



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 58

11TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the nineteenth day of December, Two Thousand Nineteen

ORDINANCE NO. 8635

AN ORDINANCE FURTHER AMENDING PROVISIONS OF ORDINANCE NO. 7885, AS AMENDED BY ORDINANCE NO. 8120, ENTITLED: "AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT OF MANILA TO OPERATE THE DALUBHASAAN NG MAYNILA (CITY COLLEGE OF MANILA) AND FOR SUCH OTHER PURPOSES", ENACTED ON APRIL 17, 1995

PRINCIPAL AUTHORS: **HON. JOEL R. CHUA**, Majority Floor Leader, **HON. ERNESTO C. ISIP, JR.**, President Pro-Tempore, HON. PRISCILLA MARIE T. ABANTE-BARQUIA, HON. IRMA C. ALFONSO-JUSON, HON. TERRENCE F. ALIBARBAR, HON. KRYSTLE MARIE C. BACANI, HON. DON JUAN "DJ" BAGATSING, HON. LARIS T. BORROMEIO, HON. MA. THERESA F. BUENAVENTURA-QUIMPO, HON. CARLOS C. CASTANEDA, HON. LOUISITO N. CHUA, HON. ERNESTO G. DIONISIO, HON. JESUS M. FAJARDO, HON. PAMELA "FA" G. FUGOSO-PASCUAL, HON. JOEY S. HIZON III, HON. RICARDO "BOY" ISIP, JR., HON. MACARIO M. LACSON, HON. SALVADOR PHILIP H. LACUNA, HON. MOISES T. LIM, HON. NUMERO G. LIM, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. ERICK IAN O. NIEVA, HON. CHARRY R. ORTEGA, HON. JOEL M. PAR, HON. WARDEE P. QUINTOS XIV, HON. SCIENCE A. REYES, HON. ROMA PAULA S. ROBLES-DALUZ, HON. DARWIN B. SIA, HON. EDWARD M. TAN, HON. IRWIN C. TIENG, HON. CHRISTIAN PAUL L. UY, HON. LUCIANO M. VELOSO, HON. JOEL "JTV" VILLANUEVA, HON. RAYMUNDO R. YUPANGCO, HON. LEILANI MARIE H. LACUNA and HON. DANIEL DAVE A. TAN



Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. DECLARATION OF POLICY. – It shall hereby be declared the policy of the City of Manila to be genuinely committed, inconsonance with the policy of the State, in promoting the right of all citizens to quality education at all levels and to make such education accessible to all. Moreover, the City of Manila, aware of its obligations to give the poor but talented and gifted students of the City of Manila the opportunity to develop their potentials, is committed to establish another tertiary school to accommodate the graduates of secondary public schools to pursue college education.

SEC. 2. NAME OF INSTITUTION. – The DALUBHASAAN NG MAYNILA or CITY COLLEGE OF MANILA, is hereby renamed, UNIVERSIDAD DE MANILA, and as such shall continue to operate in accordance with law and within the powers and limitations hereinafter specified, and the same shall be organized as a corporation under the same name.

The Universidad de Manila, hereinafter referred to as “the University”, shall be treated as an independent and institutional department of the City of Manila wherein the management of fiscal, human resources, and all other assets shall be within its control.

SEC. 3. PURPOSE. – As a public, non-sectarian, non-profit and non-partisan institution of higher learning, enjoying institutional and individual academic freedom, the purposes of the University, shall be:

1. To advance human knowledge through basic study and research, specifically in, but not limited to, science and technology;
2. To serve as a research university in its various fields of expertise and specialization;
3. To develop more fully the Filipino intellect, propagate Filipino culture and promote international understanding through intercultural and international education;
4. To promote an increasingly higher order of moral and cultural values;
5. To provide scientific, technological and professional training responsive to the needs of the City and relevant to an achieving society, such training to include, but not limited to, the arts and humanities, management, accountancy, nursing, education, public administration, criminology, engineering, industrial education, sports, vocational-technical education and other applied livelihood-oriented and employment guaranteed courses;
6. To introduce in its curricula studies which do not at present receive sufficient emphasis in existing institutions of higher learning in the country;
7. To offer extension and other related programs and services for the general welfare of the people;
8. To offer quality education at a reasonable and affordable cost for all who qualify for admission, particularly the financially disadvantaged but talented and deserving youth of the City;
9. To pursue excellence in academic instruction, research and extension of services; and
10. To strive for economy, efficiency and effectiveness in its organization and internal operations.

