

[REPUBLIC ACT NO. 9272, March 20, 2004]

**AN ACT ESTABLISHING THE NUEVA VIZCAYA STATE UNIVERSITY
IN THE PROVINCE OF NUEVA VIZCAYA BY INTEGRATING THE
NUEVA VIZCAYA STATE INSTITUTE OF TECHNOLOGY IN THE
MUNICIPALITY OF BAYOMBONG AND THE NUEVA VIZCAYA
STATE POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF
BAMBANG, BOTH LOCATED IN THE PROVINCE OF NUEVA
VIZCAYA, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

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

SECTION 1. *Establishment/Integration.* — There is hereby-established a state university in the Province of Nueva Vizcaya to be known as the Nueva Vizcaya State University, hereinafter referred to as the University, by integrating the Nueva Vizcaya State Institute of Technology in the Municipality of Bayombong, and the Nueva Vizcaya State Polytechnic College in the Municipality of Bambang, both in the Province of Nueva Vizcaya. The main campus of the University shall be in Bayombong, Nueva Vizcaya.

SEC. 2. *General Mandate.* — The University, shall primarily provide advanced instruction and professional training in agriculture, arts, science, technology, education and other related fields. 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 graduate, undergraduate and short term technical 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 to meet the needs of the Province of Nueva Vizcaya and the Region.

The existing high schools shall be transferred to the jurisdiction of the Department of Education: *Provided*, That the high schools shall be allowed to remain and operate within the campus of the University until the existing high school students shall have completed their high school education: *Provided, further*, That the University may operate a reasonably-sized laboratory school to serve as feeders to college courses for campuses offering teacher education curriculum.

SEC. 4. *Administration.* — 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. *Governing Board.* — The Governing Board 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 of Higher Education (CHED), chairman;
- b. The president of the University, vice chairman;
- c. The Chairman of the Committee on Education. Arts and Culture of the Senate, member;
- d. The Chairman 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 (DOST), 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 who have distinguished themselves in their profession or fields of specialization of the University, members.

The two (2) prominent citizens shall be chosen from among a list of at least five (5) persons qualified in the Province of Nueva Vizcaya, as recommended by the search committee constituted by the University president in consultation with the Chairman of CHED, based on the normal 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 the alumni associations shall be contemporaneous with their respective terms of office.

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

SEC. 6. Promulgation and Implementation of Policies. — 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, agriculture, science and technology as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

SEC. 7. Powers and Duties of the Board of Regents. — 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 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;
- c. To import duty-free economic, technical and cultural books and/or publications upon certification by the CHED that such imported books and/or publications are for economic, technical, vocational, scientific, philosophical, historical or

cultural purposes in accordance with the provisions of the Tariff and Customs Code, as amended;

- d. 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.

Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code (NIRC), as amended: *Provided*, That such donations shall not be disposed, transferred or sold;

- e. 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 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 purposes for which they are collected.

If, for reasons beyond its control, the University shall not be able to pursue any projects 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;

- f. To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- 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 recommendation of the president of the University, vice presidents, deans, directors and heads of campuses, faculty members, and other officials and employees of the University;
- i. 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 provision of existing laws 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 and Academic Councils as herein provided;
- k. To set policies on admission and graduation of students;
- l. To award honorary degrees upon persons in recognition of 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 nonchartered tertiary institutions within the Province of Nueva Vizcaya 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 mandated by the Constitution;
- n. To establish research and extension centers of the University where such will promote the development of the latter;
- o. To establish 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 herein above to the president, or officer-in-charge and/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 institution to be financed by the CHED, subject to Commission on Audit (COA) rules and regulations; 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 the state colleges and universities within the Province of Nueva Vizcaya or the Region, 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 of which shall be used for the development and strengthening of the University;
- t. To develop consortia and other economic forms of linkages with local government units (LGUs), institutions and agencies, both public and private, local and foreign, in the furtherance of the purpose and objectives of the University;
- u. To develop academic arrangements for institution-capability building with appropriate institutions and agencies, public and private, local and foreign, and to appoint experts/ specialists as consultants, part time or visiting, or exchange professors, scholars or researchers, as the case may be;
- v. To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual system, open learning or distance education, community laboratory, etc. for the promotion of greater access to education;
- w. To establish policy guidelines and procedures for participative decision-making and transparency within the University;
- x. To privatize; where most advantageous to the University, management of nonacademic services such as health, food, building or grounds or property