

Republic of the Philippines
Congress of the Philippines
Metro Manila
Seventeenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand eighteen.

[REPUBLIC ACT NO. **11088**]

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

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

SECTION 1. *Conversion.* — The Sorsogon State College (SSC) in the Province of Sorsogon, which is composed of the SSC-Sorsogon Campus in Sorsogon City, the SSC-Bulan Campus in the Municipality of Bulan, the SSC-Magallanes Campus in the Municipality of Magallanes, and the SSC-Castilla Campus in the Municipality of Castilla, all located in the Province of Sorsogon, is hereby converted into a state university to be known as the Sorsogon State University. The main campus of the University shall be in Sorsogon City.

SEC. 2. *General Mandate.* – The Sorsogon State University, hereinafter referred to as the University, shall primarily provide advance and higher professional, technical and special instructions in education and technology, engineering and architecture, public administration and management, accountancy, economics and finance, agriculture, forestry and fisheries, arts and sciences, maritime education, peace and security courses and other related fields of study. It shall also undertake research and extension, as well as income generation programs, for the sustainable development of the Province of Sorsogon and Region V.

SEC. 3. *Curricular Offerings.* – The University shall offer undergraduate and graduate courses in the fields of education and technology, engineering and architecture, public administration and management, accountancy, economics and finance, agriculture, forestry and fisheries, arts and sciences, maritime education, peace and security courses, information technology and other courses within its areas of specialization and according to its capabilities as the Board of Regents may deem necessary to carry out its objectives, particularly in meeting the needs of the Province of Sorsogon and Region V.

The existing reasonably-sized laboratory high school shall continue to operate under the control of the College of Education of the University to serve the in-campus requirements of the students in the College of Education.

SEC. 4. *Administration.* – The University 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 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.

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

(a) The Chairperson of the Committee on Education, Arts and Culture of the Senate;

(b) The Chairperson of the Committee on Higher and Technical Education of the House of Representatives;

(c) The Regional Director of the National Economic and Development Authority (NEDA);

(d) The Regional Director of the Department of Science and Technology (DOST);

(e) The Regional Director of the Department of Agriculture (DA);

(f) The President of the Federation of Faculty Associations of the University;

(g) The President of the Federation of Student Councils of the University;

(h) The President of the Federation of Alumni Associations of the University; and

(i) Two (2) prominent citizens from the private sector who have distinguished themselves in their professions or fields of specialization of the University.

The Board shall appoint the two (2) prominent citizens from among a list of at least five (5) qualified persons from the Province of Sorsogon, as recommended by the search committee to be constituted by the University President, in consultation with the CHED Chairperson and the 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 term of the President of the Federation of Faculty Associations, the President of the Federation of Alumni Associations, and the President of the Federation of Student Councils, as members of the Board, shall be coterminous with their terms of office as set forth in their respective Constitution and bylaws.

SEC. 6. *Powers and Duties of the Board.* – The Board, 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, shall have the following specific powers and duties:

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

(b) To approve the curricula, instructional programs, and rules of discipline drawn by the Administrative and the Academic Councils herein provided;

(c) To appoint, upon the recommendation of the President of the University, the vice presidents, deans, directors, heads of the campuses, faculty members and other officials and employees of the University;

(d) To fix and adjust 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; to 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 to remove them for cause in accordance with the requirements of due process of law;

(e) To ~~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 involved sectors. The fees and charges, including government subsidies and other income generated by the University, shall constitute a special trust fund, and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

Any provision of existing law, rule or regulation to the contrary notwithstanding, any income generated by the University from tuition fees and other charges, as well as from the operation of auxiliary services, and land grants, shall be retained by the University, and may be disbursed by the Board for instruction, research, extension or other programs/projects of the University: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these are collected. If, for reasons beyond its control, the University 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 University;

(f) To receive and appropriate all sums as may be provided for the support of the University in the manner it may determine, in its discretion, to carry out the purposes and functions of the University;

(g) To adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students;

(h) To set the policies on admission and graduation of students;

(i) To establish professorial chairs in the University and to provide fellowships for qualified faculty members, and scholarships to deserving students;

(j) To 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 competence of the University, and to authorize the awarding of certificates of completion of nondegree and nontraditional courses;

(k) To establish research and extension centers to promote the development of the University;

