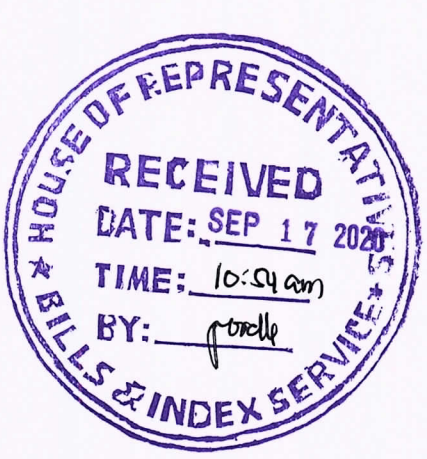

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 507

Submitted by the Committees on Higher and Technical Education, Appropriations, and Ways and Means on SEP 17 2020
Re: House Bill No. 7697
Recommending its approval in substitution of House Bill No. 1581
Sponsors: Representatives Mark O. Go, Eric Go Yap, Joey Sarte Salceda, and Mujiv S. Hataman

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Mr. Speaker:

The Committees on Higher and Technical Education, Appropriations, and Ways and Means, to which was referred House Bill No. 1581, introduced by Rep. Mujiv S. Hataman and Amihilda J. Sangcopan, entitled:

"AN ACT
CONVERTING THE BASILAN STATE COLLEGE (BASSC) IN THE CITY OF ISABELA, PROVINCE OF BASILAN, INTO A STATE UNIVERSITY TO BE KNOWN AS THE BASILAN STATE UNIVERSITY (BASSU), AND APPROPRIATING FUNDS THEREFOR"

have considered the same and recommend that the attached House Bill No. 7697, entitled:

"AN ACT
CONVERTING THE BASILAN STATE COLLEGE (BASSC) IN THE CITY OF ISABELA, PROVINCE OF BASILAN, INTO A STATE UNIVERSITY, TO BE KNOWN AS THE BASILAN STATE UNIVERSITY (BASSU), AND APPROPRIATING FUNDS THEREFOR"

be approved in substitution of House Bill No. 1581 and with Reps. Mujiv S. Hataman, Amihilda J. Sangcopan, Mark O. Go, Eric Go Yap, and Joey Sarte Salceda as authors thereof.

Respectfully submitted,

ERIC GO YAP
Chairperson
Committee on Appropriations

MARK O. GO
Chairperson
Committee on Higher and Technical Education

JOEY SARTE SALCEDA
Chairperson
Committee on Ways and Means

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

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

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7697
(In Substitution of House Bill No. 1581)

Introduced by Representatives Mujiv S. Hataman, Amihilda J. Sangcopan, Mark O. Go, Eric Go Yap, and Joey Sarte Salceda

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AN ACT
CONVERTING THE BASILAN STATE COLLEGE (BASSC) IN THE CITY OF ISABELA, PROVINCE OF BASILAN INTO A STATE UNIVERSITY, TO BE KNOWN AS THE BASILAN STATE UNIVERSITY (BASSU), AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. ***Conversion***. – The Basilan State College in the City of Isabela, Province of Basilan, including its extension campuses in the Municipalities of Tipo-Tipo and Maluso and the cities of Lamitan and Isabela, all located in the Province of Basilan is hereby converted to a state university, to be known as the Basilan State University (BASSU). Its main campus shall be located in Barangay Sumagdang, Isabela City.

SEC. 2. ***General Mandate***. – The BASSU shall primarily provide advanced education, higher technological, professional and vocational courses, and training in arts and sciences, education, agriculture and industrial fields, management, criminology, maritime, medical education, legal education, non-traditional courses and other relevant fields of study. As well as short-term technical or vocational courses. It shall also undertake research and extension services and production activities, in support of the socio-economic development of the province of Basilan and Region IX.

