

REPUBLIC ACT NO. 7818

AN ACT CONVERTING THE PALAWAN STATE COLLEGE
IN THE CITY OF PUERTO PRINCESA, PROVINCE OF
PALAWAN, INTO A STATE UNIVERSITY TO BE KNOWN
AS THE PALAWAN STATE UNIVERSITY

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

SECTION 1. The Palawan State College located in the City of Puerto Princesa, Province of Palawan, is hereby converted into a State university to be known as the Palawan State University, hereinafter referred to as the University.

SEC. 2. The University shall primarily provide higher professional and special instructions for special purposes and promote research and extension services, advanced studies and progressive leadership in education and other fields, including geology and oil exploration, as may be relevant.

SEC. 3. The University shall offer undergraduate and graduate courses in the fields of education, arts and sciences, and other degree courses as the board of regents may deem necessary to carry out its objectives. It shall also offer opportunity in short-term technical or vocational courses within its areas of specialization to meet the needs of the nation.

SEC. 4. The University shall have the general powers of a corporation set forth in the corporation law. 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 insofar as authorized by the board.

SEC. 5. 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:

(a) The Chairman, Commission on Higher Education, chairman;

(b) The President of the University, vice-chairman;

(c) The Chairman of the Committee on Education of the Senate or a member of said committee having the power to vote as his representative, member;

(d) The Chairman of the Committee on Education of the House of Representatives or his representative, member;

(e) The representative of the National Economic and Development Authority, member;

(f) The president of the faculty association of the University, member;

(g) The president of the supreme student council of the University, member;

In addition, the Board may appoint the following as members, when deemed necessary:

The president of the alumni association of the University;

The president of the employees association of the University;
and

The Chairman of the Committee on Education of the Sangguniang Panlungsod and the Chairman of the Committee on Education of the Sangguniang Panlalawigan.

The presidents of the alumni association and of the employees association as well as the chairmen of the committees on Education of the Sangguniang Panlungsod and the Sangguniang Panlalawigan so appointed by the Board and the representatives of the Senate and the House committee chairmen shall have the same powers, authority, and privileges as the regular members of the Board.

The Chairman, Commission on Higher Education, the President of the University, the education committee chairmen of the Senate and the House, and the representative of the National Economic and Development Authority, shall serve in an *ex officio* capacity, while the presidents of the faculty association and of the supreme student council and, when deemed necessary, the presidents of the alumni association and of the employees association shall serve for one (1) year and, when likewise necessary, for the chairmen of the committees on education of the Sangguniang Panlungsod and the Sangguniang Panlalawigan one shall serve for four (4) years and the other for two (2) years.

SEC. 6. The Board shall promulgate and implement 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.

SEC. 7. The Board shall have the following specific powers and duties 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:

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

(b) To import duty-free essential commodities, materials and equipment for educational or technological programs as an exception to existing laws, provided such commodities, materials and equipment are not available locally;

(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 school charges such as, but not limited to, matriculation fees, graduation fees, and laboratory fees, as the Board may deem proper to impose;

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 interest that shall accrue therefrom shall form part of the same funds for the use of the University.

The income generated by the University may, at the discretion of the University, be disbursed for the professional growth and development, health, welfare and other similar benefits of the faculty members and personnel for extension and student welfare expenses so that the flexibility on use of income shall be focused on faculty, personnel improvement and student welfare activities, and for expenses necessary for the attainment of its purposes under this Act.

(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. Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;

(f) To confirm appointments of vice-presidents, deans, directors, heads of departments, faculty members, and other officials and employees of the University made by the President of the University;

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

(h) To confer degrees upon successful candidates for graduation, to award honorary degrees upon persons in recognition of outstanding contribution in the field of education, public service, arts, science and technology or in any field of specialization, and to authorize the award of certificates for completion of non-degree and non-traditional courses;

(i) To establish branches within the Province of Palawan 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 education opportunities as mandated by the Constitution; and

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

SEC. 8. A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: *Provided, however,* That among those present is the Chairman, Commission on Higher Education, who is chairman of the Board, or the President of the University who acts as presiding officer in the former's absence. The Board shall convene regularly once every two (2) months. The chairman of the Board may call a special meeting whenever necessary.

The members of the Board shall not receive salary but shall be entitled to reimbursement for actual and necessary expenses incurred either in attendance in meetings of the Board or in other official business authorized by resolution of the Board subject to existing laws on and allowances.

SEC. 9. The University shall be headed by a president to be appointed by the President of the Philippines upon recommendation of the Board and shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or earlier removed for cause or incapacitated to discharge the duties of the office.

In case of vacancy in the Office of the President by reason of death, resignation, 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 the appointment of a successor. The new President shall hold office for the unexpired term but in no case shall his term be more than six (6) years subject to the provision of the preceding paragraph.

In order not to disrupt the operation of the institution and to insure the smooth transition from college to university, the

incumbent President of the College shall serve as the President of the Palawan State University until the expiration of his present term.

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 a university.

The salary of the President of the University shall be fixed by the Board and shall be comparable to that being received by the president of similar educational institutions of like enrollment and standing subject to the Revised Compensation and Position Classification System.

SEC. 10. The President of the University, whose term may be terminated according to this Act, shall be entitled to full retirement benefits under existing laws.

SEC. 11. 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, whose duty is to implement the policies governing the administration, management, and development planning of the University as approved by the Board.

SEC. 12. There shall be an academic council with the President of the University as chairman and all members of the instructional staff with the rank of not lower than assistant professors as members. The academic council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for admission to the University as well as for graduation and the conferring of degrees subject to review and/or approval by the Board through the President of the University. It shall also have disciplinary powers over the students through the President within the limits prescribed by the rules of discipline as approved by the Board.

SEC. 13. There shall be a secretary of the University who shall be appointed by the Board upon recommendation of the President of the University. He shall also be the secretary of the Board and shall keep such records of the University as may be determined by the Board.

SEC. 14. The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.

SEC. 15. 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. 16. No student shall be denied admission to the University by reason of sex, nationality, religion or political affiliation.

SEC. 17. The University shall enjoy academic freedom.

SEC. 18. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board shall file with the Office of the President of the Philippines, through the Chairman, Commission on Higher Education, and to both Houses of Congress, a detailed report on the progress, conditions and needs of the University.

SEC. 19. All accounts and expenses of the University shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 20. The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon 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 the public service. The employee 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 service.

SEC. 21. It shall be a continuing policy of the University to accept the affiliation and/or integration within its operation of any existing national schools whose program can contribute largely and effectively to the attainment of its objectives: *Provided, however,* That in case of integration, the Chairman, Commission

on Higher Education is hereby authorized to determine and approve the specific existing national schools that are to be integrated as part of the Palawan State University. In this particular case, it is understood that all funds, properties and other assets, as well as obligations of the integrated schools shall be transferred to the University.

SEC. 22. All the assets, fixed and movable, records, and personnel of the Palawan State College, 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 under existing laws prior to absorption by the University are not impaired: *Provided, further,* That the incumbent of the positions shall remain in the same status until otherwise provided for by the Board. All parcels of land belonging to the government occupied by the Palawan State College are hereby declared to be the property of the Palawan State 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 Province of Palawan.

SEC. 23. The amount necessary for the implementation of this Act shall be charged against the current year's appropriations of the Palawan State College. Thereafter, such sums as may be necessary for its operation and maintenance shall be included in the annual General Appropriations Act.

SEC. 24. 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. 25. This Act shall take effect upon its approval.

Approved, November 12, 1994.