(l) To establish and absorb non-chartered tertiary institutions within the Province of Sorsogon as branches and

extension centers in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses to carry out the constitutional mandate of providing equal access to educational opportunities;

(m) To develop academic arrangements for institution-capability building with appropriate institutions and agencies, public and private and local and foreign, and to appoint experts/specialists as consultants, part-time, visiting or exchange professors, scholars, researchers, as the case may be;

(n) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual training system, open distance learning, and community laboratory for the promotion of greater access to education;

(o) To authorize an external management audit of the University, to be financed by the CHED, subject to the rules and regulations of the Commission on Audit (COA); and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

(p) To collaborate with the governing boards of the state universities and colleges (SUCs) within the Province of Sorsogon, under the supervision of the CHED and in consultation with the DBM, and work towards restructuring of the University to become more efficient, relevant, productive and competitive;

(q) To develop consortia and other economic forms of linkages with local government units (LGUs), institutions and agencies, both public and private and local and foreign, in the furtherance of the purpose and objectives of the University;

(r) To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the University, the proceeds from which shall be used for the development and strengthening of the University;

(s) To import economic, technical and cultural books and publications;

(t) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose of the same when necessary for the benefit of the University and subject to the limitations, directions and instructions of the donor, if any;

(u) To authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real property, including necessary supplies, materials and equipment;

(v) To extend the term of the President of the University beyond the age of retirement, but not beyond the age of seventy (70) based on the guidelines, qualifications and standards act of the Board: *Provided*, That the President's performance has been rated by the Board as outstanding, and after unanimous recommendation by the search committee;

(w) To establish policy guidelines and procedures for participative decision-making and transparency within the University;

(x) To privatize, where most advantageous to the University, the management of nonacademic services such as health, food, building or grounds or property maintenance, and such other similar activities;

(y) To delegate any of its powers and duties provided to the President and other officials of the University, as it may deem appropriate, so as to expedite the administration of the affairs of the University; and

(z) To promulgate rules and regulations as may be necessary to carry out the purposes and functions of the University.

SEC. 7. Meetings of the Board. – The Board shall regularly convene once every quarter. However, the Chairperson of the Board may, upon three (3) days' prior written notice, call a maximum of two (2) special meetings whenever necessary within the year.

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 University is among those present in the meeting.

In the absence of the CHED Chairperson, a Commissioner of the CHED, duly designated by the CHED Chairperson, as representative in the meeting, shall have all the rights and responsibilities of a regular member: *Provided, however, That during this meeting, the President of the University, as Vice Chairperson, shall be the Presiding Officer: Provided, further, That this proviso, notwithstanding, the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in which case said CHED Commissioner, shall act as the Presiding Officer.*

In case the Chairpersons of the Congressional Committees on Education, Arts and Culture 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 will 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 in the meetings of the Board or in connection with other official business authorized by resolution of the Board, subject to existing laws and regulations.

SEC. 8. *The University President.* – The University shall be headed by a President, who shall render full-time service and who shall be appointed by the Board, upon recommendations of a duly constituted search committee. The President shall serve a term of four (4) years and shall be eligible for reappointment for another term: *Provided, That in order to effect the smooth transition of the Sorsogon State College to a state university, the incumbent President of the Sorsogon State College, if qualified, shall serve as the first President of the University.*

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

The Board shall designate an Officer-in-Charge (OIC) of the University in case of 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 OIC shall serve only the unexpired portion of the term.*

The powers and duties of the President of the University, in addition to those 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 University shall be in accordance with the Revised Compensation and Position Classification System, as modified by Joint Resolution No. 4 dated June 17, 2009, 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 University shall be assisted by a Vice-President for Academic Affairs, a Vice-President for Finance and Administration, and a Vice-President for Research, Extension and Training, who shall be appointed by the Board upon recommendation of the President.

SEC. 9. *Heads of University Campuses.* – The Campus Directors shall serve as heads or administrators of the University campuses and shall render full-time service.

They shall be appointed/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 the incumbent Campus Directors of the existing campuses shall serve as Campus Directors of their respective campuses upon the effectivity of this Act.*

SEC. 10. *The Secretary of the University.* – The Board shall appoint a Secretary, who shall serve as such for both the Board and the University and who shall keep all records and proceedings of the Board in addition to other duties and responsibilities. The Secretary of the University shall serve upon each member of the Board the appropriate notice of the Board meetings.

