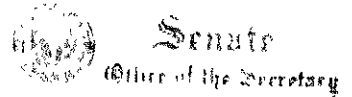



CONGRESS OF THE PHILIPPINES
SIXTEENTH CONGRESS
Second Regular Session



75 MAR 10 P2:47

SENATE

S. B. No. 2683

RECEIVED BY: 

INTRODUCED BY SENATOR FRANKLIN M. DRILON

AN ACT CONVERTING THE SURALLAH NATIONAL AGRICULTURAL SCHOOL IN THE MUNICIPALITY OF SURALLAH, PROVINCE OF SOUTH COTABATO INTO A STATE COLLEGE TO BE KNOWN AS THE SOUTH COTABATO STATE COLLEGE, AND APPROPRIATING FUNDS THEREFOR

Established in 1976, the Surallah National Agricultural School stands as the lone government tertiary agricultural institution in the entire Province of South Cotabato. Notwithstanding the limited resources under its command, this institution has maintained its level of competence as a learning institution that offers various agriculture and technical related courses.

It is thus our aspiration to further improve the facilities and services of the institution to better serve current students and entice prospective enrollees residing in the Province of South Cotabato. Being the Regional Seat of Government of Region XII, it is high time to establish a state college in the province that would cater to and address the long-time clamor of the communities for the offering of collegiate courses by a government institution.

This bill seeks to convert the Surallah National Agricultural School in the Province of South Cotabato into a State College to be known as the South Cotabato State College (SCSC), and appropriating funds therefor.

In view of the foregoing, passage of the bill is earnestly sought.


FRANKLIN M. DRILON

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

1 **SECTION 1. Conversion.** – The Surallah National Agricultural School in
2 the Municipality of Polomolok, Province of South Cotabato is hereby converted into a
3 state college to be known as the South Cotabato State College, hereinafter referred to
4 as the College.

5

6 **SEC. 2. General Mandate.** – The College shall primarily provide both
7 advanced instruction and research in agriculture and allied technological sciences
8 including education, arts and related sciences. It shall also undertake extension and
9 development programs, and provide the necessary instructional and research
10 leadership in agricultural, environmental and technological development in
11 SOCCSKSARGEN, composed of South Cotabato, Cotabato, Sultan Kudarat,
12 Sarangani and General Santos City.

13

14 **SEC. 3. Curricular Offerings.** – The College shall offer undergraduate and
15 graduate courses in the fields of agriculture, environmental management,
16 engineering, education, arts and sciences, and other degree courses within its areas
17 of specialization and according to its capabilities, as the Board of Trustees may deem

1 necessary to carry out its objectives and in order to meet the needs of the Province of
2 South Cotabato and the SOCKSARGEN.

3
4 **SEC. 4. Administration.** – The College shall have the general powers of a
5 corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as
6 the “Corporation Code of the Philippines”. The administration of the College and the
7 exercise of its corporate powers shall be vested exclusively in the Board of Trustees
8 and the President of the College.

9
10 **SEC. 5. The Governing Board.** – The governing board of the College shall
11 be the Board of Trustees, hereinafter referred to as the Board, which shall be
12 composed of the following:

- 13
14 (a) The Chairperson of the Commission on Higher Education
15 (CHED), Chairperson;
- 16 (b) The President of the College, Vice Chairperson;
- 17 (c) The Chairperson of the Committee on Education, Arts and
18 Culture of the Senate, member;
- 19 (d) The Chairperson of the Committee on Higher and Technical
20 Education of the House of Representatives, member;
- 21 (e) The Regional Director of the National Economic and
22 Development Authority (NEDA), member;
- 23 (f) The Regional Director of the Department of Agriculture (DA),
24 member;
- 25 (g) The President of the faculty association of the College, member;
- 26 (h) The President of the student council of the College, member;
- 27 (i) The President of the alumni association of the College, member;
- 28 and
- 29 (j) Two (2) prominent citizens from the private sector who have
30 distinguished themselves in their profession or fields of
31 specialization of the College, members.
- 32

1 The Board shall appoint the two (2) prominent citizens from among a list of at
2 least five (5) qualified persons in the Province of South Cotabato, as recommended
3 by the search committee constituted by the College President, in consultation with
4 the Chairperson of the CHED and other members of the Board, based on the normal
5 standards and qualifications for the position.

