

**[ REPUBLIC ACT NO. 11033, May 28, 2018 ]**

**AN ACT CONVERTING THE DAVAO ORIENTAL STATE COLLEGE OF SCIENCE AND TECHNOLOGY IN THE CITY OF MATI AND ALL ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF DAVAO ORIENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE DAVAO ORIENTAL 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 Davao Oriental State College of Science and Technology in the City of Mati, including all of its existing satellite campuses, namely: Banaybanay Campus in the Municipality of Banaybanay, Cateel Campus in the Municipality of Cateel, and San Isidro Campus in the Municipality of San Isidro, all located in the Province of Davao Oriental, is hereby converted into a state university to be known as the Davao Oriental State University. The main campus of the Davao Oriental State University, hereinafter referred to as the University, shall be in Mati City.

SEC. 2. *General Mandate.* - The University shall primarily provide advance education, higher technological, professional instruction and training in the fields of education, agricultural technology, agribusiness management, business administration, industrial technology, arts and sciences, health sciences, information technology, engineering and other relevant fields of study. It shall also undertake research, extension services, and provide progressive leadership in its areas of specialization.

SEC. 3. *Academic Freedom and Institutional Autonomy.* The University shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the Philippine Constitution.

SEC. 4. *Cuiricular Offerings.* — The University shall offer undergraduate, graduate and postgraduate programs and short-term courses in the fields of agriculture and environment studies, pure and applied sciences, behavioral and social sciences, law, culture and arts, tourism and business-related programs, nautical and maritime programs, industrial technology and engineering, education and teacher training, communication and information technology, health-related programs, developmental management and leadership programs, agricultural technology, agribusiness management, business administration, health sciences and other degree 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 meeting the needs of the Province of Davao Oriental and Region XI.

The University may operate a reasonably-sized laboratory school under its College of Education.

SEC. 5. *Administration.* — The University 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 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. 6. *The Governing Board.* - The governing body of the University shall be the Board of Regents, hereinafter referred to as the Board, and shall be composed of the following:

- (a) The Chairperson of the Commission on Higher Education (CHED), Chairperson;
- (b) The President of the University Vice Chairperson;
- (c) The Chairperson of the Committee on Education. Arts and Culture of the Senate, member;
- (d) The Chairperson of the Committee on Higher and Technical Education, of the House of Representatives, member:
- (e) The Regional Director of the National Economic and Development Authority (NEDA), member;
- (f) The Regional Director of the Department of Science and Technology in Region XI, member;
- (g) The President of the federation of faculty associations of the University, member;
- (h) The President of the federation of student councils of the University, member;
- (i) The President of the federation of alumni associations of the University, member: and
- (j) Two (2) prominent citizens from the private sector who have distinguished themselves in their profession or fields of specialization, members.

The Board shall appoint the two (2) prominent citizens from among a list of at least five (5) qualified persons in the Province of Davao Oriental where the University and its campuses are located, as recommended by a search committee constituted by the President of the University, in consultation with the Chairperson of the CHED and other members of the Board, based on the standards and qualifications for the position.

The term of office 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 shall be coterminous with their respective terms of office, as set forth in their respective constitutions and bylaws.

The two (2) prominent citizens shall serve for a term of two (2) years from the date of appointment.

*SEC. 7. 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) To promulgate and implement policies in accordance with the declared State policies and the provisions of the Philippine Constitution on education, agriculture, science and technology, as well as the policies, standards and thrusts of the CHBD under Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994";

(b) To promulgate rules and regulations not contrary to law as may be necessary to carry out the purposes and objectives of the University;

(c) To receive and appropriate all sums as may be provided for the support of the University in the manner it- may determine, in its discretion, in order to carry out the purposes and functions of the University;

(d) To import economic, technical and cultural books and publications;

(e) To receive, in trust, legacies, gifts and donations of real and personal properties of all kinds and to 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:

(f) To fix the tuition fees and other necessary school charges including 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 a special trust fund and shall be deposited in any authorized government depository bank: *Provided*. That, all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

Any provision of existing law, rule or regulation 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 or projects of the University: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these are collected.

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 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.

(g) To authorize the construction or repair of its buildings, machinery, equipment and other facilities., and the purchase and acquisition of real property, including necessary supplies, materials and equipment:

(h) To appoint, upon the recommendation of the President of the University, the vice presidents, deans, directors, heads of campuses, faculty members and other officials and employees of the University;

(i) To 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 the 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 provision of existing law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law:

(j) To approve the curricula, instructional programs, and rules of discipline drawn by the Administrative Council and the Academic Council herein provided;

(k) To set the policies on admission and graduation of students;

(l) To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture or in any field of specialization within the academic competence of the University, and to authorize the awarding of certificates of completion of nondegree and nontraditional courses;

(m) To establish and absorb non-chartered tertiary institutions within the Province of Davao Oriental as branches and centers, in coordination with the CHED and in consultation with the Department of Budget and management (DBM), and to offer therein programs or courses to promote and carry out equal access to educational opportunities, as mandated by the Constitution;

(n) To establish research and extension centers of the University where such will promote the development of the University;

(o) To establish professorial chairs in the University and to provide fellowships for qualified faculty members, and scholarships to deserving students;

(p) To delegate any of its powers and duties provided for hereinabove to the President or other officials of the University, as it may deem appropriate, so as to expedite the administration of the affairs of the University;

(q) To 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 to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

(r) To collaborate with other governing boards of state colleges and universities within the Province of Davao Oriental or Region XI, under the supervision of the CHED and in consultation with the DBM, and work towards the restructuring of the University to become more efficient, relevant, productive and competitive:

(s) To 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: