

REPUBLIC ACT NO. 9029

AN ACT CREATING THE PARTIDO STATE UNIVERSITY (PSU) BY INTEGRATING THE PARTIDO STATE COLLEGE (PSC), SAN JOSE POLYTECHNIC INSTITUTE (SJPI), GOVERNOR MARIANO FUENTEBELLA MEMORIAL COLLEGE OF FISHERIES (GMFMCF), TINAMBAC POLYTECHNIC INSTITUTE (TPI), CARAMOANTECHNICAL-VOCATIONAL SCHOOL (CTVS), LAGONOY SCHOOL OF FISHERIES (LSF), AND SAN JOSE FISHERIES SCHOOL (SJFS), APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Integration.* – The Partido State College (PSC) in Goa, Camarines Sur established pursuant to Presidential Decree No. 2011, the San Jose Polytechnic Institute (SJPI) in San Jose, Camarines Sur created pursuant to Republic Act No. 7972, the Governor Mariano Fuentebella Memorial College of Fisheries (GMFMCF) in Sagnay, Camarines Sur converted pursuant to Republic Act No. 8594, the Tinambac Polytechnic Institute (TPI) in Tinambac, Camarines Sur established pursuant to Republic Act No. 7958, the Caramoan Technical-Vocational School (CTVS) in Caramoan, Camarines Sur established pursuant to Republic Act No. 7828, the Lagonoy School of Fisheries (LSF) in Lagonoy, Camarines Sur converted pursuant to Republic Act No. 8417, and the San Jose Fisheries School (SJFS) in San Jose, Camarines Sur established pursuant to Batas Pambansa Blg. 406 are hereby integrated into a state university to be known as the Partido State University (PSU) hereinafter referred to as the University.

SEC. 2. *Mandate.* – The University shall provide advanced instruction and training in the arts, philosophy, sciences, technology and other graduate and professional courses. It shall

also undertake advanced studies, research, production and extension services, and shall provide leadership in these areas.

The existing high schools of the GMFMCF, SJPI and SJFS shall be transferred to the jurisdiction and supervision of the Department of Education, Culture and Sports: *Provided*, That the high school shall be allowed to remain and operate within the campus of the University until it has been transferred to another location or the students have completed their high school education or have been accommodated in other public or private high schools: *Provided, further*, That the University may operate a reasonably-sized laboratory school, if it has a college of education.

SEC. 3. *The Governing Board.* – The governance of the University shall be vested in a governing board to be known as the Board of Regents. It shall be composed of the following:

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

(b) President of the University, vice chairman;

(c) Chairman of the House Committee on Higher and Technical Education or any member of the House of Representatives permanently designated by the Chairman of said House Committee;

(d) Chairman of the Senate Committee on Education, Arts and Culture or a designate, or a designated member of the Senate;

(e) Regional director of the National Economic and Development Authority (NEDA);

(f) Regional director of the Department of Science and Technology (DOST);

(g) Regional director of the Technical Education and Skills Development Authority (TESDA);

(h) President of the federation of the faculty association of the University;

(i) President of the federation of the supreme student council of the University or the student representative elected by the federation;

(j) President of the federation of the alumni association of the University;

(k) Three (3) private sector representatives who have distinguished themselves in their profession or fields of specialization; and

(l) Heads of campuses (non-voting members).

SEC. 4. *Manner of Appointment; Term of Office.* – The members of the Board of Regents shall be appointed in the manner and procedure specifically provided for in the pertinent provisions of Republic Act No. 8292. Their respective terms of office shall also be in accordance with the same law.

SEC. 5. *Powers and Duties of the Governing Board.* – The Board of Regents shall exercise the specific powers and duties provided for in Section 4, paragraphs "a" to "x" of Republic Act No. 8292 in addition to its general powers of administration and the exercise of all powers granted to the board of directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines.

SEC. 6. *Meetings; Quorum.* – The Board of Regents shall regularly convene at least once every quarter. However, the chairman of the Board of Regents may, upon three (3) days prior written notice, call a special meeting whenever necessary.

A quorum of the Board shall consist of majority of all the members holding office at the time of the meeting: *Provided, however,* That 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: *Provided, further,* That this provision notwithstanding, the chairman of the CHED is hereby authorized to designate a CHED commissioner to be regular chairman to the Board of Regents of the University.

