

REPUBLIC OF THE PHILIPPINES }
CONGRESS OF THE PHILIPPINES }
 Third Regular Session }

H. No. 1182
S. No. 2251

REPUBLIC ACT NO. 8498

AN ACT ESTABLISHING THE RAMON MAGSAYSAY TECHNOLOGICAL UNIVERSITY OUT OF THE INTEGRATION OF THE RAMON MAGSAYSAY POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF IBA, THE WESTERN LUZON AGRICULTURAL COLLEGE IN THE MUNICIPALITY OF SAN MARCELINO AND THE CANDELARIA SCHOOL OF FISHERIES IN THE MUNICIPALITY OF CANDELARIA, ALL IN THE PROVINCE OF ZAMBALES, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. A State University to be known as the Ramon Magsaysay Technological University, hereinafter referred to as the University, is hereby established out of the integration of the Ramon Magsaysay Polytechnic College in the Municipality of Iba, Province of Zambales, and integrating therewith within three (3) years as its component colleges the Western Luzon Agricultural College in the Municipality of San Marcelino and the Candelaria School of Fisheries in the Municipality of Candelaria, both in the Province of Zambales. The main campus of the University shall be the Ramon Magsaysay Polytechnic College in Iba, Zambales.

SEC. 2. The University shall primarily provide instructions, undertake research and extension, and provide advanced studies and progressive leadership in agriculture, forestry, engineering, education, arts, sciences, humanities, and other fields as may be relevant to the development of the province.

SEC. 3. The State University shall offer undergraduate, graduate and short-term technical courses within its areas of specialization as the Board of Regents may deem necessary to

carry out its development objectives, particularly in meeting the needs of the province.

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education, Culture and Sports: *Provided*, That this high school shall be allowed to remain and operate within the campus of the University until their students shall have completed high school: *Provided, further*, That the University may operate a reasonably-sized laboratory school if it has a College of Education.

SEC. 4. 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:

(1) Chairman of the Commission on Higher Education (CHED), chairman;

(2) President of the University, vice chairman;

(3) Chairman of the Committee on Education, Arts and Culture of the Senate, member;

(4) Chairman of the Committee on Education and Culture of the House of Representatives, member;

(5) Regional Director of the National Economic and Development Authority (NEDA), member;

(6) President of the federation of faculty associations of the university, member;

(7) President of the federation of supreme student councils of the University, member;

(8) President of the federation of alumni associations of the University, member; and

(9) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the

University, chosen from among a list of at least five (5) persons qualified in the city or the province where the University is located, as recommended by the search committee of the University constituted by the University president, in consultation with the Chairman of the CHED, based on the normal standards and qualifications for the position, members.

The presidents of the federations of faculty and alumni associations and the student regents shall sit in the Board until the expiration of their term of office in such capacities.

The two (2) prominent citizens shall serve for a term of two (2) years.

In case of vacancy by reason of death, resignation, removal for cause or incapacity of the president to perform the functions of his office, the Board shall have the authority to designate an officer-in-charge pending the appointment of a new president.

SEC. 5. The Board shall promulgate and implement policies in accordance with the declared policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture, and sports, as well as the policies, standards, and thrusts of the CHED under Republic Act No. 7722.

SEC. 6. The Board shall have the following specific powers and duties in addition to its general powers of administration and exercise of all the powers granted to the Board of Directors of a corporation under existing laws:

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

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

(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;

(d) To fix the tuition fees and other necessary charges of the University such as, but not limited to, matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose after due consultation with the involved sectors;

Such fees and charges, including government subsidies and other income generated by the University, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same fund for the use of the University.

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 they are collected.

If, for reasons beyond its control, the University shall not be able to pursue any project for which 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 used for the attainment of the objectives and goals of the university or college.

(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;

(f) To appoint, upon the recommendation of the president of the University, vice presidents, deans, directors, and heads of departments, faculty members and other officials and employees of the University;

(g) To fix and adjust salaries of faculty members and administrative officials and employees in accordance with the Revised Compensation and Position Classification System;

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

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

(j) To award honorary degrees upon persons in recognition of their outstanding contributions in the fields of education, public service, arts, science and technology, or in any field of specialization of the University, and to authorize the awarding of certificates for completion of non-degree and non-traditional courses;

(k) To establish branches or centers in the Province of Zambales, 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 educational opportunities as mandated by the Constitution;

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

(m) To establish research and extension centers of the University where such will promote the development of the latter;

(n) To delegate any of its powers and duties provided for hereinabove to the president and/or other officials of the University as it may deem appropriate so as to expedite the administration of the affairs of the University;

(o) To authorize an external management audit of the institution, to be financed by the CHED and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

(p) To collaborate with other governing boards of State universities within the province or region, under the supervision of the CHED and in consultation with the Department of Budget and Management, the restructuring of the University to become more efficient, relevant, productive and competitive;

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

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

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

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

(u) To privatize, where most advantageous to the institution, management and non-academic services such as health, food, building or grounds or property maintenance and similar such other activities; and

(v) To extend the term of the president of the University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as

outstanding and upon unanimous recommendation by the search committee for the president of the University.

