

TUP CODE OF 2022

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Certificate of Registration (University Seal)	

FOREWORD TO THE FINAL DRAFT

The Board of Regents in a Special Meeting held on April 27, 2022 at the BE Grand Hotel in Panglao Island in Bohol, finally approved the TUP University Code after substantial and important amendments were introduced to therein. This is a very important development for the University as the incoming President will already be properly guided in the rules and regulations relevant to the management and operations of the University. When I came to TUP as President in September, 2018, I naturally sought for rules and regulations and guidelines on specific matters to guide me on decisions I had to make. In so many occasions, the answer was there were no guidelines, or if there were, I was given those which were issued during the time of President Camarao, or even earlier during the terms of office of Presidents Frederick Pada and Jose Vergara. The 1985 University Code, issued during the term of President Jose Vergara, already had limited value, and applying many of its provisions to the operations of the University would have created problems. Further, the 1985 Code was issued for application to TUP Manila alone. The operations of the Campuses are left blank. This University Code, now known as the “TUP Code of 2022” considers the operations and situations of the Campuses as well, and is going to endure for many decades to come. We must only prepare the Implementing Rules and Regulations, which may be revised from time to time to apply the needs of the circumstances. It will now be the task of the students, officials and staff, administrators, and faculty of the University to start working on the IRRs to operationalize the various provisions of the Code. This Code is theirs. The credit is theirs for this Code is a reward for their dedication to the University. Their thoughts and ideas were mostly incorporated in the Code which greatly enriched it. I thank the Chairman and Members of the Board of Regents for finally approving this Code. They are Commissioner Jo Mark M. Libre, Chairperson-Designate and Regents Carlos Bernardo O. Abad Santos, Jose B. Patalinjug III, Allwin M. Wagan, Virgilio F. Lanzuela, Zachariah John A. Belmonte, Benefrido B. Reyes, Tristan A. Badilla, Members. I also would like to thank the former Commissioner-In Charge and Board Chairman Perfecto Alibin for his encouragement in the drafting and finalization of this Code. He pushed us beyond our limits, and emerged much better because of it.

PROFESSOR JESUS RODRIGO F. TORRES

May 2, 2022

FOREWORD TO THE FOURTH DRAFT

A few days ago the list of observations by the faculty members was given to me by the Board Secretary. Most of the observations, however, may be discussed in the crafting of the IRRs with a few tweaks on the provision on the Mission and Purpose of the University as embodied in Article 4 particularly on the offering of advanced vocational courses. This was particularly emphasized by Regent Zach Belmonte, and it turned out that it is in PD 1518.

Even when the approval of this Code is still hanging, we have already made some initial plans on the drafting of the IRRs. We will have a general workshop-seminar on how to write the IRRs. The people who will draft the specific provisions of the IRR shall be identified and formed into sub-committees, and if the situation in the Pandemic would allow, we may finally have face-to-face workshops. The sub committees will involve all sectors, from the officials, administrative employees, faculty members, to the students. The draft IRRs shall be submitted to the Executive Committee for finalization. The IRRs shall be referred to the Academic Councils and the ADCOs for discussion before being submitted to the BOR for deliberation and appropriate action.

PROFESSOR JESUS RODRIGO F. TORRES

July 12, 2021

FOREWORD TO THE THIRD DRAFT

In this draft I have integrated the suggestions of the Alumni Federation, Administrative Councils and the Academic Councils in all Campuses. The laws relevant to the suggestions of the Office of the Solicitor General have been painstakingly reviewed in order to have said suggestions integrated in the draft. Still there will be faults to be found in this Code, if those are specifically the things which one would be looking for, since this document cannot be perfect, as all things made by man are not perfect. I may even have missed some of the suggestions or found them to be incongruent to the other provisions. Nevertheless, this is the nearest the TUP has gone so far into having a University Code after four previous administrations who have spent millions of pesos each in various consultations to have their own Code drafted. Perhaps this Code will go the same way as the draft which came out in 2005—a forgotten document—or it may become the official TUP University Code if it survives the onslaught of academic politics. Its fate is now in the hands of the Board of Regents.

