

REPUBLIC ACT NO. 8688

AN ACT CONVERTING THE CEBU STATE COLLEGE INTO
A STATE UNIVERSITY TO BE KNOWN AS THE CEBU
NORMAL UNIVERSITY, AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. The Cebu State College, the first State college in Central Visayas, situated along two main streets of a centrally located district in Cebu City and servicing thousands of students from the Mindanao and Visayas islands, is hereby converted into a State university to be known as the Cebu Normal University (CNU), 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 as may be relevant.

SEC. 3. The State University shall offer undergraduate, graduate and short-term courses within its areas of specialization and according to its capabilities, as the Board of Regents may deem necessary to carry out its objectives particularly in order to meet the needs of the province and the country.

SEC. 4. The University shall continue to operate a reasonably-sized laboratory school within its campus.

In addition, the University shall adopt public elementary and secondary schools in the city and the province of Cebu to serve as pilot centers for innovative teaching learning strategies and approaches so operated and maintained under the appropriate

memorandum of agreement between the University and the Department of Education, Culture and Sports.

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

(b) The president of the University, vice chairman;

(c) The chairman of the Committee on Education and Culture of the Senate, member;

(d) The chairman of the Committee on Education and Culture of the House of Representatives, member;

(e) The regional director of the National Economic and Development Authority (NEDA) where the main campus is located, member;

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

(g) The president of the federation of student councils of the University, member;

(h) The president of the alumni association of the University, member; and

(i) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the institution concerned 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 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 chairman of the Commission on Higher Education, the president of the University, the education committee chairmen of the Senate and the House of Representatives, and the regional director of the National Economic and Development Authority (NEDA) shall have an *ex officio* term of office.

The term of office of the presidents of the faculty association, the federation of student councils and the president of the alumni association, shall be coterminous with their respective terms of office.

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

For the purpose of the provision of this section, the associations of faculty, alumni, and student councils in each branch of the University shall organize themselves to form their respective federations which in turn shall elect their federation officials.

In case of vacancy in the office of the president, the officer-in-charge of the University designated by the Board shall serve for the unexpired term only.

SEC. 6. 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. 7. The University shall have the general powers of a corporation as 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 State University insofar as authorized by the Board.

SEC. 8. The Board shall have the following specific powers and duties in addition to the 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 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 import duty-free, subject to existing laws, essential commodities, materials and equipment for educational or technological programs, provided such commodities, materials and equipment are not available locally at a comparable price;

(d) 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 subject to existing laws on tax exemptions;

(e) To fix tuition fees and other necessary school charges, as such but not limited to matriculation fees, graduation fees and laboratory fees as the Board may deem proper to impose, after due consultations 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 funds for the use of the University.

Any provision of existing laws, rules and 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, or other programs/projects of the University: *Provided*, That all fiduciary fees shall be disbursed for the specific purpose for which they are collected.

If, for reason beyond its control the University shall not be able to pursue any projects 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 necessary and urgent for the attainment of the objectives and goals of the University;

(f) To authorize the construction or repair of its buildings, machinery, equipment, and other facilities and the purchase and acquisition of real and personal properties including necessary supplies, materials and equipment;

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

(h) To fix and adjust 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; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing laws to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;

(i) To approve the curricula, instructional programs and rules of discipline drawn by the administrative and academic councils as hereinafter provided;

(j) To confer degrees upon successful candidates for graduation; to award honorary degrees upon persons in recognition of outstanding contribution in the field of education or in any field of specialization of the University; and to authorize the

awarding of certificates for completion of non-degree and nontraditional courses;

(k) To establish branches within the province of Cebu 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 in educational opportunity as mandated by the Constitution. The University shall negotiate for the donation of properties, real or personal, from the municipalities and local government units for such purpose; and

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

SEC. 9. The Board of Regents shall convene regularly at least once every two (2) months. 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 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: *Provided, however,* That during this meeting, the president of the University as vice chairman shall be the presiding officer.

The members of the Board shall not receive any salary but shall be entitled to reimbursements for actual and necessary expenses incurred either in their attendance to meetings of the Board or in connection with other official business authorized by resolution of the Board, subject to pertinent existing laws and regulations.

SEC. 10. The University shall be headed by a president who shall render full-time service. He shall be appointed by the Board upon the recommendation of a duly constituted search committee. He shall hold office for a term of four (4) years, extendible only for another four (4) years.

In case of vacancy in the office of the president by reason of death, compulsory retirement, 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 of the University 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 only.

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, and those delegated by the Board.

The salary of the president of the University shall be in accordance with the Revised Compensation and Position Classification System and shall be comparable to that being received by the presidents of similar educational institutions of like enrollment and standing.

The incumbent president of the University at the time this Act shall take effect, 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 of the University consisting of the president of the University, as chairman; the vice presidents, deans, directors, and other officials of equal rank, as members, whose duty shall be to implement policies governing the administration, management and development planning of the University, subject to the approval of the Board.

SEC. 12. There shall be an academic council with the president of the University as chairman and all the 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 the curricula and rules of discipline of the University, subject to the approval of the Board. It shall fix the requirements for the admission to the University as well as for graduation and the conferring of degrees, subject to the review of the Board. The council shall likewise have the power to recommend students to be recipients of degrees. Through the president of the University or his duly authorized representative, the council shall have disciplinary power over the students within the limits prescribed by the rules of discipline as approved by the Board.

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

SEC. 15. No member of the faculty of the University shall attempt directly or indirectly, under penalty of dismissal by the Board of Regents, to influence students or any person in the University towards any ideology, political or otherwise, which agitates the throw of the duly constituted government.

SEC. 16. The appointment of the officer-in-charge of the University, pending the appointment of the president by the Board upon its composition, shall be made by the CHED based on qualification standards.

SEC. 17. The Treasurer of the Philippines shall be the *ex officio* treasurer of the University and all accounts and expenses thereof shall be audited by the Commission on Audit or his duly authorized representative.

SEC. 18. On or before the fifteenth (15th) day of the second month after the opening of the regular classes each year, the Board shall submit to both Houses of Congress and the Commission on Higher Education, an annual report setting forth the conditions, progress and needs of the University.

SEC. 19. All assets, fixed and movable, personnel and records of the Cebu State College, as well as liabilities or obligations, are hereby transferred to the Cebu Normal University: *Provided*, 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 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 Cebu State College are hereby declared the property of the Cebu Normal University and shall be titled under that name: *Provided, furthermore*, That should the University cease to exist or be abolished or such parcels of land aforementioned be no longer needed by the University, the same shall revert to the City of Cebu.

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 bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. The employees 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 services.

SEC. 21. It shall be the continuing policy of the University to accept the affiliation and/or integration within its operation of any existing national school whose programs can contribute largely and effectively to the attainment of its objectives: *Provided, however*, That, in case of integration, the chairperson of the CHED is hereby authorized to determine and approve the affiliation and/or integration of the specific existing national school. In such

case, all funds, properties and other assets, as well as obligations of the integrated school shall be transferred to the University.

SEC. 22. 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. 23. The amount necessary for the implementation of this Act shall be charged against the current year's appropriations of the Cebu State College, except the sum 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 Cebu Normal University shall be included in the annual General Appropriations Act.

SEC. 24. 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. 25. All provisions of law inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 26. This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation, whichever comes first.

Approved, June 27, 1998.