6
7 The term of office of the President of the faculty association, the President of
8 the student council and the President of the alumni association shall be coterminous
9 with their respective terms of office, as set forth in their respective constitutions and
10 bylaws.

11
12 The two (2) prominent citizens shall serve for a term of two (2) years from the
13 date of appointment.

14
15 **SEC. 6. *Promulgation and Implementation of Policies.*** – The Board
16 shall promulgate and implement policies in accordance with the declared State
17 policies on education and other pertinent provisions of the Philippine Constitution
18 on education, agriculture, science and technology, as well as the policies, standards
19 and thrusts of the CHED under Republic Act No. 7722, otherwise known as the
20 “Higher Education Act of 1994”.

21
22 **SEC. 7. *Powers and Duties of the Board of Trustees.*** – The Board shall
23 have the following specific powers and duties, in addition to its general powers of
24 administration and the exercise of all the powers granted to the board of directors of
25 a corporation under existing laws:

- 26
27 (a) To promulgate rules and regulations as may be necessary to carry out
28 the purposes and functions of the College;
- 29 (b) To receive and appropriate all sums as may be provided for the support
30 of the College in the manner it may determine in its discretion, in order
31 to carry out the purposes and functions of the College;
- 32 (c) To import duty-free economic, technical and cultural books and/or
33 publications, upon certification by the CHED that such imported books

1 and/or publications are for economic, technical, vocational, scientific,
2 philosophical, historical or cultural purposes, in accordance with the
3 provisions of the Tariff and Customs Code of the Philippines, as
4 amended;

- 5 (d) To receive in trust legacies, gifts and donations of real and personal
6 properties of all kinds and to administer and dispose of the same when
7 necessary for the benefit of the College, and subject to the limitations,
8 directions and instructions of the donor, if any.

9 Such donations shall be exempt from the donor's tax and the same shall
10 be considered as allowable deductions from the gross income in the
11 computation of the income tax of the donor, in accordance with the
12 provisions of the National Internal Revenue Code (NIRC) of 1997, as
13 amended: *Provided*, That such donations shall not be disposed of,
14 transferred or sold;

- 15 (e) To fix the tuition fees and other necessary school charges such as, but
16 not limited to, matriculation fees, graduation fees and laboratory fees,
17 as the Board may deem proper to impose, after due consultations with
18 the involved sectors. Such fees and charges, including government
19 subsidies and other income generated by the College, shall constitute
20 special trust funds and shall be deposited in any authorized
21 government depository bank, and all interests that shall accrue
22 therefrom shall form part of the same funds for the use of the College.
23 Any provision of existing laws, rules and regulations to the contrary
24 notwithstanding, any income generated by the College from tuition fees
25 and other charges, as well as from the operation of auxiliary services
26 and land grants, shall be retained by the College, and may be disbursed
27 by the Board for instruction, research, extension or other
28 programs/projects of the College: *Provided*, That all fiduciary fees shall
29 be disbursed for the specific purposes for which these are collected.

30 If, for reasons beyond its control, the College shall not be able to pursue
31 any project for which the funds have been appropriated and allocated
32 under its approved program of expenditures, the Board may authorize
33 the use of said funds for any reasonable purpose which, in its

1 discretion, may be necessary and urgent for the attainment of the
2 objectives and goals of the College;

3 (f) To adopt and implement a socialized scheme of tuition and school fees
4 for greater access to poor but deserving students;

5 (g) To authorize the construction or repair of its buildings, machinery,
6 equipment and other facilities, and the purchase and acquisition of real
7 property, including necessary supplies, materials and equipment;

8 (h) To appoint upon recommendation of the President of the College, Vice
9 Presidents, deans, directors, heads of campuses, faculty members, and
10 other officials and employees of the College;

11 (i) To fix and adjust salaries of faculty members and administrative
12 officials and employees, subject to the provisions of the Revised
13 Compensation and Position Classification System and other pertinent
14 budget and compensation laws governing hours of service and such
15 other duties and conditions as it may deem proper; to grant them, at its
16 discretion, leaves of absence under such regulations as it may
17 promulgate, any provision of existing law to the contrary
18 notwithstanding; and to remove them for cause in accordance with the
19 requirements of due process of law;

