

[REPUBLIC ACT NO. 11554, June 24, 2021]

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 House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Conversion.* - The Basilan State College (BASSC) 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 Isabela is hereby converted to a state university to be known as the Basila State University (BASSU). Its main campus shall be located in Barangay Sumagdang, Isabela City.

SEC. 2. *General Mandate.* - The BASSU shall primarily provide advance education, higher technological and professional vocational instruction and training in arts and sciences, education, agriculture and industrial fields, management, criminology, maritime, medical education, legal education, nontraditional 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 socioeconomic development of the Province of Basilan and Region IX.

SEC. 3. *Curricular Offerings.* - The BASSU shall offer short-term technical-vocation, undergraduate and graduate courses within its areas of competency and specialization in the field 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 resources development needs of the Province of Basilan and Region IX.

The existing and any 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 a 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 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 the two (2) prominent citizens 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 the search committee constituted by the President of the BASSU, in consultation with the Chairperson of the CHED and the other members of the Board, based on the standards and qualifications for the position set by the Board. They 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 by laws.

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

(c) 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 BASSU;

(d) Fix and adjust the salaries of faculty members, and 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, and all interests that shall accrue therefrom shall form part of the same funds for the use of the BASSU.

Any provision of existing law, rule or regulation 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 service or other programs and projects of the BASSU: *Provided*, That all fiduciary fee 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 pursue any project for which the funds have been appropriated and allocated under its approved program of expenditures, the Boar may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary 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 professional chairs in the BASSU and provide fellowships for qualified faculty members, and scholarships to deserving students;

(h) Receive and appropriate all sums as may be provided for the support of the BASSU in the manner it may determine, in its discretion, in order to carry put 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 certificate 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 or foreign, and appoint experts/specialists as consultants, part-time/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 boards of the state universities and colleges (SUCs) within the Province of Camarines Norte and Region V, 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 external centers, in coordination with the CHED and in consultation with the DBM, and offer therein programs or courses to promote and to carry out 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 Audits (COA), 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), 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 the economic assets of the University, the proceeds from 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 University 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 has been decided 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 decision-making and transparency 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 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 Commission, 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 the 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 chair of the Board, in which case said CHED Commissioner shall act as the Presiding Officer.

In case the Chairpersons of the Senate Committee 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 shall have the same rights and responsibilities as regular members of the Board.

SEC. 8. *The University President.* - The BASSU shall be headed by a President, who shall render full-time service and shall be appointed by the Board, subject to the guidelines, qualifications and standards set by the Board, upon 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 for another term: *Provided*, That in order to effect a smooth transition of the college to a state university, the