

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )

6 415 16

RECEIVED BY

*JMN*

SENATE

S. BILL NO. 2443

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**Introduced by Senator Ralph G. Recto**

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**EXPLANATORY NOTE**

The Philippine College of Commerce, created by Republic Act No. 779, was converted to Polytechnic University of the Philippines (PUP) by Presidential Decree No. 1341. It is a national university with a charter of its own, with recognized and distinctive competencies and specializations and of high quality standard of education.

Section 14 of Presidential Decrees No. 1341 provides that it shall be the concern of the university to disperse its programs in the countryside through a system of regional branches. This is PUP's legal mandate to operate branches in the countryside.

Due to a dire and extreme necessity for quality educational opportunities in the provinces, strong and incessant representations by depressed and far-flung communities and with much enthusiasm and pressures from out-of-school youth and students, parents, civic and political leaders who insisted that PUP share its quality and affordable education with the "common tao" in the countryside, the following branches of the University were established:

Mariveles, Bataan - July 1, 1976  
Lopez, Quezon - June 1979  
Maragondon, Cavite - January 29, 1987  
Mulanay, (Bondoc Peninsula), Quezon - 1991  
Ragay, Camarines Sur- June 1993  
Sto. Tomas, Batangas - January 28, 1991  
Taguig, Rizal - June 15, 1992  
Unisan (Bondoc Peninsula), Quezon - August 1987

The Philippine Normal University in Manila, a national state university like PUP, operates the following provincial branches:

1. PNU Alicia, Isabela in spite of the presence of the Isabela State University in Echague;
2. PNU Cadiz City;
3. PNU Prosperidad, Agusan in spite of the presence of other state colleges in the area; and
4. PNU Lopez, Quezon in spite of the presence of PUP in the same town.

The Mindanao State University, a regional state university with main campus in Marawi City, has the following branches:

1. MSU Iligan;
2. MSU General Santos;
3. MSU Maguindanao;
4. MSU Jolo in spite of the presence of the Sulu State College in the same town;
5. MSU Tawi-Tawi in spite of the presence of the Tawi-Tawi Regional Agricultural College; and
6. MSU Naawan in spite of the presence of the Misamis Oriental State College Agriculture and Technology in the area.

The University of the Philippines in Diliman, Quezon City operates the following branches:

1. UP Visayas in spite of the presence of the West Visayas State University in Iloilo;
2. UP Mindanao in spite of the presence of the University of Southeastern Philippines in Davao City; and
3. UP Baguio in spite of the presence of the Benguet State University in Benguet.

Republic Act 9045 which created the Batangas State University (BSU), a provincial state university, through the integration of some CHED Supervised Institutions in Batangas purports to integrate only the campus (meaning the buildings and the site) of the Polytechnic University of the Philippines in Sto. Tomas. PUP Sto. Tomas is a branch of the PUP, which is a national state university with national programs not within the jurisdiction of the newly created BSU. The integration of PUP Sto. Tomas campus to BSU disregarded the welfare of 2,354 students, both regular and under the Open University academic programs, its faculty and staff, leaving them in a quandary for their classrooms, laboratory rooms and other academic and non-academic facilities for the efficient operations of the PUP in Sto. Tomas, Batangas.

The land, where the buildings of the Polytechnic University of the Philippines in Sto. Tomas were constructed, was donated by the Municipal Government of Sto. Tomas directly to PUP for its academic and related programs and the same Municipal Government threatened to revoke the donation, once the BSU, by virtue of Republic Act No. 9045, takes over the PUP Campus in Sto. Tomas.

The intent of Republic Act No. 9045 in integrating to Batangas State University (BSU) the Polytechnic University of the Philippines (PUP) (meaning buildings and site only) in Sto. Tomas is unjustified, unprecedented, illogical and an infringement of the juridical personality of PUP which has a charter of its own and some of its programs are national in nature and scope and are beyond the capability of the fledgling BSU.

The Cavite State University (CSU) in Indang, Cavite, respected the autonomy of the Polytechnic University in Maragondon, Cavite, the Bulacan State University (BSU) in Malolos, Bulacan likewise respected the autonomy of the Polytechnic University of the Philippines in Pulilan, Bulacan. Both CSU (Cavite) and BSU (Bulacan) did not attempt to integrate the PUP as an institution much less its campuses in the above-mentioned places unlike what Batangas State University would like to do under R. A. No. 9045.

The integration of the Polytechnic University of the Philippines in Sto. Tomas to Batangas State University was done without due process and without prior consultations with the school officials, students and parents as well as the local government. Records

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AN ACT

AMENDING REPUBLIC ACT NO. 9045 WHICH CREATES THE BATANGAS STATE UNIVERSITY (BSU) BY EXCLUDING FROM ITS COVERAGE THE POLYTECHNIC UNIVERSITY OF THE PHILIPPINES (PUP) CAMPUS IN STO. TOMAS, BATANGAS

