

[REPUBLIC ACT NO. 9500, April 29, 2008]

**AN ACT TO STRENGTHEN THE UNIVERSITY OF THE PHILIPPINES
AS THE NATIONAL UNIVERSITY**

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

SECTION 1. *Title.* — This Act shall be known as "The University of the Philippines Charter of 2008."

SEC. 2. *Declaration of Policy.* — The University of the Philippines is hereby declared as the national university.

The State shall promote, foster, nurture and protect the right of all citizens to accessible quality education. Toward this end, it is the policy of the State to strengthen the University of the Philippines as the national university.

SEC. 3. *Purpose of the University.* — As the national university, a public and secular institution of higher learning, and a community of scholars dedicated to the search for truth and knowledge as well as the development of future leaders, the University of the Philippines shall perform its unique and distinctive leadership in higher education and development. The University shall:

- a. Lead in setting academic standards and initiating innovations in teaching, research and faculty development in philosophy, the arts and humanities, the social sciences, the professions and engineering, natural sciences, mathematics, and technology; and maintain centers of excellence in such disciplines and professions;
- b. Serve as graduate university by providing advanced studies and specialization for scholars, scientists, writers, artists and professionals, especially those who serve on the faculty of state and private colleges and universities;
- c. Serve as a research university in various fields of expertise and specialization by conducting basic and applied research and development, and promoting research in various colleges and universities, and contributing to the dissemination and application of knowledge;
- d. Lead as a public service university by providing various forms of community, public, and volunteer service, as well as scholarly and technical assistance to the government, the private sector, and civil society while maintaining its standards of excellence;
- e. Protect and promote the professional and economic rights and welfare of its academic and non-academic personnel;
- f. Provide opportunities for training and learning in leadership, responsible citizenship, and the development of democratic values, institutions and practice through academic and non-academic programs, including sports and the enhancement of nationalism and national identity;

- g. Serve as a regional and global university in cooperation with international and scientific unions, networks of universities, scholarly and professional association in the Asia-Pacific region and around the world; and
- h. Provide democratic governance in the University based on collegiality, representation, accountability, transparency and active participation of its constituents, and promote the holding of for a for students, faculty, research, extension and professional staff (REPS), staff, and alumni to discuss non-academic issues affecting the University.

SEC. 4. *The University System.* — The University of the Philippines is a university system and shall be composed of constituent universities established solely by its Board of Regents upon the recommendation of the President of the University. The University of the Philippines System is composed of its existing constituent universities, as follows: University of the Philippines Diliman; University of the Philippines Manila; University of the Philippines Los Baños; University of the Philippines Visayas; University of the Philippines Mindanao; University of the Philippines Baguio; University of the Philippines Open University; and those that may be created in the future. It is referred to in this law as the “National University.”

SEC. 5. *Academic Freedom.* — The national university has the right and responsibility to exercise academic freedom.

SEC. 6. *Academic Excellence.* — The national university has the responsibility to maintain and enhance its high academic standards in the performance of its functions of instruction, research and extension, and public service.

SEC. 7. *Commitment to National Development.* — The national university shall harness the expertise of the members of its community and other individuals to regularly study the state of the nation in relation to its quest for national development in the primary areas of politics and economics, among others, identify key concerns, formulate responsive policies regarding these concerns, and give advice and recommendations to Congress and the Philippines.

The Congress of the Republic of the Philippines, the Supreme Court and other lower courts, other government agencies and instrumentalities as well as any constitutional body may request the national university to conduct research or provide advice on any matter involving public policy. The budget for such research or request for advice shall come from the appropriation of these public agencies.

SEC. 8. *Social Responsibility.* — The national university is committed to serve the Filipino nation and humanity. While it carries out the obligation to pursue universal principles, it must relate its activities to the needs of the Filipino people and their aspirations for social progress and transformation. The national university may provide venues for student volunteerism.

SEC. 9. *Democratic Access.* — The national university shall take affirmative steps which may take the form of an alternative and equitable admissions process to enhance the access of disadvantaged students, such as indigenous peoples, poor and deserving students, including but not limited to valedictorians and salutatorians of public high schools, and students from depressed areas, to its programs and services.

No student shall be denied admission to the national university by reason solely of age, gender, nationality, religious belief, economic status, ethnicity, physical disability, or political opinion or affiliation.

The national university recognizes the separation of Church and State. It shall guarantee religious freedom and shall not discriminate on the basis of religion.

SEC. 10. *Sports.* — The national university shall undertake and support comprehensive sports programs that promote physical education, uphold excellence and encourage competitive participation in sports activities, instill school identity and solidarity, cultivate pride, self-discipline and teamwork which serve as a foundation for fostering active participation in the national university, as well as in nation building.

SEC. 11. *Institutional Autonomy as the National University.* — To provide greater flexibility, it shall be treated in a manner consistent with its institutional requirements as the national university by the service-wide agencies in the exercise of their respective jurisdiction. Taking into account national goals and priorities, it shall exclusively determine its teaching, research and extension thrusts, plans, policies, programs and standards, and, on the basis of such determination, the national university shall recommend its annual budget to the President of the Republic of the Philippines and Congress.

