

REPUBLIC ACT NO. 7665

AN ACT CONVERTING THE BULACAN COLLEGE OF ARTS
AND TRADES IN THE PROVINCE OF BULACAN INTO
A STATE UNIVERSITY TO BE KNOWN AS THE
BULACAN STATE UNIVERSITY, AND APPROPRIATING
FUNDS THEREFOR

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

SECTION 1. The Bulacan College of Arts and Trades located in the Province of Bulacan is hereby converted into a state university to be known as the Bulacan State University, hereinafter referred to as the University.

SEC. 2. The University shall primarily provide higher professional, technical, and special instructions for special purposes and promote research and extension services, advanced studies and progressive leadership in agriculture, commerce, education, fishery, forestry, engineering, arts and sciences, law, medicine, public administration, technical and other fields as may be relevant.

SEC. 3. The University shall offer undergraduate and graduate courses in the fields of education, agriculture, forestry, engineering, arts and sciences, commerce, fishery, law, medicine, public administration, technical and other degree courses as the Board of Regents may deem necessary to carry out its objectives. It shall also offer opportunity in short-term technical or vocational courses within its areas of specialization to meet the agro-industrial needs of the nation, in general and the Province of Bulacan in particular.

SEC. 4. The existing high school shall be transferred under the supervision of the Department of Education, Culture and

Sports: *Provided*, That the existing high school shall be allowed to remain and operate within the campus of the University until it shall have been transferred to another location, or until its students shall have been accommodated in other high schools, public or private: *Provided, further*, That the University may operate a reasonably-sized laboratory high school if it offers a teacher training program.

SEC. 5. The University shall have the general powers of a corporation set forth in the Corporation Law. The administration of the University and the exercise of its corporate powers shall be vested exclusively in the Board of Regents and the President of the University insofar as authorized by the Board.

SEC. 6. The governing body of the University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

(a) The Secretary of Education, Culture and Sports, or his representative, chairman;

(b) The President of the University, member;

(c) The chairman of the Committee on Education of the Senate, or a member of said committee having the power to vote as his representative, member;

(d) The chairman of the Committee on Education of the House of Representatives or a member of said committee having the power to vote as his representative, member;

(e) The president of the faculty association of the University, member;

(f) The president of the supreme student council of the University, member.

(g) The president of the alumni association of the University, as member; and

(h) Two (2) prominent citizens who have distinguished themselves in their profession or fields of specialization of the University chosen from among those qualified in the Province of Bulacan.

The two (2) prominent citizens so appointed by the Board shall have the same powers, authority, and privileges as the regular members of the Board.

The Secretary of Education, Culture and Sports, the President of the University, the education committee chairmen of the Senate and the House, shall have an *ex officio* term of office, while the presidents of the faculty association and of the supreme student council and, when deemed necessary, the president of the alumni association shall serve only during their respective terms of office and, when likewise necessary, the two (2) prominent citizens shall serve for four (4) years while the succeeding appointees shall serve for two (2) years or until their replacements shall have been appointed and qualified. In the absence of the Chairman or his representative during a particular meeting, the board members present shall elect a temporary chairman from among themselves.

SEC. 7. The Board shall promulgate and implement policies in accordance with the declared state policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports.

SEC. 8. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under existing laws:

(a) To enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the University;

(b) To import duty-free essential materials and equipment for educational or technological programs for the exclusive use of the University as an exception to existing laws, provided such materials and equipment are not available locally;

(c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University and subject to the limitations, directions, and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor: *Provided*, That such donation shall not be disposed, transferred or sold;

(d) Subject to existing laws, to fix the tuition fees and other necessary school charges such as, but not limited to, matriculation fees, graduation fees, and laboratory fees, as the Board may deem proper to impose.