The University shall establish/organize a laboratory school (technical high school, science high school, arts school, sports high school) for its education programs through affiliation with existing institutions supported by the City Government or by creating new ones as it may deem necessary.

SEC. 4. ADMISSION. – The University shall have a system of admission which shall facilitate the enrollment of students regardless of sex, religious beliefs, economic status, or political affiliation: *Provided*, that the enrollment shall be exclusively for the bona fide residents of Manila and to those whose parents and/or guardians work and pay their taxes to the City subject to the rules and regulations of admission and retention prescribed by the Board of Regents. *Provided further*, that the residential requirement shall not apply to the admission of students to the Graduate School.

SEC. 5. BOARD OF REGENTS. – The overall governance of the University shall be vested in a governing board to be known as the Board of Regents of the University, whose members are of known probity and integrity, and have great interest in the continuing development of the City of Manila.

The Board shall be composed of eleven (11) members as follows: Chairman, the Mayor; Vice Chairman, the President of the University; nine (9) members, of which the Chairman of the Committee on Education of the City Council and the Superintendent of City Schools shall be ex-officio members.

All members of the Board, with the exception of the Chairman and two (2) ex-officio members, shall be appointed by the Mayor of the City of Manila with the consent of the City Council.

The seven (7) appointive members of the Board shall be appointed from, but not limited to, the following: representative from business and industry; the Commission of Higher Education (CHED); the Association of Local Colleges and Universities (ACLU); the Department of Science and Technology (DOST); and representatives from the faculty, alumni, and the student body: *PROVIDED*, that the representatives from CHED, ACLU, and DOST shall hold the rank not lower than Director.

All appointive members of the Board shall serve for a term of six (6) years, or until their successors shall have been appointed and qualified; *PROVIDED*, however, that the representatives from CHED, ACLU, DOST, the faculty, alumni, and the student body be co-terminus with their respective tenure of office.

SEC. 6. REQUIREMENTS AND ALLOWANCE OF MEMBERS IN THE BOARD. – All members of the Board shall be citizens of the Philippines. They shall serve without compensation other than the reasonable allowance for attendance in Board meetings and for official business duly authorized by the Board.

SEC. 7. VACANCY. – In case of vacancy in the Board by reason of resignation, death, or other forms of incapacity of any member of the Board, such vacancy shall be filled by appointment of the Mayor: *PROVIDED*, that, the appointee shall serve only for the unexpired portion of the vacated term.

SEC. 8. CONFLICT OF INTEREST. – Members of the Board shall not have any business interest, directly or indirectly, in any aspect of University operations.

SEC. 9. GENERAL POWERS OF THE BOARD OF REGENTS. – The University shall have the general powers set out in Section thirteen of Act Numbered Fourteen hundred and fifty-nine and such other functions as are necessary to carry out the purposes of the corporation and administration of the said university, and the exercise of its corporate powers are hereby vested exclusively in the Board of Regents and the President of the University insofar as authorized by the Board.

SEC. 10. POWERS AND DUTIES OF THE BOARD OF REGENTS. – The Board of Regents shall have the following powers and duties, in consonance with existing laws and in addition to its general powers under Section 16 hereof:

1. To receive and appropriate such sums of money, properties, or materials as may be provided by Ordinance of the City of Manila for the support of the University;
2. To provide for the establishment of undergraduate and graduate schools, specifically in, but not limited to, Science and Technology, considering the priorities of the City and national needs;
3. To approve the courses of study and rules of discipline recommended by the University Council as hereinafter provided for, and to fix tuition and other fees;
4. To confer degrees for which graduating students are qualified, and honorary degrees and titles upon persons in recognition of their wisdom, statesmanship, or service in the government and to society as well as in due regard to eminence in philosophy, science, technology, literature and community service;
5. To provide fellowships and scholarships for students, faculty and staff on the basis of merit;
6. To establish professional chairs in the University's colleges and to provide or arrange for the maintenance or endowment of such chairs;
7. To provide for academic ranks and approve the appointment of the teaching personnel and to fix the compensation commensurate with such ranks;
8. To receive from the City of Manila assistance to augment the internal sources of funds, as may be provided, for the support of the University in the manner it may determine, and its discretion, to carry out the purposes and functions of the University.

Such fees and charges, including government subsidies and other income generated by the University, shall constitute its regular fund and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefore shall form part of the same fund for the use of the University.