SEC. 3. ***Curricular Offerings***. – The BASSU shall offer short-term technical-vocational, undergraduate, and graduate courses within its areas of competency and specialization in the fields of arts and sciences, teacher education, engineering, science and technology, information and communications technology, management and accountancy, medical education, legal education, tourism, maritime education, criminology, 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 meet the human resource development needs of the Province of Basilan and Region IX.

The existing and any other future technical-vocational courses or programs under the supervision of the Technical Education and Skills Development Authority (TESDA) shall remain and continue to be offered within the campuses of the BASSU.

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

SEC. 4. ***Administration.*** – The BASSU shall have the general powers of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as "The Corporation Code of the Philippines." The exercise of its corporate powers shall be vested exclusively in the Board of Regents, hereinafter referred to as the Board, and the President of the BASSU.

SEC. 5. ***The Governing Board.*** – The governing body of the BASSU shall be the Board, which shall be chaired and co-chaired by the Chairperson of the Commission on Higher Education (CHED) and the President of the BASSU, respectively, and with the following as members:

a. Chairperson of the Committee on Higher, Technical and Vocational Education of the Senate;
b. Chairperson of the Committee on Higher and Technical Education of the House of Representatives;
c. Regional Director of the National Economic and Development Authority;
d. Regional Director of the Department of Science and Technology;
e. Regional Director of the TESDA;
f. Regional Director of the Department of Agriculture;
g. President of the federation of faculty associations of the BASSU;
h. President of the federation of student councils of the BASSU;
i. President of the federation of alumni associations of the BASSU; and
j. 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 in the Province of Basilan where the BASSU and its campuses are located, as recommended by a search committee constituted by the President of the BASSU, 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. They shall serve for a term of two (2) years from the date of appointment.

The membership of the President of the federation of faculty associations, the President of the federation of student councils, and the President of the federation of alumni associations in the Board shall be coterminous with their terms of office, as provided under their respective constitutions and bylaws.

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

a. Promulgate and implement policies in accordance with the declared State policies on education, other pertinent provisions of the Constitution on education, agriculture, science and technology, and the policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";

b. Approve the curricula, instructional programs, and rules of discipline drawn by the Administrative and Academic Councils herein provided;

c. Appoint, upon the recommendation of the President of the BASSU, the vice presidents, deans, directors, heads of the campuses, faculty members, and other officials and employees of the BASSU;

d. Fix and adjust the salaries of faculty members, administrative officials and employees, subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provision of existing law to the contrary notwithstanding; and remove them for cause in accordance with the requirements of due process of law;

e. 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 BASSU, shall constitute its special trust funds, and shall be deposited in any authorized government depository bank. All interests that shall accrue therefrom shall form part of the same funds for the use of the BASSU.

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

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

g. Establish professorial chairs in the BASSU and provide fellowships for qualified faculty members, and scholarships to deserving students;

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

i. Set the policies on admission and graduation of students;

j. Award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture or any field of specialization within the academic competency of the BASSU, 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 BASSU;

l. Develop academic arrangements for institutional capability building with appropriate institutions and agencies, whether public, private, local and foreign, and appoint experts/specialists as consultants, part-time or visiting/exchange professors, scholars or researchers, as the case may be;

m. Adopt modern and innovative modes of transmitting knowledge for the promotion of greater access to education such as the use of information technology, 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 Basilan and Region IX, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the BASSU to make it more efficient, relevant, productive and competitive;

o. Absorb non chartered tertiary institutions within the province of Basilan and Region IX as branches and extension/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 BASSU, 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 (LGUs), as well as public, private, local and foreign institutions and agencies, in the furtherance of the purposes and objectives of the BASSU;

r. Import economic, technical, and cultural books and publications;

s. Enter into joint ventures with business and industry for the profitable development and management of economic assets, the proceeds of which shall be used for the development and strengthening of the BASSU;

t. Receive, in trust, 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 BASSU and subject to the limitations, directions and instructions of the donor, if any;

u. Extend the term of the President of the BASSU 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 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 BASSU, as it may deem appropriate, so as to expedite the administration of the affairs of the BASSU;

w. Establish policy guidelines and procedures for participative and transparent decision-making within the BASSU;

x. Where most advantageous to the BASSU, privatize 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 BASSU.

