

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand twenty-one.

[REPUBLIC ACT NO. **11695**]

AN ACT STRENGTHENING THE TARLAC STATE UNIVERSITY, PROVIDING FOR THE COMPOSITION AND POWERS OF ITS GOVERNING BOARD, PRESCRIBING ITS CURRICULAR OFFERINGS, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “Revised Tarlac State University Charter”.

SEC. 2. *General Mandate.* – The Tarlac State University, hereinafter referred to as the TSU, shall primarily provide advance instruction and professional training in literature, philosophy, science and technology, and arts, and other relevant fields of study. It shall also undertake research and extension services and provide progressive leadership in its areas of specialization.

SEC. 3. *Curricular Offerings.* – The TSU shall offer undergraduate, graduate, and post-graduate courses, within its competency and areas of specialization in the fields of science and technology, medicine and allied medical professions, law, business, arts and humanities, education, sports and human kinetics, and programs on public administration, public works, human services, social work, and other relevant fields of study, as the Board of Regents, hereinafter referred to as the Board, may deem necessary for the accomplishment of its objectives, and those which respond to meet the human resource development needs of the Province of Tarlac and Region III.

The existing reasonably-sized laboratory school for early childhood, primary, junior and senior high school, and special education shall continue to operate under the supervision of the College of Education of the TSU to serve the in-campus requirements of its students.

SEC. 4. *The Board of Regents.* – The governing board of the TSU shall be the Board, which shall be chaired and co-chaired by the Chairperson of the Commission on Higher Education (CHED) and the President of the TSU, respectively, and with the following as members:

- (a) Chairperson of the Committee on Higher, Technical and Vocational Education of the Senate;
- (b) Chairperson of the Committee on Higher and Technical Education of the House of Representatives;
- (c) Regional Director of the National Economic and Development Authority;
- (d) Regional Director of the Department of Science and Technology;
- (e) President of the federation of faculty associations of the TSU;

(f) President of the federation of student councils of the TSU;

(g) President of the federation of alumni associations of the TSU;

(h) Representative of the nonteaching personnel association of the TSU; and

(i) Two (2) prominent citizens from the private sector who have distinguished themselves in their professions or fields of specialization.

The Board shall appoint two (2) prominent citizens who shall be selected from a list of at least five (5) qualified persons from the Province of Tarlac as recommended by a search committee constituted by the President of the TSU, in consultation with the Chairperson of the CHED and other members of the Board, based on the standards and qualifications for the position set by the Board. They shall serve for a term of two (2) years from the date of appointment.

The membership of the President of the federation of faculty associations, the President of the federation of student councils, the President of the federation of alumni associations, and the Representative of the nonteaching personnel in the Board shall be coterminous with their terms of office, as provided under their respective constitutions and bylaws.

SEC. 5. Powers and Duties of the Board. – 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) Promulgate and implement policies in accordance with the declared State policies on education, other pertinent provisions of the Constitution on education, agriculture, science and technology, and the policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the “Higher Education Act of 1994”;

(b) Approve the curricula, instructional programs, and rules on student discipline drawn by the Administrative and Academic Councils as herein provided;

(c) Appoint, upon the recommendation of the President of the TSU, the vice presidents, deans, directors, heads of the campuses, faculty members, and other officials and employees of the TSU;

(d) Fix and adjust the salaries of faculty members, 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; 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 remove them for cause in accordance with the requirements of due process of law;

(e) Fix the tuition fees and other necessary school charges, such as matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose, after due consultation with the concerned sectors. The fees and charges, including government subsidies and other income generated by the TSU, shall constitute its special trust funds, and shall be deposited in any authorized government depository bank. All interests that shall accrue therefrom shall form part of the same funds for the use of the TSU.