If, for reason of control, the University shall be able to pursue any project for which 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 objectives and goals of the University;

9. To provide a reasonable system of compensation and fringe benefits such as housing, medical, and health insurances, scholarships for direct descendants of University personnel, legal support in case of litigation and other benefits provided by existing laws. Such compensation benefits shall be for all University officials, faculty and staff, full time or part time, as applicable. Non-pecuniary benefits shall be in accordance with rules and regulations on hours of service, and such other conditions as the Board may deem proper;
10. To receive in trust, tax free, all legacies, gifts, donations, and grants of real and personal properties, and any other form of donation, and to administer the same for the benefit of the University or any part thereof in accordance with the instructions of the donor, or in default thereof, in such manner as it may determine;
11. To disburse the appropriated funds in accordance with the line-item expenditure of the University as determined by the Board, subject to limitations imposed by law: **PROVIDED**, that any or all funds allocated and accruing to the University shall be put and kept under its name and account, and **PROVIDED FURTHER**, that any surplus for unappropriated amount at the end of each year shall remain with the coffers and considered as savings of the University. There shall be a provision for the regular annual appropriation from the City of Manila to support and sustain the operation of the University. Likewise, there shall be a budget allocation for the accreditation of programs to be provided by the City of Manila;
12. To prescribe rules of its own governance, to establish the governance structure of the University, and to enact for the governance of the University such general policies and regulations as are consistent with the purposes of the University as defined in Section 3 of this Ordinance;

13. To promulgate rules and regulations of discipline governing University officials, faculty, and staff members, including removal from the service for cause, after due process;
14. To exercise such other powers and duties not inconsistent with laws as may be necessary or essential to carry out its purposes;
15. To elect the President of the University; and
16. To appoint, on the recommendation of the President of the University, the officials of the University, the members of the faculty, the support personnel and other University personnel.

SEC. 11. PROCESSES. – Actions and processes against the Board of Regents shall be served on the University President or the Board Secretary thereof.

SEC. 12. MEETINGS OF THE BOARD OF REGENTS. – The Board of Regents shall hold its regular meetings at least once a month, or in special meetings as may be deemed necessary by the Chairman and the University President. A majority of the members shall constitute a quorum to transact business. The University President shall determine and prepare the agenda of all meetings of the Board. All acts of the Board shall be collegial, and no member may take action on any matter on his own. At the end of each fiscal year, the Board shall submit an annual report to the Mayor and the City Council.

SEC. 13. ADMINISTRATION OF THE UNIVERSITY. – The responsibility of University administration shall devolve upon the University President and its officials.

SEC. 14. UNIVERSITY COUNCIL. – There shall be a University Council, consisting of the President of the University and all of the members of the faculty of the University holding the rank of professor, associate professor, and assistant professor. Subject to existing laws, the Council shall have the power to prescribe the course of study and rules of discipline, provided those matters are first approved by the Board of Regents. Subject to the same limitations, it shall fix the requirements for admission to any college of the university, as well as for graduation and the conferment of degrees. The Council alone shall have the power to recommend students or others to be recipients of degrees. Through its president or committees, it shall have disciplinary powers over the students within the limits prescribed by the rules of discipline approved by the Board of Regents.

SEC. 15. UNIVERSITY PRESIDENT. – The President of the University, who is the Chief Academic and Executive Officer of the University, shall be elected by the Board of Regents for a term of six (6) years, subject to reappointment, unless sooner removed for cause such as incapacity, incompetence, dishonesty, and/or final conviction of a crime involving moral turpitude and other grave offenses as decided upon by a competent court of law. He shall receive salary, emoluments and fringe benefits commensurate with his position and qualifications as determined by the Board. The powers and duties of the President of the University, in addition to this specifically provided for in this Ordinance, shall be those usually pertaining to the Office of the President of the University.

SEC. 16. STRUCTURE AND ORGANIZATION. – The President shall recommend to the Board for approval, the structure and organization of the University which shall define efficiently and effectively its operations for the achievement of its goals and objectives.

SEC. 17. FACULTY AND DEANS. – The body of professors and instructors of each college shall constitute its faculty, and as Presiding Officer of each faculty there shall be a dean elected by the Board of Regents on nomination by the President of the University.

In the appointment of professors, instructors, and other personnel of the University, no religious tests shall be required, nor shall their religious opinions or affiliations be made a matter of examination or inquiry.

SEC. 18. EXEMPTION FROM CIVIL SERVICE. – Professors, instructors, and members of the academic teaching and research staff shall be exempt from Civil Service Examinations, regulations and other requirements as requisite for appointment; **Provided**, That all appointments are submitted to the Civil Service Commission and the Government Service Insurance System for record purposes only.

