

**[ REPUBLIC ACT NO. 11334, April 26, 2019 ]**

**AN ACT CONVERTING THE MARINDUQUE STATE] COLLEGE IN THE MUNICIPALITY OF BOAC, PROVINCE OF MARINDUQUE INTO A STATE UNIVERSITY. TO BE KNOWN AS THE MARINDUQUE 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 Marinduque State College in the Municipality of Boac, Province of Marinduque, including its satellite campuses in the Municipalities of Sta. Cruz, Gasan and Torrijos, is hereby converted into a state university to be known as the Marinduque State University (MarSu). The main campus of the University shall be in the Municipality of Boac.

SEC. 2. *General Mandate.* - The Marinduque State College, hereinafter referred to as the University, shall primarily provide advance education, higher technological and professional instruction and teaming in education, science and technology, engineering, environment, agriculture, forestry and fisheries, arts and sciences, business administration and management, health sciences, and other related fields of study. It shall also undertake research and extension services, and provide progressive leadership in its areas of specialization.

SEC. 3. *Curricular Offerings.* - The University shall offer undergraduate and graduate courses in the fields of education, science and technology, engineering, environment, agriculture, fisheries, arts and sciences, business administration and management, health sciences and other courses within its areas of specialization and based on its capabilities, and as the Board of Regents may deem necessary to carry out its objectives, in meeting the needs of the Province of Marinduque and Region IV-B or the MTMAROPA Region.

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education (DepEd): *Provided-*. That the high school shall be allowed to remain and operate within the campus of the College until the existing students shall have completed their high school education: *Provided, further,* That the College may operate a reasonably-sized laboratory school under its College of Education: *Provided, furthermore,* That the existing graduate school shall become an integral part of the College of Education.

SEC. 4. *Administration..* - The University shall have the general powers of a corporation set forth in Batas Parabansa Big. 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 the President of the University, respectively, with the following as members:

- (a) Chairperson of the Committee on Education, Arts and Culture 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 (NEDA);
- (d) Regional Director of the Department of Science and Technology (DOST);
- (e) Regional Director of the Department of Agriculture (DA);
- (f) President of the federation, of faculty associations of the University;
- (g) President of the federation of student councils of the University;
- (h) 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.

The Board shall appoint the two (2) prominent citizens from a list of at least five (5) qualified persons in the Province of Marinduque, as recommended by the search committee to be constituted by the University President and 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 constitutions 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) Promulgate and implement policies in accordance with the declared State policies on education and other pertinent 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 University;

(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 University, shall constitute its special trust funds, and shall be deposited in any authorized government depository bank, all interests that shall accrue therefrom, shall form part of the same funds for the use of the University. Any provision of existing law, rules or regulations 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 services or other programs and projects of the University: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these are collected: *Provided, however*, That 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 the 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) 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 professorial chairs in the University 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 University in the manner it may determine, in its discretion, to carry out the purposes and functions of the University;

(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 competence of the University, and authorize the awarding of certificates of completion of nondegree and nontraditional courses;

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

(l) Develop academic arrangements for institutional capability building with appropriate public, private, local and foreign institutions and agencies, 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 state universities and colleges (SUCs) within the Province of Marinduque and Region IV-B, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the University to make it more efficient, relevant, productive and competitive;

(o) Absorb non-chartered tertiary institutions within the Province of Marinduque as branches and extension/external centers, in coordination with the CHED and in consultation with the DBM, and offer therein programs or courses to promote and carry out equal access to educational opportunities, as mandated by the Constitution;

(p) 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 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 University;

(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 University;

(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 University, and subject to the limitations, directions and instructions of the donor, if any;

(u) 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;

(v) 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 unanimous recommendation has been decided by the search committee;

(w) 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;

(x) Establish policy guidelines and procedures for participative decision-making and transparency within the University;

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

(z) 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. The Chairperson of the Board may, however, call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (8) 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 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 to the meeting, shall have all the rights and responsibilities of a regular member: *Provided, however*, That in the said 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 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 the 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 resolutions 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 shall be appointed by the Board, upon the recommendation of a duly constituted search, committee. The President shall have a term of four (4) years axtd shall be eligible for reappointment to another term: *Provided*, That in order to effect the smooth transition of the Marinduque State College to a state university, the incumbent President of the Marinduque State College, if qualified, shall serve as the first President of the University.