SEC. 11. *The Treasurer of the University.* – The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.

SEC. 12. *Administrative Council.* – There shall be an Administrative Council consisting of the President of the University, as Chairperson, and the vice presidents, deans, directors and other officials of equal rank, as members, whose duty is to review and recommend to the Board, policies governing the administration, management and development planning of the University.

SEC. 13. *The Academic Council.* – There shall be an Academic Council to be composed of the President of the University, who shall act as its Chairperson, and all academic staff with the rank of at least an assistant professor, as members.

The Academic Council shall have the power to review and recommend the curricular offerings and rules of discipline of the University, 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 University.

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

SEC. 14. *The Faculty.* – No political belief, gender preference, cultural or community affiliation, ethnic origin, and religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University: *Provided*, That the appointment shall be subject to the guidelines, qualifications and standards set by the Board: *Provided, further*, That a member of the faculty shall not criticize, vouch for, recruit members in behalf of, or preach about any particular church or religious sect.

SEC. 15. *Scholarship Program/Admission.* – The University shall provide a scholarship program and other affirmative action programs to assist poor but deserving students who qualify for admission to the University. No student shall be

denied admission to the University by reason of sex, religion, political, cultural or community affiliation, and ethnic origin.

SEC. 16. *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 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 bureau or office, such apparatus, equipment, supplies or services 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 University, and the time so employed shall be counted as part of their regular services.

SEC. 17. *Assets, Liabilities and Personnel.* – All assets, real and personal, personnel and records of the SSC, as well as liabilities or obligations, are hereby transferred to the University: *Provided*, That the positions, rights and security of tenure of the faculty members and personnel therein employed under existing laws prior to the conversion into a University shall be respected: *Provided, further*, That the incumbents of the positions shall remain in the same status until otherwise provided for by the Board: *Provided, finally*, That the University shall also include an upgrade or increase in its human resource component.

All parcels of land belonging to the government occupied by the SSC are hereby declared to be property of the University, and shall be titled under that name: *Provided*, 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 concerned LGU or to the Republic of the Philippines, as the case may be.

SEC. 18. *Tax Exemption.* – The importation of economic, technical and cultural books and publications, which are for economic, technical-vocational, scientific, philosophical, historical or cultural purposes made by the University, upon certification by the CHED and TESDA, shall be exempt from customs duties in accordance with the provisions

of Republic Act No. 10863, otherwise known as the "Customs Modernization and Tariff Act."

SEC. 19. *Development Plan, Management Audit, Organization / Administrative / Academic Structure.* – Within the period of one hundred twenty (120) days after the approval of this Act, the University shall accomplish the following:

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

(b) Undergo a management audit in cooperation with the CHED; and

(c) Accordingly set up its organizational, administrative, and academic structure, including the appointment of the key officials of the University.

SEC. 20. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the SSC. Thereafter, such sums as may be necessary for the continued operation and maintenance of the University shall be included in the annual General Appropriations Act.

SEC. 21. *Annual Report.* – On or before the fifteenth (15th) day of the second month after opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines and both Houses of Congress, through the CHED Chairperson, a detailed report on the progress, conditions and needs of the University.

SEC. 22. *Compliance with CHED Requirements.* – The provisions of this Act notwithstanding, the conversion of the institution into a state university shall become effective only upon the determination and declaration by the CHED, based on the recommendation of a panel of experts it shall constitute for the purpose, that the institution has complied with the requirements for a university status based on CHED Memorandum Order No. 46, series of 2012.

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

SEC. 23. *Supplementary Application.* – The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997," shall be an integral part of this Act and shall serve as part of the Governing Charter of the University.

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


SEC. 25. *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.

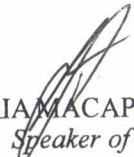
SEC. 26. *Separability Clause.* – If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SEC. 27. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.


SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.


Approved,


VICENTE C. SOTTO III
President of the Senate


GLORIA MACAPAGAL-ARROYO
Speaker of the House
of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives and the Senate on August 7, 2018 and August 8, 2018, respectively.


MYRA MARIE D. VILLARICA
Secretary of the Senate


DANTE ROBERTO P. MALING
Acting Secretary General
House of Representatives

Approved: OCT 11 2018


RODRIGO ROA DUTERTE
President of the Philippines



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