Any provision of existing law, rule or regulation to the contrary notwithstanding, any income generated by the TSU from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the TSU and may be disbursed by the Board for instruction, research, extension services or other programs and projects of the TSU: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these are collected: *Provided, however*, That if, for reasons beyond its control, the TSU 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 TSU;

(f) Adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students in accordance with Republic Act No. 10931, or the "Universal Access to Quality Tertiary Education Act";

(g) Establish professorial chairs in the TSU and provide fellowships for qualified faculty members, and scholarships to deserving students;

(h) Receive and appropriate sums as may be provided by law for the support of the TSU, and all other sums in the manner it may, in its discretion, determine to carry out the purposes and functions of the TSU;

(i) Set the policies on admission and graduation of students;

(j) Award honorary degrees upon persons in recognition of their outstanding contributions in the fields of education, public service, arts, science and technology, sports and human kinetics or any field of specialization within the academic competency of the TSU, and authorize the awarding of certificates of completion of nondegree and nontraditional courses;

(k) Establish research and extension centers to promote the development of the TSU;

(l) Develop academic arrangements for institutional capability building with appropriate institutions and agencies, whether public, private, local or foreign, and appoint experts or specialists as consultants, part-time, visiting or exchange professors, scholars or researchers, as the case may be;

(m) Adopt modern and innovative modes of transmitting knowledge for the promotion of greater access to education such as the use of information technology, dual training system, open distance learning, and community laboratory;

(n) Collaborate with the governing bodies of other state universities and colleges within the Province of Tarlac and Region III, under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the TSU to make it more efficient, relevant, productive and competitive;

(o) Absorb nonchartered tertiary institutions within the Province of Tarlac and Region III as branches, extension or external centers, in coordination with the CHED and in consultation with the DBM, and offer therein programs or courses to carry out the constitutional mandate of providing equal access to educational opportunities;

(p) Authorize an external management audit of the TSU, to be financed by the CHED, subject to the rules and regulations of the Commission on Audit, and institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

(q) Develop consortia and other economic forms of linkages with local government units as well as public, private, local or foreign institutions and agencies for the furtherance of the purposes and objectives of the TSU;

(r) Import economic, technical and cultural books and publications;

(s) Enter into joint ventures with business and industry for the profitable development and management of economic assets, the proceeds of which shall be used for the development and strengthening of the TSU;

(t) Receive in trust, legacies, gifts and donations of real and personal properties of all kinds and administer and dispose of the same, when necessary, for the benefit of the TSU and subject to the limitations, directions and instructions of the donor, if any;

(u) Extend the term of the President of the TSU beyond the age of retirement, but not beyond the age of seventy (70), based on the guidelines, qualifications and standards set by

the Board: *Provided*, That the President's performance has been rated by the Board as outstanding and a unanimous recommendation for such extension has been decided upon by the search committee;

(v) Delegate any of its powers and duties provided to the President and other officials of the TSU, as it may deem appropriate, so as to expedite the administration of the affairs of the TSU;

(w) Establish policy guidelines and procedures for participative and transparent decision-making within the TSU;

(x) Where most advantageous to the TSU, privatize the management of nonacademic services such as health, food, building or grounds or property maintenance, and such other similar activities;

(y) Authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real property, including the necessary supplies, materials, and equipment; and

(z) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of the TSU.

SEC. 6. *Meetings of the Board.* – The Board shall regularly convene once every three (3) months. The Chairperson of the Board may, however, call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) days prior to the conduct of said meeting.

A quorum of the Board shall consist of a majority of all its members holding office at the time of the meeting: *Provided, however*, That the Chairperson of the Board or the President of the TSU is among those present in the meeting.

In case the Chairperson of the CHED cannot attend a meeting of the Board, a CHED Commissioner duly designated by Chairperson of the CHED as representative to the meeting,

shall have all the rights and responsibilities of a regular member: *Provided*, That during the meeting, the President of the TSU, as Vice Chairperson, shall be the presiding officer: *Provided, further*, That this provision notwithstanding, the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in which case, the said CHED Commissioner shall act as the presiding officer.