SEC. 19. SECRETARY OF THE UNIVERSITY. – There shall be a Secretary of the University, appointed by the Board of Regents, on the recommendation of the University President. He/she shall serve as secretary of such Board and Legal Officer of the University, responsible for all documentation, records, and information dissemination of all decisions of the President and the Board to insure proper implementation, monitoring and evaluation.

SEC. 20. BOARD OF VISITORS. – The Mayor, the Vice Mayor, and the Members of the City Council shall constitute the Board of Visitors of the University. As Chairman of the Board of Visitors, the Mayor shall convene the Board in order to discharge its duties, such as attendance in graduation ceremonies, making visits at the University as it may deem necessary, and other visitorial duties and privileges as may be provided by law.

SEC. 21. GENERAL PROVISIONS. – The City Council shall appropriate funds for the operations of the University, the regular Annual appropriation of which shall be included in the Executive Budget of the Office of the City Mayor as lump sum appropriation or such amount thereof to support and sustain the full operation and maintenance of the University; **PROVIDED**, That the City Council may appropriate additional funds for special programs and/or projects which may be deemed necessary to be undertaken by the University, outside of its regular annual appropriation.

SEC. 22. EMBLEM, COLOR, AND SEAL. – The University shall adopt its emblem, color, seal, and other appurtenances consistent with the reflective of the Philippine culture and values that shall enhance the uniqueness and dignity of the Filipino identity.

SEC. 23. PROGRESS REPORT. – The Board of Regents shall file with the CHED, the Mayor, and the City Council an annual detailed report, setting forth the progress, condition, and needs of the University.

SEC. 24. REPORTORIAL REQUIREMENTS AND AUDITING OF ACCOUNTS. – The University shall submit an annual report to the City Council containing the financial statements, statements of assets and liabilities, actual projected income from tuition fees, and other revenue sources, contracts and investments entered into, including programs of expenditures. All accounts and disbursements of the University shall be audited by the Commission on Audit.

SEC. 25. OVERSIGHT COMMITTEE AND SUNSET REVIEW. – An Oversight Committee composed of the Mayor, Vice Mayor, the President of the University and their designated representatives shall constitute the oversight committee to oversee the transition in terms of setting up the University's procurement, payroll, and revenue collection systems and such other systems and processes that are critical for the University's operation.

It shall likewise conduct a review on the grant of fiscal autonomy to the University upon lapse of five (5) years from the approval hereof.

SEC. 26. TRANSITORY PROVISIONS. – Upon signing of this Ordinance by the Mayor, the University shall submit, in thirty (30) days, its enhanced organizational chart and operations manual to the Mayor. Within ninety (90) days thereafter, the Local Finance Committee shall transfer any and all appropriations of the University for the current fiscal year such funds from previous years that were not released for personnel services, maintenance and operating expense and capital outlay.

SEC. 27. RULES OF CONSTRUCTION. – No statutory or other issuances shall diminish the powers, right, privileges, and benefits accorded to the University under this Ordinance or enjoyed at present by it under other issuances not otherwise modified or repealed under this Ordinance, unless subsequent legislation expressly provides for their repeal, amendment or modification. Any case of doubt in the interpretation of any of the provisions of this Charter shall be resolved in favor of the academic freedom and fiscal autonomy of the University.

SEC. 28. APPROPRIATIONS. – The amount needed to carry out the implementation of this Ordinance shall be charged against the lump sum appropriation of the current fiscal year and other internal funds of the University. Thereafter, such lump sum representing the responsibility of the City of Manila for the continued growth, operation, maintenance, and requirements for Commission on Higher Education (CHED) Accreditation.

The University may use unexpended balances in any appropriation for purposes that the Board determines.

SEC. 29. SEPARABILITY CLAUSE. – Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.


SEC. 30. REPEALING CLAUSE. – Ordinance No. 7885, as amended, and all laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

This Ordinance can only be repealed by a UNANIMOUS vote of all members of the City Council.


SEC. 31. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon its approval.

This Ordinance was finally enacted by the City Council of Manila on April 27, 2020.

PRESIDED BY:

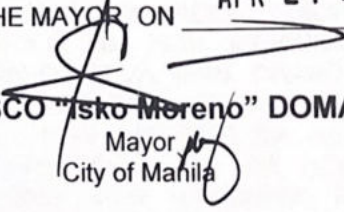

MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:



LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR ON

APR 27 2020


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


MANUEL M. ZARCAL
City Government Assistant Department Head III
(Acting Secretary to the Mayor)

RNF: rrb/acl/jok/cpf/jrp