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

A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: *Provided, however*, That the Chairman of the CHED, who is the chairman of the Board or the president of the University, is among those present in the meeting.

In the absence of the Chairman of the CHED, a Commissioner of the CHED, duly designated by him, shall represent him in the meeting with all the rights and responsibilities of a regular member: *Provided, however*, That in the said meeting, the president of the University as vice chairman shall be the presiding officer.

The members shall serve without compensation but shall be reimbursed for necessary expenses incurred in their attendance of the meetings of the Board or in connection with their official business authorized by resolution of the Board.

SEC. 8. The University shall be headed by a president to be appointed by the Board upon recommendation of a duly constituted search committee, and shall hold office for a term of four (4) years, renewable only for another term, unless he/she reaches the age of compulsory retirement or earlier removed for cause, or becomes incapacitated to discharge the duties of the office.

In case of vacancy in the office of the president by reason of death, resignation, compulsory retirement, 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 appointment of a successor.

The powers and duties of the president of the University, in addition to those specifically provided in this Act, shall be those usually pertaining to the office of the president of similar universities.

The salary of the president of the University shall be subject to the existing compensation and position classification system and shall be comparable to that being received by other presidents of similar educational institutions of like standing.

In order not to disrupt the smooth functioning of the three (3) campuses upon the effectivity of this Act, the position of the College president of Western Luzon Agricultural College is hereby converted into a University president, and its incumbent shall assume the presidency up to the end of his current term without the necessity of a new appointment.

SEC. 9. 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 as members, whose duty is to implement the policies governing the administration, management and development planning of the University, as approved by the Board.

SEC. 10. There shall be an academic council with the president of the University as chairman and all members of the instructional staff with the rank not lower than assistant professor as members. The academic council shall have the power to prescribe curricular offering subject to the approval of the Board. It shall fix the requirements for admission to the University, as well as for graduation and the conferment of degrees, subject to review and/or approval by the Board through the president of the University. It shall also recommend rules and policies to prescribe student discipline.

SEC. 11. The Board shall appoint a secretary who shall serve as such for both the Board and the University and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

SEC. 12. The treasurer of the Philippines shall be the *ex officio* treasurer of the University.

SEC. 13. 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. 14. The University shall enjoy academic freedom.

SEC. 15. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board shall file with both Houses of Congress, a detailed report of the progress, condition and needs of the University.

SEC. 16. All the assets, fixed and movable, personnel and records of the Ramon Magsaysay Polytechnic College, the Western Luzon Agricultural College and the Candelaria School of Fisheries, except those belonging to or used by the high schools, 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 the absorption by the University are not impaired: *Provided, further,* That the incumbents of such positions shall remain in the same status until otherwise provided for by the Board.

SEC. 17. The University may accept the affiliation and/or integration within its operation of any existing national school within the province whose programs can contribute largely and effectively to the attainment of its objectives, in coordination with the CHED and in consultation with the Department of Budget and Management: *Provided,* That funds, properties and other assets, as well as obligations of the integrated school shall be transferred to the University.

SEC. 18. Within the period of one hundred twenty (120) days after the approval of this Act, the University shall accomplish the following:

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

(2) Undergo a management audit in coordination with the CHED;

(3) Accordingly set up its organization, administrative as well as academic structure, including the appointment/designation of university key officials;

(4) Set in motion the establishment of at least four (4) separate degree granting units, one of which is in the arts and sciences and another, at the graduate level.

SEC. 19. The operation of the institution as a university shall not begin until after three (3) years from the effectivity of this Act. Within said transition period, which shall not exceed three (3) years, the three (3) campuses shall rationalize their thrust and integrate their programs, develop the University's research, extension and community service programs, recruit and upgrade their faculty and personnel, build the required library, laboratory facilities and infrastructure, and set up their organizational structure, all in accordance with their development plan.

SEC. 20. The amount necessary for the implementation of this Act shall be charged against the current year's appropriations of the Ramon Magsaysay Polytechnic College, the Western Luzon Agricultural College and the Candelaria School of Fisheries, except the sum needed to continue the operations of the existing high school. Thereafter, at the end of the three (3)-year transition period, such sum as may be necessary for the continued operation and maintenance of the Ramon Magsaysay University shall be included in the annual General Appropriations Act.

SEC. 21. The provisions of Republic Act No. 8289, otherwise known as the "Higher Education Modernization Act," shall form an integral part of this Act and together shall serve as the governing charter of the University.

SEC. 22. 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. 23. 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. 24. This Act shall take effect upon its approval.

Approved, February 12, 1998.