PROFESSOR JESUS RODRIGO F. TORRES

July 8, 2021

FOREWORD TO THE SECOND DRAFT

The consultations for the First Draft were undertaken from January 7, 2021 to March 11, 2021. The different sectors of the University such as the faculty, the academic and administrative officials, and the students, were represented in the consultations. Further, Assistant Solicitor General James Cundangan was occasionally present. Atty. Dan Abayon, Atty. Christian Calingasan, and Atty. Christopher Mortel were present in all consultations. I have integrated to this draft the suggestions of all the sectors.

PROFESSOR JESUS RODRIGO F. TORRES

March 2021

FOREWORD TO THE FIRST DRAFT

On the day after our last Board meeting on July 23, 2020, I had another of those eureka moments when I decided to begin writing the University Code of TUP. I am not exactly new to writing college and university Codes. I have done it twice in the RTU when as Director of Research and Development in 1992, I wrote the College Code of the then Rizal Technological Colleges. Rich in energy and theoretical knowledge but sorely lacking in experience, I was able to finish the 200-page Code in 22 days. Seven years later, I was able to finish the 200-page University Code of RTU in one and a half years. And now after more than 40 years of administrative and teaching experience, not to mention participation in CHED technical panels, RQAT teams, and technical committees, with much more experience and knowledge of the intricacies of the operations of the TUP, the relevant laws and pronouncements, and a greater ability to consult and to ask penetrating questions, I was able to finish drafting the University Code in 76 days. Needless to say, the Pandemic of 2020 has given me greater time to concentrate on the things needed to complete this University Code, including reading numerous laws, Supreme Court Decisions, CHED Memorandum Circulars, procurement law, and other materials.

Experience alone was not enough. I had to do much consultations. For this, I would like to acknowledge the invaluable insights given to me by the TUP Vice Presidents, Dr. Dionisio Espresion, Dr. Ricardo De Lumen, Dr. Maria Leonor Validor, and Dr. Melito Baccay. I frequently asked questions to Dean Juliet Catane, Dean Maria Ian De los Trinos, Dean Ben Fortaleza, and Dean Romeo Ebonite. Our new Registrar, Dr. Rosemarie Theresa Cruz, has been very helpful on matters regarding admission, registration and retention policies. Dr. Apolo Portez helped significantly in the section on student affairs, while Mr. Catalino Fortes gave me a lot of technical information on the administrative operations particularly on financial matters. Mr. Jonathan Monsad, then the Chief of Executive Staff and now Vice President for Administration and Finance, apprised me on the historical reasons for the present set-up of the University. I am grateful to Assistant Solicitor General Angelita Miranda for her guidance on personnel matters and issues, and for Atty. Christian Calingasan for giving me a very valuable book, the Education Act by Atty. Joseph Noel Estrada, a go-to book on the legal aspects of education. Ms. Mona J. Purganan and I had lengthy discussions on the procurement laws. Assistant Solicitor General James Lee Cundangan attended many of the consultations with the various sectors of the University and was particularly helpful in procedural matters affecting due process.

And thanks to God for giving me the strength and wisdom to undertake the project. In the beginning, I thought it would be a breeze, but with every new Article, Chapter, Section and Book the writing became more difficult, and I have to admit that there were moments when I just wanted to quit. But I am the President of TUP, and in TUP we never quit. And with all the grit, I am now presenting the First Draft of the University Code of TUP.

INTRODUCTION

When I took it upon myself to write the University Code of TUP, I knew that I had to be guided by clear principles in order for me to be able to proceed with clarity of direction in the drafting of the Code.