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

**SECTION 1.** The title of Republic Act No. 9045 is hereby amended to read as follows:

AN ACT CREATING THE BATANGAS STATE UNIVERSITY (BSU) BY INTEGRATING THE (1) PABLO BORBON MEMORIAL INSTITUTE OF TECHNOLOGY, INCLUDING ITS BRANCHES IN BARANGAY ALANGILAN, BATANGAS CITY, IN THE MUNICIPALITIES OF BALAYAN, BAUAN, LOBO, SAN PASCUAL, ROSARIO, TAYSAN, PADRE GARCIA, LEMERY, CALACA, TAAL, TANAUAN, SAN JUAN, AND LIPA CITY, (2) JOSE P. LAUREL POLYTECHNIC COLLEGE IN MALVAR, AND (3) APOLINARIO R. APACIBLE SCHOOL OF FISHERIES IN NASUGBU, [AND (4) POLYTECHNIC UNIVERSITY OF THE PHILIPPINES CAMPUS IN STO. TOMAS,] APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

**SEC. 2.** Section 1 of Republic Act No. 9045 is hereby amended to read as follows:

The Pablo Borbon Memorial Institute of Technology in the City of Batangas, including its branches in Barangay Alangilan of the same City and those in the municipalities of Balayan, Bauan, Lobo, San Pascual, Rosario, Taysan, Padre Garcia, Lemery, Calaca, Taal, Tanauan, San Juan and Lipa City, the Jose P. Laurel Polytechnic College in Malvar, AND the Apolinario R. Apacible School of Fisheries in Nasugbu, [the Campus of the Polytechnic University of the Philippines in Sto. Tomas,] are hereby integrated into a state university to be known as the Batangas State University, hereinafter referred to as the University. The main campus of the University in the City of Batangas shall be named as the Pablo Borbon Campus.

**SEC. 3.** Section 16 of the Republic Act 9045 is hereby amended to read as follows:

All assets, fixed and movable, personnel and records of the Pablo Borbon Memorial Institute of Technology and its branches in Barangay Alangilan, Batangas City,

the municipalities of Balayan, Bauan, Lobo, San Pascual, Rosario, Taysan, Padre Garcia, Lemery, Calaca, Taal, Tanauan and San Juan and the City of Lipa, the Jose P. Laurel Polytechnic College in Malvar, **AND** the Apolinario R. Apacible School of Fisheries in Nasugbu, [and the Polytechnic University of the Philippines Campus in Sto. Tomas,] all in the Province of Batangas, as well as liabilities or obligations, are hereby transferred to the University: *Provided*, however, That the positions, rights and security of tenure or personnel employed therein under existing laws prior to the absorption by the University are not impaired: *Provided*, further, That the incumbents of existing positions shall remain in the same status until otherwise provided by the Board. All parcels of land belonging to the government and occupied by Pablo Borbon Memorial Institute of Technology, the Jose P. Laurel Polytechnic College in Malvar, **AND** the Apolinario R. Apacible School of Fisheries in Nasugbu, [and the Polytechnic University of the Philippines Campus in Sto. Tomas,] are hereby declared to be property of the Batangas State University and shall be titled under that name: *Provided*, finally, That should the University cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the University, the same shall revert to the provinces, municipalities or cities where they are located.

**SEC. 4.** Section 21 of Republic Act No. 9045 is hereby amended to read as follows:

The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Pablo Borbon Memorial Institute of Technology, Jose P. Laurel Polytechnic College, **AND** the Apolinario R. Apacible School of Fisheries[, and the Polytechnic University of the Philippines Campus in Sto. Tomas]. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Batangas State University shall be included in the General Appropriations Act.

**SEC. 5.** All laws, decrees, orders and issuances or part thereof inconsistent therewith are hereby repealed, modified or amended accordingly.

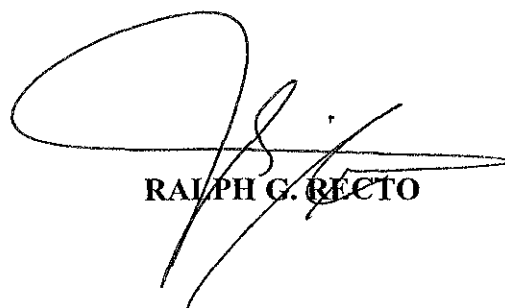
**SEC. 6.** This Act shall take effect upon its approval.

*Approved*

show that House Bill No. 1892 and the substitute House Bill No. 6218 contemplate the conversion alone of the Pablo Borbon Memorial Institute of Technology into a state university to be known as the Batangas State University. It appears that the Polytechnic University of the Philippines Campus in Sto. Tomas was included only in the Senate when Senate Bill No. 2234 was passed, without prior consultation with the Polytechnic University of the Philippines in Sto. Tomas, *contrary to the provisions of the Implementing Guidelines promulgated by the Commission on Higher Education.*

The Implementing Guidelines on the Integration (IGI) of CHED-Supervised Institutions (CSIs) to State Universities and Colleges-Phase II, explicitly provided that “xxx Effective January 2000, Phase II of the Integration of the CSIs to SUCs shall be implemented xxx in consultation with the affected SUCs and CSIs” (underscoring supplied). A report on the status of the integration of CHED-CSIs shall be submitted to the Senate Committee on Finance and the House Committee on Appropriations.”

In view of the foregoing, the approval of this bill amending Republic Act No. 9045 which creates the Batangas State University (BSU) by excluding from its coverage the Polytechnic University of the Philippines Campus in Sto. Tomas, is hereby earnestly sought.



**RALPH G. RECTO**