Such fees and charges, including government subsidies and other income generated by the University, constitute special trust funds and shall be deposited in any authorized government depository bank, any and all interests that shall accrue therefrom shall form part of the same funds for the use of the University. The incomes generated by the University may, at the discretion of the Board, be disbursed for the professional growth and development, health, welfare and other similar benefits of the faculty members and personnel, for the acquisition, construction, maintenance and repair of urgently-needed instructional and auxiliary facilities, equipment, buildings and other infrastructure and for expenses necessary for the attainment of its purposes under this Act;

(e) To authorize the construction or repair of its buildings, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;

(f) To confirm appointments of vice-presidents, deans, directors, heads of departments, faculty members, and other officials and employees of the University made by the President of the University;

(g) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;

(h) To confer degrees upon successful candidates for graduation, to award honorary degrees upon persons in recognition of outstanding contribution in the field of education, public service, arts, science and technology or in any field of specialization, and to authorize the award of certificates for completion of non-degree and non-traditional courses;

(i) To establish branches within the Province of Bulacan, if and when it becomes essential and necessary where there is no existing school offering similar programs or courses to promote and carry out equal access to education opportunities as mandated by the Constitution; and

(j) To establish chairs in the University and to provide fellowships for qualified faculty members and scholarships to deserving students.

SEC. 9. A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: *Provided, however,* That among those present is the Secretary of Education, Culture and Sports, who is chairman of the Board, or the President of the University who acts as presiding officer in the former's absence. The Board shall convene regularly once every two (2) months. The chairman of the Board may call a special meeting whenever necessary.

The members of the Board shall not receive salary but shall be entitled to reimbursement for actual and necessary expenses incurred either in attendance in meetings of the Board or in other official business authorized by resolution of the Board subject to existing laws on *honoraria* and allowances.

SEC. 10. The University shall be headed by a president to be elected by the members of the Board and shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or earlier removed for cause or incapacitated to discharge the duties of the office.

In case of vacancy in the office of the President by reason of death, resignation, incapacity of the President to perform the functions of his office, or removal for cause, the Board shall have the authority to designate an officer-in-charge of the University pending the appointment of a successor. The new President shall hold office for the unexpired term but in no case shall his term be more than six (6) years subject to the provision of the preceding paragraph.

In order not to disrupt the operation of the institution and to insure the smooth transition from college to university, the incumbent president of the college shall serve as the president of the Bulacan State University in a hold-over capacity until his successor shall have been elected by the Board, which shall within six (6) months from the approval of this Act convene for the purpose of electing the first president of the University.

The salary of the President of the University shall be fixed by the Board and shall be comparable to that being received by the President of similar educational institutions of like enrollment and standing.

The powers and responsibilities of the President as chief executive of the University are as follows:

(a) To provide leadership for the University, to preserve and protect its academic integrity and ensure the observance and implementation of the policies laid down by the Board of Regents;

(b) To exercise within the framework of university policies primary authority and responsibility over the following areas: development planning and resource allocations; grants; endowments and fund raising; external relations and public affairs; and university policies relating to regional developmental programs, curricula and matters affecting the rights, privileges, responsibilities and welfare of the university constituency;

(c) To formulate integrated and comprehensive plans for the university including academic, research, extension, physical development and fiscal plans;

(d) To coordinate the activities and programs of the University with the other component units and institutions, appraise their performance in relation to goals and recommend appropriate action to the Board of Regents;

(e) To appoint officers, faculty members and other employees in the University subject to Section 8 of this Act and to designate deans, directors, heads of departments/offices, or officers-in-charge of the units therein;

(f) To appoint, transfer or promote personnel of the University as herein below provided; fix their work schedules; grant leaves of absence; approve their special detail, additional assignments, additional compensational resignation and retirement in accordance with the policies approved by the Board of Regents;

(g) To set up a machinery for the review of all disciplinary actions appealable to the office of the president and for the consideration of petitions of redress grievances;

(h) To submit to the Board of Regents the courses of study and academic programs, rules of discipline and awards of degrees and diplomas as recommended by the university council;

(i) To award fellowships, assistance and scholarships to students, faculty members and other personnel in accordance with the policies prescribed by the Board of Regents;

(j) To plan, prepare and implement a university program for the training and education of adult citizens and out-of-school youths;