In case the Chairperson of the Senate Committee on Higher, Technical and Vocational Education and the House Committee on Higher and Technical Education shall not be able to attend the Board meeting, they may designate their respective representatives, who shall have the same rights and responsibilities as regular members of the Board.

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

SEC. 7. *The University President.* – The TSU shall be headed by a President who shall be appointed by the Board, subject to its guidelines on qualifications and standards, and based on the recommendation of a search committee duly constituted for the purpose of selecting the President. The TSU President shall render full-time service, serve a term of four (4) years, and may be reappointed to another term: *Provided*, That this provision shall not adversely affect the term of the incumbent President.

Within six (6) months before the expiration of the term of office of the incumbent President of the TSU, the Board shall constitute the Search Committee for the Presidency.

The powers and duties of the President of the TSU, in addition to those specifically provided for in this Act, shall include those usually pertaining to the Office of the President of similar state universities and colleges and those delegated by the Board.

The salary of the President of the TSU shall be in accordance with Republic Act No. 11466 or the "Salary Standardization Law of 2019", and such other laws amendatory thereto, which may hereinafter be enacted, and shall be comparable to that being received by the presidents of similar educational institutions.

In case of a 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 the office, the Board shall designate an Officer-in-Charge of the TSU, pending the appointment of a new President: *Provided*, That the Officer-in-Charge shall serve only during the unexpired portion of the term.

The President of the TSU shall be assisted by a Vice President for Academic Affairs, a Vice President for Administration, and a Vice President for Research, Development, and Extension, who shall all be appointed by the Board upon the recommendation of the President of the TSU.

SEC. 8. *The Secretary of the University.* – The Board shall appoint a Secretary who shall serve as such for both the Board and the TSU and shall keep all records and proceedings of the Board. The Secretary of the TSU shall serve upon each member of the Board the appropriate notice of board meetings.

SEC. 9. *The Treasurer of the University.* – The Treasurer of the Philippines shall be the *ex officio* Treasurer of the TSU.

SEC. 10. *The Administrative Council.* – There shall be an Administrative Council consisting of the President of the TSU as chairperson, and the vice presidents, deans, directors and other officials of equal rank as members, that shall review and recommend to the Board the policies that shall govern the administration, management and development planning of the TSU.

SEC. 11. *The Academic Council.* – There shall be an Academic Council, which shall formulate academic policies. It shall be composed of the President of the TSU, who shall act as

chairperson, and all academic staff with the rank of at least an assistant professor, as members.

The Academic Council shall have the power to review and recommend the curricular offerings and rules on student discipline, subject to the approval of the Board. It shall fix the requirements for the admission of students, as well as for their graduation and conferment of degrees, subject to the review and approval of the Board through the President of the TSU.

It shall exercise disciplinary power over the students of the TSU and shall formulate rules and regulations on student discipline, subject to the approval of the Board.

SEC. 12. *The Faculty.* – No political belief, gender preference, cultural or community affiliation or ethnic origin, nor religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the TSU: *Provided*, That said appointment shall be subject to the guidelines, qualifications, and standards set by the Board: *Provided, further*, That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 13. *Academic Freedom and Institutional Autonomy.* – The TSU shall enjoy academic freedom and institutional autonomy pursuant to paragraph 2, Section 5 of Article XIV of the Constitution.

SEC. 14. *Scholarship Programs and Admission.* – The TSU shall provide scholarships and other affirmative action programs to assist poor but deserving students who qualify for admission to the TSU.

No student shall be denied admission to the TSU by reason of gender, religion, cultural or community affiliation or ethnic origin.

SEC. 15. *Authority to Loan or Transfer Apparatus, Equipment or Supplies and Detail of Personnel.* – Upon the request of the President of the TSU, the heads of the bureaus

and offices of the national government may loan or transfer to the TSU such apparatus, equipment or supplies as may be needed by it, and detail employees for duty therein when, in the judgment of the head of bureau or office, the apparatus, equipment, supplies or service of such employees can be spared without serious detriment to public service.