SEC. 7. ***Meetings of the Board.*** – The Board shall regularly convene once every three (3) months. The Chairperson of the Board may, however, call a special meeting whenever necessary: *Provided,* That members are notified in writing at least three (3) days prior to the conduct of said meeting.

A quorum of the Board shall consist of majority of all its members holding office at the time of the meeting: *Provided, however,* That the Chairperson of the Board or the President of the BASSU 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 the 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 BASSU, as Vice Chairperson, shall be the presiding officer: *Provided, further,* That this provision notwithstanding, the Chairperson of the CHED

is hereby authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in which case, the said CHED Commissioner shall act as the presiding officer.

In case the Chairpersons of the Senate Committee on Higher, Technical and Vocational Education and the House Committee on Higher and Technical Education will not be able to attend the Board meeting, they may designate their respective representatives to attend the meeting, who shall have the same rights and responsibilities as 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. 8. ***The University President***. – The BASSU shall be headed by a President, who shall render full-time service and is appointed by the Board, subject to the guidelines, qualifications and standards set by the Board, based on the recommendation of a duly constituted search committee. The BASSU President shall have a term of four (4) years and shall be eligible for reappointment to another term: *Provided,* That in order to effect the smooth transition of the college to a state university, the incumbent President of the BASSC, if qualified, shall serve as the first President of the BASSU.

Within six (6) months before the expiration of the term of office of the incumbent President of the BASSU, the Board shall constitute the search committee for the Presidency.

The Board shall designate an Officer-in-Charge of the BASSU 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, pending the appointment of a new President: *Provided,* That the Officer-in-Charge shall serve only during the unexpired portion of the term.

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

The salary of the President of the BASSU shall be in accordance with Republic Act No. 11466 or the "Salary Standardization Law of 2019", and by 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.

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

SEC. 9. ***The Secretary of the University***. – The Board shall appoint a Secretary who shall serve as such for both the Board and the BASSU and shall keep all records and

proceedings of meetings of the Board. The Secretary of the BASSU shall serve upon each member of the Board the appropriate notice of board meetings.

SEC. 10. ***The Treasurer of the University***. – The Treasurer of the Philippines shall be the *ex officio* Treasurer of the BASSU.

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

SEC. 12. ***The Academic Council***. – There shall be an Academic Council that shall formulate academic policies. It shall be composed of the President of the BASSU, who shall act as chairperson, and all academic staff with the rank of at least an assistant professor, as members.

The Academic Council shall also have the power to review and recommend the curricular offerings and rules of discipline of the BASSU, subject to the approval of the Board. It shall fix the requirements for the admission of students, as well as for their graduation and conferment of degrees, subject to the review and approval of the Board through the President of the BASSU.

It shall have disciplinary power over the students of the BASSU and shall formulate rules and regulations on student discipline, subject to the approval of the Board.

SEC. 13. ***Heads of University Campuses***. - The Campus Directors shall respectively serve as heads or administrators of the BASSU's campuses and render full-time service.

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

SEC. 14. ***The Faculty***. – 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 BASSU: *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.

SEC. 15. ***Academic Freedom and Institutional Autonomy***. – The BASSU shall enjoy academic freedom and institutional autonomy pursuant to paragraph 2, Section 5 of Article XIV of the Constitution.

SEC. 16. ***Scholarship Programs and Admission***. – The BASSU shall provide

scholarship and other affirmative action programs to assist poor but deserving students who qualify for admission to the BASSU.

No student shall be denied admission to the BASSU by reason of gender, religion, cultural, political or community affiliation or ethnic origin.

SEC. 17. ***Authority to Loan or Transfer Apparatus, Equipment, Supplies and Detail of Personnel.*** – The heads of the bureaus and offices of the national government are hereby authorized to loan or transfer, upon the request of the President of the BASSU, such apparatus, equipment or supplies as may be needed by the BASSU, and detail employees for duty therein when, in the judgment of the head of bureau or office, such apparatus, equipment, supplies or service of such employees can be spared without serious detriment to public service.