20 (j) To approve the curricula, instructional programs and rules of discipline
21 drawn by the Administrative and Academic Councils herein provided;

22 (k) To set policies on admission and graduation of students;

23 (l) To award honorary degrees upon persons in recognition of their
24 outstanding contribution in the fields of education, public service, arts,
25 science and technology, agriculture or in any field of specialization
26 within the academic competence of the College; and to authorize the
27 awarding of certificates of completion of non-degree and non-
28 traditional courses;

29 (m) To establish and absorb non-chartered tertiary institutions within the
30 Province of South Cotabato as branches and centers in coordination
31 with the CHED, and in consultation with the Department of Budget and
32 Management (DBM), and to offer therein programs or courses, to

- 1 promote and carry out equal access to educational opportunities as
2 mandated by the Constitution;
- 3 (n) To establish research and extension centers of the College where such
4 will promote the development of the latter;
- 5 (o) To establish professorial chairs in the College and to provide
6 fellowships for qualified faculty members and scholarships to
7 deserving students;
- 8 (p) To delegate any of its powers and duties provided Herein above to the
9 President and/or other officials of the College as it may deem
10 appropriate, so as to expedite the administration of the affairs of the
11 College;
- 12 (q) To authorize an external management audit of the College, to be
13 financed by the CHED, subject to the rules and regulations of the
14 Commission on Audit (COA); and to institute reforms, including
15 academic and structural changes, on the basis of the audit results and
16 recommendations;
- 17 (r) To collaborate with other governing boards of the state colleges and
18 universities within the Province of South Cotabato or the REGION XII
19 (SOCCSKSARGEN), under the supervision of the CHED and in
20 consultation with the DBM, and work towards the restructuring of the
21 College to become more efficient, relevant, productive and competitive;
- 22 (s) To enter into joint ventures with business and industry for the
23 profitable development and management of the economic assets of the
24 College, the proceeds from which shall be used for the development and
25 strengthening of the College;
- 26 (t) To develop consortia and other economic forms of linkages with local
27 government units, institutions and agencies, both public and private,
28 local and foreign, in the furtherance of the purposes and objectives of
29 the College;
- 30 (u) To develop academic arrangements for institutional capability building
31 with appropriate institutions and agencies, public and private, local
32 and foreign, and to appoint experts/specialists as consultants, part-

1 time or visiting or exchange professors, scholars or researchers, as the
2 case may be;

3 (v) To set up the adoption of modern and innovative modes of transmitting
4 knowledge such as the use of information technology, the dual learning
5 system, open or distance education and community laboratory for the
6 promotion of greater access to education;

7 (w) To establish policy guidelines and procedures for participative
8 decision-making and transparency within the College;

9 (x) To privatize, where most advantageous to the College, management of
10 non-academic services such as health, food, building or grounds or
11 property maintenance and such other similar activities; and

12 (y) To extend the term of the President of the College beyond the age of
13 retirement but not beyond the age of seventy (70), whose performance
14 has been unanimously rated by the Board as outstanding based on the
15 guidelines, qualifications and/or standards set by the Board, after
16 unanimous recommendation by the search committee.

17
18 **SEC. 8. Meetings of the Board.** – The Board shall regularly convene at
19 least once every quarter. However, the Chairperson of the Board may, upon three (3)
20 days' prior written notice, call a maximum of two (2) special meetings whenever
21 necessary.

22
23 A quorum of the Board shall consist of majority of all its members holding
24 office at the time of the meeting: *Provided, however,* that the Chairperson of the
25 Board or the President of the College is among those present in the meeting.

26
27 In the absence of the Chairperson of the CHED, a Commissioner of the CHED,
28 duly designated by him/her, shall represent him/her in the meeting with all the
29 rights and responsibilities of a regular member: *Provided, however,* That during this
30 meeting, the President of the College as Vice Chairperson shall be the Presiding
31 Officer: *Provided, further,* That this *provison* notwithstanding, the Chairperson of
32 the CHED is hereby authorized to designate a CHED Commissioner as the regular

1 Chair of the Board, in which case said CHED Commissioner shall act as the Presiding
2 Officer.

3
4 In case the Chairpersons of the Congressional Committees on Education shall
5 not be able to attend the Board meeting, they may duly designate their respective
6 representatives to attend the said meeting, who shall have the same rights and
7 responsibilities as a regular member of the Board.