The first consideration is on the organizational structure of the University. When Ms. Mona Purganan gave me the Table of Organization of TUP with the job description of each, I was surprised to learn that the TUP organizational structure contains similar and overlapping positions and designations. For example, there were Assistant to the President designations which duplicate the functions of the regular designations. The problem with overlapping designations is not only on the costs entailed but also on the decision-making process as well as on who must have the responsibility, much more, the accountability, on the performance of a job. I have a personal experience on this myself when I was designated as Assistant to the President for Student Affairs while there was a Dean of Student Affairs. This function is one of the most problem-prone in the University, and inevitably, when a critical issue was encountered, the finger-pointing started and the two of us would not want to dip our fingers in the problem. Therefore, the importance of clearly delineating the functions and duties and responsibilities of each of the offices and officials is of paramount importance.

Secondly, the organizational set-up of the University must be lean and mean. Until now, entering my third year of being President, I still encounter designations which I have not known to have existed before and which I thought could have been absorbed into the functions of other offices. Again, conflicts and overlapping in the functions would be inevitable in this kind of set up. Thus, I have attempted to create a well-toned organizational structure through the combination of offices, with clearly defined functions for each. I have combined some functions and offices resulting into greater cohesiveness. I have proposed the upgrading of some positions into the Director level due to increased responsibilities and scope of operation.

Thirdly, the Code should clearly define the scope of authority of the officials in the Main Campus with those of the officials in the Campuses. Here, we must be guided by the principle of giving the Campuses a certain amount to autonomy without being unduly detached and independent from the entire system, and also following the principle of unity in diversity. When I became President of TUP, I was surprised to find out that the Campus Directors could sign contracts and MOAs without informing the President or even the Board of Regents. While it is true that the TUP is an amalgamated University with four different components with differing cultures and traditions being put in the same house, the time has come that all units must follow the same direction, and a clear set of rules to follow. I have, I believe, been quite successful in weaving the units into a common thread, while allowing individuality to prosper if that is best for the Campuses and to the University.

Another matter which I thought should be given attention is the undefined relationship of the Manila officials with the Campus officials and personnel. For example, the Academic Council as I have found it, is comprised, into one body, by the professors in ALL Campuses. Thus, there were occasions when professors in the Main Campus were required, at their own expense, to go to TUPV just to attend the Academic Council to be held there. Or the TUPV professors, as well as

those in Cavite and Taguig, to attend the Academic Council in Manila. In this proposed Code, each Campus will have their own Academic Councils and Administrative Councils, but with a common thread running in each of them: the President shall be the Presiding Officer. This task has been made a lot more accessible due to the Pandemic, when we have discovered our capability to hold online sessions, bridging time and space, and saving on costs as well.

Further, I have noticed that some VPs in the Main Campus, and even some other officials, perhaps not having a very clear notion of their duties and responsibilities, would directly interfere in the affairs of the Campuses, even by-passing the Director. In this regard, I have attempted to define the scope, limits, and delimitations of the functions of the Main Campus officials vis-à-vis the Campuses, and this will clearly be revealed in the provisions of the Code.

Fourthly, I sought to be guided by the most important laws including their implementing rules and regulations, CHED Memorandum Orders, Civil Service rules and regulations, Supreme Court decisions, and relevant guidelines issued by government agencies. The Code must be up to date on these jurisprudences. I was assisted in this regard by the lawyers of the Office of the Solicitor General whom I frequently consulted, and by our own lawyers in the University. The integration of the jurisprudence into the Code makes it more reliable and richer, particularly in the aspects of student governance, faculty and employee matters, the business and financial activities of the University particularly in budgeting, accounting, and procurement. And lastly, this Code is designed and written to stand the test of time. Often, rules and regulations change. Customs and practices also change. But the Code should transcend time and momentary need. While many of the provisions of the Code are self-executory, many provisions cannot be defined with finality as they are subject to periodic changes. For these provisions, we will have to supplement the provisions with implementing rules, guidelines, office orders, memoranda, and others, to give applicability to the provisions. The Code will have a second volume containing the details of executive action on the provisions.

PROFESSOR JESUS RODRIGO F. TORRES

October 2020