The employees so detailed shall perform such duties as required of them by the President of the BASSU and the time thus served shall be counted as part of their regular service.

SEC. 18. ***Assets, Liabilities and Personnel.*** – All assets, real and personal, personnel, and records of the BASSC as well as its liabilities or obligations, are hereby transferred to the BASSU: *Provided*, That the positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws prior to the conversion to a university shall be respected: *Provided, further*, That the incumbents occupying the positions shall remain in the same status until otherwise provided for by the Board: *Provided, finally*, That the BASSU shall also accordingly 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 BASSC and all its campuses are hereby declared property of the BASSU, and shall be titled under its name: *Provided,* That should the BASSU cease to exist or be abolished, or should such aforementioned parcels of land be no longer needed by the BASSU, the same shall revert to the concerned LGU or to the Republic of the Philippines, as the case may be.

SEC. 19. ***Tax Exemption on Importation and Donations.*** - The importation by the BASSU of economic, technical, and cultural books or publications, which are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes shall, upon certification by the CHED, 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 by the BASSU, shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor for purposes of computing the taxable income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 20. ***Compliance with CHED Requirements.*** – The provisions of this Act

notwithstanding, the conversion of the BASSC to a state university shall become effective only upon the determination and declaration by the CHED, based on the recommendation of a panel of experts constituted for the purpose, that the institution has complied with the requirements for university status under CHED Memorandum Order No. 46, series of 2012 (Policy-Standard to Enhance Quality Assurance (QA) in Philippine Higher Education Through an Outcomes-Based and Typology-Based QA): *Provided,* That the panel may issue such recommendation when the BASSC has substantially complied with the requirements for the grant of university status.

The following operational requirements for a university, as established by the CHED, shall be complied with:

a. Employment of full-time, permanent faculty members who possess relevant degrees in their areas of specialization, as required by the CHED, and shall have participated in research and development activities in their respective disciplines, as evidenced by refereed publications and other scholarly outputs;

b. Offering of a comprehensive range of degree programs in all levels, from basic post-secondary to doctoral programs;

c. Conduct of viable research programs in specific disciplinal and multidisciplinary areas of study that produce new knowledge, as evidenced by refereed publications, citations, inventions, and patents, among others.;

d. Establishment of comprehensive learning resources and support structures, to include libraries, practicum laboratories, relevant educational resources, and linkages with relevant disciplinal and professional sectors, so as to allow students to explore basic, advance, and even cutting-edge knowledge in a wide range of disciplines or professions;

e. Maintenance of linkage and affiliation with other research institutions in various parts of the world to ensure that the research activities of the BASSU are functioning at current global standards; and

f. Conduct of outreach activities to allow the students, faculty, and research staff to apply the new knowledge they generate to address specific social development problems.

The CHED, through its regional office, shall regularly provide technical assistance to the BASSU and monitor its compliance with the requirements of the Commission.

The BASSC shall retain its status prior to the effectivity of this Act until it is able to comply with the requirements provided herein.

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

a. Submit a five (5)-year development plan, including its program budget to the CHED for recommendation to the DBM;

b. Set up its organizational, administrative, and academic structure, including the appointment of key officials of the BASSU; and

c. Undergo a management audit in coordination with the CHED.

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

SEC. 23. ***Suppletory Application.*** – The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall form part of this Act, and shall serve as part of the governing charter of the BASSU.

SEC. 24. ***Parity Clause.*** – All other powers, functions, privileges, responsibilities, and limitations under existing laws shall be deemed granted to or imposed upon the BASSU and its officials, whenever appropriate.

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

SEC. 26. ***Implementing Rules and Regulations.*** – Within sixty (60) days from the effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules and regulations to fully implement the provisions of this Act.

SEC. 27. ***Separability Clause.*** – If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

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

SEC. 29. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,