The employees so detailed shall perform such duties as required of them by the President of the TSU and the time so served shall be counted as part of their regular service.

SEC. 16. *Assets, Liabilities and Personnel.* – All assets, both real and personal, personnel and records of the TSU, as well as its liabilities or obligations, shall remain under the name of the TSU: *Provided*, That the positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws shall be respected: *Provided, further*, That the incumbents occupying the positions shall remain in the same status until otherwise provided for by the Board: *Provided, finally*, That the TSU shall also accordingly upgrade or increase its human resource component as may be deemed appropriate by the Board.

All parcels of land belonging to the government occupied by the TSU and all its campuses are hereby declared the property of the TSU, and shall be titled under its name: *Provided*, That should the TSU cease to exist or be abolished or should such aforementioned parcels of land be no longer needed by the TSU, the same shall revert to the concerned local government unit or to the Republic of the Philippines, as the case may be.

SEC. 17. *Duty and Tax Exemptions.* – The importation by the TSU of economic, technical, and cultural books or publications, which are for economic, technical, vocational, scientific, philosophical, historical, or cultural purposes shall, upon certification by the CHED, be exempt from customs duties in accordance with the provisions of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”.

All grants, bequests, endowments, donations, and contributions made to and used actually, directly and exclusively for educational purposes by the TSU, shall be exempt from donor's tax and the same shall be considered as allowable deduction from gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 18. *Filing of Report.* – On or before the fifteenth (15th) day of the second (2nd) month after the opening of regular classes each year, the Board shall file a detailed report on the progress, condition, and needs of the TSU with the Office of the President of the Philippines and both Houses of Congress, through the Chairperson of the CHED.

SEC. 19. *Suppletory Application.* – The provisions of Republic Act No. 8292, otherwise known as the “Higher Education Modernization Act of 1997”, shall form part of this Act.

SEC. 20. *Transitory Provision.* – Upon the effectivity of this Act, all employees of the TSU shall be retained in their present positions and no one shall be adversely affected by the approval of the amendments to the original Charter.

The incumbent President of the TSU shall continue to hold office until the expiration of one (1) term.

SEC. 21. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 22. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Board shall, in consultation with the CHED, issue the rules and regulations to fully implement the provisions of this Act.

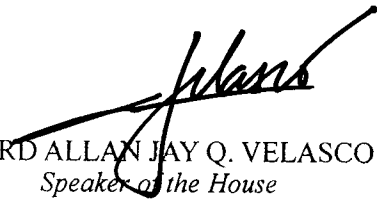
SEC. 23. *Separability Clause.* – If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected are in full force and effect.

SEC. 24. *Repealing Clause.* – Republic Act No. 6764, otherwise known as the “Tarlac State University Charter”, and all other laws, presidential decrees, executive orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are amended, repealed or modified accordingly.


SEC. 25. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

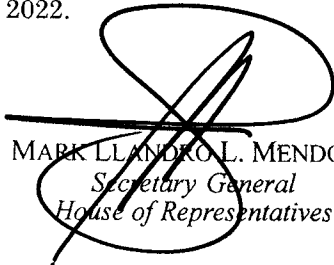
Approved,


VICENTE C. SOTTO III
President of the Senate


LORD ALLAN JAY Q. VELASCO
Speaker of the House of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives on August 3, 2021, amended by the Senate of the Philippines on January 31, 2022, and which amendments were concurred in by the House of Representatives on February 2, 2022.


MYRA MARIE D. VILLARICA
Secretary of the Senate


MARK LLANDRO L. MENDOZA
Secretary General House of Representatives

Approved:

Lapsed into law on **APR 11 2022**
without the signature of the President, in accordance with Article VI, Section 27 (1) of the Constitution

RODRIGO ROA DUTERTE
President of the Philippines