8
9 The members of the Board shall not receive any salary but shall be entitled to
10 reimbursements for actual and necessary expenses incurred, either in their
11 attendance to meetings of the Board or in connection with other official business
12 authorized by resolution of the Board, subject to existing laws and regulations.

13
14 **SEC. 9. The College President.** – The College shall be headed by a
15 President, who shall render full-time service. He/she shall be appointed by the
16 Board, subject to the guidelines, qualifications and/or standards set by the Board,
17 upon recommendation of a duly constituted search committee.

18
19 He/she shall serve for a term of four (4) years and shall be eligible for
20 reappointment for another term: *Provided*, That in order to effect a smooth
21 transition to a state College, the incumbent President of the Surallah National
22 Agricultural School shall *ipso facto* become the first President of the College.

23
24 Within six (6) months before the expiration of the term of office of the
25 incumbent President of the College, the Board shall constitute the Search Committee
26 for the Presidency (SCP).

27
28 In case of vacancy in the Office of the President by reason of death,
29 compulsory retirement, resignation, removal for cause or incapacity of the president
30 to perform the functions of his/her office, the Board shall have the authority to
31 designate an Officer-in-Charge of the College pending the appointment of a new
32 President.

1 In case of vacancy in the Office of the President as mentioned in the
2 immediately preceding paragraph, his/her successor or the Officer-in-Charge shall
3 serve only the unexpired portion of the term.

4
5 The powers and duties of the President of the College, in addition to those
6 specifically provided in this Act, shall be those usually pertaining to the Office of the
7 President of similar universities, and those delegated by the Board.

8
9 The salary of the President of the College shall be in accordance with the
10 Revised Compensation and Position Classification System and shall be comparable to
11 that being received by the Presidents of similar educational institutions.

12
13 The President of the College shall be assisted by a Vice President for Academic
14 Affairs and a Vice President for Administration, who shall be appointed by the Board
15 upon recommendation of the President.

16
17 **SEC. 10. *The Administrative Council.*** – There shall be an Administrative
18 Council consisting of the President of the College as Chairperson, Vice Presidents,
19 deans, directors and other officials of equal rank as members, whose duty is to review
20 and recommend to the Board the policies governing the administration, management
21 and development planning of the College.

22
23 **SEC. 11. *The Academic Council.*** – There shall be an Academic Council to
24 be composed of the President of the College, who shall act as Chairperson, and all the
25 academic staff with the rank of at least an assistant professor, as members.

26
27 The Academic Council shall have the power to review and recommend the
28 curricular offerings and rules of discipline of the College, subject to the approval of
29 the Board. It shall fix the requirements for the admission of students as well as for
30 their graduation and the conferment of degrees, subject to review and/or approval by
31 the Board through the President of the College. It shall have the disciplinary power
32 over students of the College and shall formulate academic policies and rules and
33 regulations on discipline, subject to the approval of the Board.

1
2 **SEC. 12. *The Secretary of the College.*** – The Board shall appoint a
3 Secretary, who shall serve as such for both the Board and the College and shall keep
4 all records and proceedings of the Board. He/she shall serve upon each member of
5 the Board the appropriate notice of the Board meetings.

6
7 **SEC. 13. *The Treasurer of the College.*** – The Treasurer of the
8 Philippines shall be the *ex officio* treasurer of the College.

9
10 **SEC. 14. *The Faculty.*** – No political beliefs, gender preference, cultural or
11 community affiliation or ethnic origin, and religious opinion or affiliation shall be a
12 matter of inquiry in the appointment of faculty members of the College: *Provided,*
13 *however,* That said appointment shall be subject to the guidelines, qualifications
14 and/or standards set by the Board: *Provided, further,* that no member of the faculty
15 shall teach for or against any particular church or religious sect.