(k) To negotiate and obtain grants for specific projects, gifts and donations of real or personal property of all kinds subject to the confirmation of the Board of Regents, and to administer the same for the benefit of the University, its units, departments, or students in accordance with the directions and instructions of the donor, and in default thereof, in such manner as the Board of Regents may, in its discretion, determine;

(l) To maintain links with other academic and research institutions to ensure fruitful academic and technical interchange and maximize the use of human and physical resources;

(m) To prepare for approval of the Board of Regents the annual budget of the University;

(n) To submit to the Board of Regents annual reports on the operation of the University, and such other reports as the latter may require under this Act; and

(o) To exercise such other powers and discharge such other responsibilities as may be delegated to him by the Board of Regents: *Provided*, That he shall institute a system for the efficient discharge of his administrative responsibilities.

SEC. 11. The President of the University, whose term may be terminated according to this Act, shall be entitled to full retirement benefits under existing laws.

SEC. 12. There shall be an administrative council, consisting of the President of the University as chairman, the vice-president(s), deans, directors, and other officials of equal rank, whose duty is to implement the policies governing the administration, management, and development planning of the University as approved by the Board.

SEC. 13. There shall be an academic council with the President of the University as chairman and all members of the instructional staff with the rank of not lower than assistant professor as members. The academic council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for admission to the University as well as for graduation and the conferring of degrees subject to review and/or approval by the Board through the President of the University. It shall also have disciplinary powers over the students through the President within the limits prescribed by the rules of discipline as approved by the Board.

SEC. 14. There shall be a secretary of the University who shall be appointed by the Board upon recommendation of the President of the University. He shall also be the secretary of the Board and shall keep such records of the University as may be determined by the Board.

SEC. 15. The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.

SEC. 16. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 17. No student shall be denied admission to the University by reason of sex, ethnic consideration, nationality, religion, or political affiliation.

SEC. 18. The University shall enjoy academic freedom.

SEC. 19. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board shall file with the Office of the President of the Philippines, through the Secretary of Education, Culture and Sports, and to both Houses of Congress, a detailed report on the progress, conditions, and needs of the University.

SEC. 20. All accounts and expenses of the University shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 21. The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the President of the University, such apparatus, equipment or supplies as may be needed by the University and to detail employees for duty therein when in the judgment of the head of the bureau or office, such apparatus, equipment, supplies, or services of such employees can be spared without serious detriment to the public service. The employees so detailed shall perform such duties as required of them by the President of the University

and the time so employed shall be counted as part of their regular service.

SEC. 22. It shall be a continuing policy of the University to accept the affiliation and/or integration within its operation of any existing national schools whose program can contribute largely and effectively to the attainment of its objectives: *Provided, however,* That, in case of integration, the Secretary of Education, Culture and Sports is hereby authorized to determine and approve the specific existing national schools that are to be integrated as part of the Bulacan State University. In this particular case, it is understood that all funds, properties and other assets, as well as obligations of the integrated schools shall be transferred to the University.

SEC. 23. All the assets, fixed and movable, records and personnel of the Bulacan School of Arts and Trades, except those belonging or to be used by the high school, as well as liabilities or obligations, are hereby transferred to the University: *Provided, however,* That the positions, rights, and security of tenure of personnel therein employed under existing laws prior to absorption by the University are not impaired: *Provided, further,* That the incumbent of the positions shall remain in the same status until otherwise provided for by the Board. All parcels of land belonging to the government occupied by the Bulacan School of Arts and Trades are hereby declared to be the property of the Bulacan State University and shall be titled under that name: *Provided, finally,* That, should the University cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the University, the same shall revert to the Province of Bulacan.

SEC. 24. The amount necessary for the implementation of this Act shall be charged against the balance of the current year's appropriations of the Bulacan College of Arts and Trades after deducting the amount needed to continue the operations of the existing high school. Thereafter, such sums as may be necessary for its operation and maintenance shall be included in the annual General Appropriations Act.

SEC. 25. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 26. This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in any newspaper of general circulation.

Approved, December 30, 1993.