SEC. 12. *The Board of Regents.* —

1. Composition — The governance of the national university is vested in a board of regents known as the "Board of Regents of the University of the Philippines System," hereinafter referred to as the "Board," composed of:
 - a. The Chairperson of the Commission on Higher Education as Chairperson;
 - b. The President of the University of the Philippines System as Co-Chairperson;
 - c. The Chairperson of the Senate Committee on Education, Arts and Culture;
 - d. The Chairperson of the House Committee on Higher and Technical Education
 - e. The President of the U.P. Alumni Association, to serve as Alumni Regent during his or her incumbency in that position;
 - f. One Faculty Regent representing all teaching personnel, chosen in accordance with the rules and qualification set by the constituent university councils to serve for a term of two (2) years;
 - g. One Student Regent, to serve for a term of one (1) year, chosen by the students from their ranks in accordance with rules and qualifications approved in a referendum by the students;
 - h. One Staff Regent representing the full-time permanent research, extension, and profession staff (REPS) and administrative personnel, and chosen by them from their ranks in accordance with the rules and qualifications set by their duly recognized organizations, to serve for a term of two (2) years; and
 - i. Three other Regents who have distinguished themselves in their professions or fields of specialization, to be appointed by the President of the Philippines, considering the recommendation of the Board. At least two (2) of these Regents should be alumni. All these Regents shall each

serve for a term of two (2) years: Provided, That the Regents holding office as members of the Board at the time of the effectivity of this Act shall continue to serve until the expiration of their appointments as provided in Executive Order No. 204—A, issued by the President of the Philippines on July 15, 1987.

2. Vacancy — In case of vacancy in the Board, except for the President of the University, such vacancy shall be filled in the same manner as provided for the predecessor, and such appointee shall hold office for the unexpired portion of the term. In case of a sectoral Regent, membership in the Board ceases upon suspension, separation, or recall.
3. Compensation — Members of the Board shall serve without compensation other than reimbursement for actual and necessary expenses incurred in attendance to meetings of the Board or other official business authorized by the Board.
4. Meetings; Quorum — The Board shall convene regularly. The Chairpersons of the Board may call a special meeting whenever necessary: Provided, That members are notified in writing at least ten (10) working days prior to the meeting: Provided, further, That the notice shall contain a brief description of the agenda items to be discussed.

A majority of all members of the Board holding office at the time the meeting is called shall constitute a quorum for Board meetings.

In no case shall any and all members of the Board appointed representatives to act on their behalf: Provided, That the ex-officio members of the Board coming from Congress may participate and vote through teleconferencing or equivalent verifiable means of communication.

SEC. 13. *Powers and Duties of the Board of Regents.* — The administration of the national university and the exercise of its corporate powers are vested in the Board of Regents.

The Board shall exercise the following specific powers and duties:

- a. To define in general terms the thrusts of the national university and adopt broad policy guidelines to ensure their implementation;
- b. To preserve the integrity of the national university;
- c. To approve the institution, merger or abolition of academic programs, upon recommendation of the University Council of the constituent university concerned, through the President of the University;
- d. To approve the graduation of students and grant of honors, as recommended by their respective University Council through the President of the University;
- e. To confer honorary degrees upon persons in recognition of learning, statesmanship, or eminence in literature, science, or art, upon recommendation of a committee created by the President of the University; Provided, That such degrees shall not be conferred in consideration of any payment, gift or other valuable consideration;
- f. To approve the rules on student discipline recommended by the University Councils through the President of the University, with the Board retaining the power to review and pass final judgment on student disciplinary cases;

- g. To create, organize, reorganize, merge or abolish constituent universities, colleges, institutes and other academic and administrative units of the national university;
- h. To establish professorial chair awards;
- i. To provide fellowships, scholarships and grants, including athletic grants and to award the same to faculty, staff and students having special evidence of merit, especially those who are poor and deserving students;
- j. To elect the President of the University for a single term of six (6) years following a process of democratic consultation with the university community based on standards and guidelines set by the Board. In the event of a vacancy, the Board shall elect a president who shall serve a full term. A Chancellor chosen by the Board may act as Officer-in-Charge of the national university when the search process is in progress. In no case shall the search and election of the next President be longer than ninety (90) days from the date when the vacancy occurs;
- k. To appoint faculty members and other officials and employees to draw up a position classification and compensation plan for its faculty and staff, and, any law to the contrary notwithstanding, to fix and adjust salaries and benefits of the faculty members and other employees. Provided That salaries and other benefits of the faculty shall be equivalent to those being received by their counterparts in the private sector; to determine the hours of service of faculty and staff, and such other terms and conditions of employment as it may deem proper; to grant leave of absence under such regulations as it may promulgate, any other provisions of law to the contrary notwithstanding; and to remove them for cause as provided by law after due investigation and proper hearing;
- l. To extend, with their consent, the tenure of faculty members of the national university beyond the compulsory retirement age, any other provision of law to the contrary notwithstanding, on recommendation of the units upon endorsement of the President of the national university, whenever their services are especially needed: Provided, however, That no extension of tenure shall be made beyond the age of seventy (70);
- m. To fix the tuition fees and other necessary school charges, as the Board may deem proper impose, after due and comprehensive consultation with students concerned. Such fees and charges, including government support and other income generated by the national university shall constitute special trust funds and shall be deposited in an authorized government depository bank. Any and all interest that shall accrue therefrom shall form part of the same funds for the use of the national university.

Notwithstanding any provision of law to the contrary, all incomes generated by the national university or by its subsidiaries shall, upon their collection, be retained by the national university and disbursed at the discretion of the Board for the professional growth and development, health, welfare, and other benefits of the students, faculty members and other personnel; for the acquisition, construction, maintenance and repair of urgently needed instructional and auxiliary facilities, equipment, buildings and other infrastructure; and for expenses necessary for the attainment of its purposes under its approved program of expenditures;

If the national university, for reasons beyond its control, shall not be able to pursue any project for which funds have been appropriated and allocated