16
17 **SEC. 15. *Scholarship Program/Admission.*** – The College shall provide
18 a scholarship program and other affirmative action programs to assist poor but
19 deserving students who qualify for admission to the College. No student shall be
20 denied admission to the College by reason of sex, religion, cultural or community
21 affiliation or ethnic origin.

22
23 **SEC. 16. *Academic Freedom and Institutional Autonomy.*** – The
24 College shall enjoy academic freedom and institutional autonomy, pursuant to
25 paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the
26 Philippines.

27
28 **SEC. 17. *Authority to Loan or Transfer Apparatus/ Equipment/***
29 ***Supplies and Detail of Personnel.*** – The heads of the bureaus and offices of the
30 national government are hereby authorized to loan or transfer, upon the request of
31 the President of the College, such apparatus, equipment or supplies as may be
32 needed by the College, and to detail employees for duty therein when, in the
33 judgment of the head of bureau or office, such apparatus, equipment, supplies or

1 services of such employees can be spared without serious detriment to the public
2 service. The employees so detailed shall perform such duties as required of them by
3 the President of the College, and the time so employed shall be counted as part of
4 their regular services.

5
6 **SEC. 18. *Assets, Liabilities and Personnel.*** – All assets, real and
7 personal, personnel and records of the Surallah National Agricultural School, as well
8 as liabilities or obligations, are hereby transferred to the College. The positions,
9 rights and security of tenure of faculty members and personnel therein employed
10 under existing laws prior to the conversion into a College shall be respected.

11
12 All parcels of land belonging to the government occupied by the **The**
13 **Surallah National Agricultural School** are hereby declared to be property of the
14 College and shall be titled under that name: *Provided*, That should the College cease
15 to exist or be abolished or should such parcels of land aforementioned be no longer
16 needed by the College, the same shall revert to the national government.

17
18 **SEC. 19. *Appropriations.*** – The amount necessary to carry out the
19 provisions of this Act shall be charged against the current year's appropriations of
20 the The Surallah National Agricultural School. Thereafter, such sums as may be
21 necessary for the continued operation and maintenance of the South Cotabato State
22 College shall be included in the annual General Appropriations Act.

23
24 **SEC. 20. *Development Plan, Management Audit/ Organizational/***
25 ***Administrative/ Academic Structure.*** – Within the period of one hundred
26 twenty (120) days after the approval of this Act, the College shall accomplish the
27 following:

28
29 (a) Submit a five (5)-year development plan, including its corresponding
30 program budget to the CHED, for corresponding recommendation to
31 the DBM;

32 (b) Undergo a management audit in cooperation with the CHED;

33 And

1 (b) Accordingly set up its organizational, administrative as well as
2 academic structure, including the appointment of the College key
3 officials.
4

5 **SEC. 21. *Filing of Report.*** – On or before the fifteenth (15th) day of the
6 second (2nd) month after the opening of the regular classes each year, the Board
7 shall file with the Office of the President of the Philippines through the Chairperson
8 of the CHED, and with both Houses of Congress a detailed report on the progress,
9 conditions and needs of the College.
10

11 **SEC. 22. *Supplementary Application.*** – The provisions of Republic Act No.
12 8292, otherwise known as the “Higher Education Modernization Act of 1997”, shall
13 be an integral part of this Act and shall serve as part of the Governing Charter of the
14 College.
15

16 **SEC. 23. *Parity Clause.*** – All other powers, functions and privileges,
17 responsibilities and limitations to state universities and/or their officials under
18 existing laws shall be deemed granted to or imposed upon the College and/or its
19 officials, whenever appropriate.
20

21 **SEC. 24. *Implementing Rules and Regulations.*** – The Board, in
22 consultation with the CHED, shall formulate the guidelines to fully implement the
23 provisions of this Act.
24

25 **SEC. 25. *Separability Clause.*** – If, for any reason, any part or provision of
26 this Act is declared invalid or unconstitutional, the remaining parts or provisions not
27 affected thereby shall remain in full force and effect.
28

29 **SEC. 26. *Repealing Clause.*** – All laws, presidential decrees, executive
30 orders, rules and regulations contrary to or inconsistent with the provisions of this
31 Act are hereby repealed or modified accordingly.
32

1 **SEC. 27. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
2 publication in two (2) newspapers of general circulation.

3

4 Approved,