
 - viii. Representative of CHED, as member;
 - ix. Two (2) representatives from the business sector, as members, who are of known probity and distinction in their respective professions or fields of expertise or specialization in the municipality, city, or province where the LUC is located.

The two (2) representatives shall be appointed by the local chief executive, and shall serve in coterminous with their term of office, unless earlier terminated.

- b. Term of Office
 - i. The President of an LUC shall serve a full term in such capacity;

- ii. The presidents of the faculty association, student council, and the alumni association shall sit in the Board and shall serve their respective terms of office in the associations co-terminously, pursuant to their respective constitutions and by-laws. Such associations shall conduct the election of its officials shortly before the end of terms of the incumbents or within one (1) month prior to the expiration of their terms, otherwise their positions in the Board shall be deemed expired.
- c. In case of a vacancy in the Board by reason of resignation, death, or the incapacity of one or more of its appointed members, such vacancy shall be filled by appointment
by the local chief executive and the appointee shall hold office for the unexpired portion of the term.
- d. The Board shall regularly convene every month. The Chairperson of the Board may call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) calendar days prior to the said meeting.
- e. A majority of the members of the Board holding office at the time of its regular or special meeting shall constitute a quorum.
- f. The members shall serve without compensation other than reimbursement for necessary expenses incurred in their attendance to meetings of the Board or in connection with their official business, as may be authorized by resolutions of the Board.

SECTION 14. Powers of the Board. - The Board shall be the highest policymaking body of the LUCs and shall have the following powers and functions:

- a. To promulgate policies in accordance with the declared policies on higher education, as well as the policies, standards, and guidelines of the CHED under R.A. No. 7722 and other pertinent laws;
- b. To promulgate rules and regulations consistent with existing laws, rules, and regulations as may be necessary to carry out the purposes and functions of the LUC;
- c. To receive assistance from the LGU to augment the internal sources of funds, as may be provided, to carry out the purposes and functions of the LUC;
- d. To fix the tuition fees and other school charges as the Board may deem proper to impose after due consultations with the relevant sectors: *Provided*, that these fees shall be based on the guidelines of the CHED and not prohibitive or unreasonable as to deviate from the purpose for which the LUCs are created;
- e. To appoint, upon the recommendation of the President, vice presidents, deans, executive directors, heads of departments, faculty, and other officials and employees;
- f. To develop consortia and other academic linkages and, other forms of networks with the LGUs, industries, institutions and agencies, both public and private, local and foreign: *Provided*, That these comply with the applicable guidelines of the CHED in furtherance of the purposes and

objectives of the LUCs, as well as develop academic arrangements for institution capacity and capability building with appropriate institutions and agencies, public and private;

- g. To determine and approve curricular programs and course offerings in response to the needs and demands of the community and based on local and regional development initiatives: *Provided, That* these comply with the minimum CHED requirements and its PSGs;
- h. To promulgate policies on admission, retention, and graduation of students in conformity with the guidelines of the CHED, and to award degrees, titles, diplomas, and certificates;
- i. To ensure the efficient management of nonacademic services, such as medical and dental, guidance counseling, property maintenance;
- j. To institutionalize research and extension programs and establish research and extension centers where such will promote the development of the LUCs;
- k. To appoint the President of the LUC upon the recommendation of the search committee;
- l. To confirm the appointments of other school officials, teaching, and nonteaching personnel appointed by the President of the LUC;
- m. To approve rules of discipline for the administrative and academic staff and students of the college or university to ensure orderly and effective governance thereof;
- n. To award honorary degrees upon persons in recognition of outstanding contribution in the field of education, public service, arts, science and technology or any field of specialization within the academic competence of the university or college and to authorize the issuance of certificates of completion of non-baccalaureate programs and nontraditional or innovative courses: *Provided, That* these conform to the applicable guidelines of the CHED and the Technical Education and Skills Development Authority;
- o. To establish professorial chairs in the LUC and to provide fellowships for qualified faculty and scholarships to deserving students;
- p. To appoint experts and specialists as consultants, or visiting or exchange professors, scholars, researchers, as the case may be: *Provided, That* such appointment conforms to the CHED guidelines;
- q. To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual training system, and open distance learning, for the promotion of greater access to education;
- r. To submit to the Local Chief Executive or to the Sangguniang Panlungsod, Sangguniang Bayan or Sangguniang Panlalawigan an annual detailed report, setting forth the status, progress, needs, goals of the LUC; and
- s. To delegate any of its power and duties to the President or the other officials of the LUC as it may deem appropriate so as to expedite the administration of the affairs of the university or college.

SECTION 15. *Administration of LUCs.* - The administration of each LUC shall be vested in the President who shall render full-time service to implement policies promulgated by the Board.