SEC. 7. *Promulgation and Implementation of Policies.* – The Board of Regents shall promulgate 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, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

SEC. 8. *The Administration.* – The administration of the University shall be vested in the president of the University who shall render full-time service. He shall be appointed by the Board of Regents, upon the recommendation of a duly constituted search committee. He shall have a term of four (4) years and shall be eligible for reappointment for another term: *Provided,* That the incumbent president of the Partido State College shall *ipso facto* become first president of the University and whose remaining term as president of the Partido State College shall be considered as his first term as University president subject to reappointment as provided for in Republic Act No. 8292.

The president shall be assisted by a vice president for academic affairs who shall be appointed by the Board upon the former's recommendation without prejudice to the appointment of more than one (1) vice president when so warranted.

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.

In case of vacancy in the office of the president as mentioned in the immediately preceding paragraph, his successor shall hold

office for the unexpired term. If the successor shall serve for a period of more than two (2) years, then such shall be considered as one full term for the successor.

SEC. 9. *The Administrative Council.* – 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, and whose duty is to review and recommend to the Board of Regents policies governing the administration, management and development planning of the University for appropriate action.

SEC. 10. *The Academic Council.* – There shall be an academic council with the president of the University as chairman and all members of the instructional staff with a rank not lower than assistant professors as members.

The academic council shall have the power to review and recommend curricular offerings and rules of discipline of the University subject to the appropriate action of the Board of Regents. It shall fix the requirements for admission of students as well as for graduation and the conferment of degrees subject to review and/or approval by the Board of Regents through the president of the University.

SEC. 11. *The Secretary of the University.* – 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. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members and other personnel of the State University: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 13. The University shall provide scholarship programs and other affirmative actions to ensure access and equity.

Specifically, it shall endeavor to give assistance to poor but deserving students who qualify for admission.

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

SEC. 14. The University shall enjoy academic freedom.

SEC. 15. Members of the faculty of the University at the tertiary level shall be exempt from licensure exams for teachers (LET) as a requisite for appointment, without prejudice to the right of the Board to impose other professional examination requirements intended to maintain high academic standards.

SEC. 16. The heads of the bureaus and offices of the national government or that of the local government units (LGUs) are hereby authorized to loan, transfer or usufruct, upon request of the president of the University, apparatus, supplies, equipment, buildings, lands and other properties as may be needed by the University.

SEC. 17. The University may accept the affiliation and/or integration within its operation of any other existing public post-secondary, tertiary schools or colleges within the province whose programs can contribute largely and effectively to the attainment of its objectives: *Provided*, That the funds, properties, personnel and other assets, as well as obligations of the integrated school, shall be transferred to the University.

SEC. 18. The provisions of Republic Act No. 8292, otherwise known as the Higher Education Modernization Act of 1997, shall form as an integral part of this Act and together shall serve as the governing charter of the University.

SEC. 19. All assets, fixed and movable, records and personnel of PSC, SJPI, GMFMCF and that of TPI, CTVS, SJFS and of the LSF as well as their 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 its absorption by the University are not impaired: *Provided, further,* That the incumbents of the positions shall remain in the same status, salaries and ranks.

SEC. 20. All parcels of land belonging to the government, occupied by PSC, SJPI, GMFMCF, SJFS, LSF, CTVS and that of TPI are hereby declared to be the property of the PSU and shall be titled under the name: *Provided,* That should the University cease to exist or be abolished or should such parcels of land aforementioned shall no longer be needed by the University, the same shall be reverted to the Province of Camarines Sur.

SEC. 21. *Appropriations.* – The Board of Regents of the University shall immediately prepare its programs to operationalize the PSU, the initial funding of which shall be charged against the current year's appropriations of the PSC, SJPI, GMFMCF, CTVS, LSF, SJFS and TPI, except the sums needed to continue the operations of the existing high school. Thereafter, such sums as may be necessary for the continued operation and maintenance of the PSU shall be included in the annual General Appropriations Act: *Provided,* That the present amount appropriated for each campus shall not in any way be diminished.

SEC. 22. *Transitory Provision.* – Upon effectivity, guidelines shall be formulated at the instance of the University president to insure a smooth, efficient and effective implementation of this Act.

Existing programs of the different integrated colleges pertaining to instruction, research, extension and production shall be rationalized, and for purposes of administration, each integrated college shall be considered as a campus of the University.

SEC. 23. *Repealing Clause.* – 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. 24. This Act shall take effect upon its approval.

Approved, March 5, 2001.