The Board shall, upon the recommendation of a duly constituted search committee, appoint the President for a term of four (4) years, subject to reappointment for another term only.

The President of the LUC must preferably at least have a Master's degree in education, administration, or other related fields, with at least three (3) years of relevant administrative experience, without prejudice to provision of additional qualifications to be set by the Board of the LUC.

SECTION 16. *Vacancy in the Office of the President.* - 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, within a period of thirty (30) days, designate an officer-in-charge of the LUC pending the appointment of a new President.

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

SECTION 17. *Search Committee.* - In case of vacancy in the Office of the President brought about by any of the causes mentioned in the preceding Section, the Board shall organize and convene a Search Committee for the Presidency, which shall evaluate and present to the Board the qualifications of the candidates for President of the LUC.

The Search Committee for the Presidency shall have five (5) members to be appointed by the Board. The members shall each represent the following:

- a. CHED;
- b. the ALCU;
- c. the concerned LGU;
- d. the academe; and
- e. the business or industry sector.

It shall elect a Chairperson and Vice-Chairperson and shall ensure that the new LUC President is elected not later than three (3) months from the time that the position is vacant.

SECTION 18. *The Secretary of the LUC and the Secretary of the Board.* - There shall be a Secretary of the LUC who shall be appointed by the Board as Secretary of the Board upon recommendation of the University President. The Secretary of the Board shall be the custodian of all official records of the LUC.

SECTION 19. *Elevation of a Local College to the Status of a University.* - A local college, upon the recommendation of the Board to the *Sangguniang Bayan*, or

Sangguniang Panlungsod, or Sangguniang Panlalawigan, may subsequently apply with the CHED for university status: Provided, That it has complied with the requirements of the CHED and has undergone the appropriate process of accreditation by a reliable accreditation body that subsequently found the college to be prepared for reclassification as a university: Provided, further, That a local college, upon conversion into a local university, shall continue to be operated by the concerned LGU in coordination with the CHED.

The proposal for classification to a university status shall be submitted to the CHED Central Office, through the CHED Regional Office, for review. Only the CHED en banc shall grant the "University" status upon compliance with the requirements.

No new local HEI shall be established immediately as a local university or *pamantasan*. A local HEI established by an LGU shall be known as a local college or *dalubhasaan* or any other typology assigned by the CHED in accordance with developments in the Philippine Higher Educational System.

SECTION 20. Existing LUCs. - In the interest of efficient control and supervision by the CHED pursuant to R.A. No. 7722, all LUCs existing at the time of the effectivity of this Act shall be allowed to continue their operation, subject to compliance with the requirements of this Act and the minimum standards, policies, and guidelines prescribed by the CHED. Such compliance shall be achieved within a non-extendible period of three (3) years. Failure to comply with the requirements of this Act shall result in the phaseout of the programs being offered by the concerned LUCs.

SECTION 21. Existing Local Postsecondary Educational Institutions. - Local postsecondary educational institutions offering only pre-professional training or non-baccalaureate programs shall not use "College" or "University" in its name unless they have complied with the requisites provided for the establishment of a college or the grant of university status under the CHED rules and regulations: *Provided, That existing local post-secondary educational institutions which have been using the name "college" or "university" prior to the passage of this Act shall be allowed to retain such name: Provided, further, That said educational institutions shall be given a grace period by the CHED to comply with the requirements for the status of "college" or "university" or any other typology assigned by the CHED in accordance with developments in the Philippine higher educational system.*

SECTION 22. Penalties for Non-Compliance. - Any person found violating any of the provisions of this Act shall be subject to an administrative fine of up to Five hundred thousand pesos (P500,000.00), depending on the severity of the violation, as may be determined in the Implementing Rules and Regulations of this Act.

SECTION 23. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the CHED shall, in coordination with the Department of the Interior and Local Government, the ALCU, and other relevant stakeholders promulgate the rules and regulations to carry out the provisions of this Act.

SECTION 24. *Exclusion Clause.* - This Act shall apply to all LUCs duly created by their ordinances enacted for that purpose, except for the Pamantasan ng Lungsod ng Maynila (PLM), which was created by virtue of R.A. No. 4, entitled "An Act Authorizing the City of Manila to Establish and Operate the University of the City of Manila and for Other Purposes". However, in so far as faculty qualifications, curriculum and instruction, and facilities are concerned, the PLM shall be governed by this Act.

SECTION 25. *Separability Clause.* - Should any provision or part of this Act be declared invalid or unconstitutional, the remaining parts not affected shall remain in full force and effect.

SECTION 26. *Repealing Clause.* - All laws, executive orders, presidential decrees, administrative orders, rules and regulations, issuances, or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or amended accordingly.

SECTION 27. *Effectivity.* - Notwithstanding the non-issuance of the IRR, this Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,