



## HOUSE OF REPRESENTATIVES

H. No. 7119

---

---

BY REPRESENTATIVES PINGOY, VILLAR, CUA (J.), JAVIER AND REMULLA,  
PER COMMITTEE REPORT NO. 2583

---

---

AN ACT ESTABLISHING A STATE COLLEGE IN THE CITY OF  
KORONADAL, PROVINCE OF SOUTH COTABATO TO BE  
KNOWN AS THE SOUTH COTABATO STATE COLLEGE AND  
APPROPRIATING FUNDS THEREFOR

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

1           SECTION 1. *Establishment.* – There is hereby established a state  
2 college in the City of Koronadal, Province of South Cotabato to be known as  
3 the South Cotabato State College, hereinafter referred to as the College.

4           SEC. 2. *General Mandate.* – The College shall primarily provide  
5 advanced education, higher technological, professional instruction and training  
6 in arts and sciences, education, agriculture, engineering, business and  
7 entrepreneurial technology and other relevant fields of study. It shall also  
8 undertake research and extension services and provide progressive leadership  
9 in its areas of specialization.

10          SEC. 3. *Curricular Offerings.* – The College shall offer undergraduate  
11 and graduate courses in the fields of arts and sciences, education, agriculture,  
12 engineering, business and entrepreneurial technology and other

1 degrees/courses within its areas of specialization and according to its  
2 capabilities as the Board of Trustees may deem necessary to carry out its  
3 objectives, particularly to meet the needs of the Province of South Cotabato  
4 and Region XII.

5 The College may operate a reasonably-sized laboratory school, if it has  
6 a College of Education.

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

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

15 (a) The Chairperson of the Commission on Higher Education (CHED),  
16 Chairperson;

17 (b) The President of the College, Vice Chairperson;

18 (c) The Chairperson of the Committee on Education, Arts and Culture  
19 of the Senate, member;

20 (d) The Chairperson of the Committee on Higher and Technical  
21 Education of the House of Representatives, member;

22 (e) The Regional Director of the National Economic and Development  
23 Authority (NEDA), member;

24 (f) The Regional Director of the Department of Science and  
25 Technology (DOST), member;

26 (g) The President of the faculty association of the College, member;

27 (h) The President of the student council of the College, member;

28 (i) The President of the alumni association of the College, member;

29 and

1 (j) Two (2) prominent citizens from the private sector who have  
2 distinguished themselves in their profession or fields of specialization of the  
3 College, members.

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

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

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

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  
18 Constitution on education, agriculture, science and technology, as well as the  
19 policies, standards and thrusts of the CHED under Republic Act No. 7722,  
20 otherwise known as the “Higher Education Act of 1994”.

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

25 (a) To promulgate rules and regulations not contrary to law as may be  
26 necessary to carry out the purposes and functions of the College;

27 (b) To receive and appropriate all sums as may be provided, for the  
28 support of the College in the manner it may determine, in its discretion, in  
29 order to carry out the powers and functions of the College;

1 (c) To import duty-free economic, technical and cultural books and/or  
2 publications, upon certification by the CHED that such imported books and/or  
3 publications are for economic, technical, vocational, scientific, philosophical,  
4 historical or cultural purposes, in accordance with the provisions of the Tariff  
5 and Customs Code of the Philippines, as amended;

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

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

15 (e) To fix the tuition fees and other necessary school charges such as,  
16 but not limited to, *matriculation fees, graduation fees and laboratory fees,* as  
17 the Board may deem proper to impose, after due consultations with the  
18 involved sectors.

19 Such fees and charges, including government subsidies and other  
20 income generated by the College, shall constitute special trust funds and shall  
21 be deposited in any authorized government depository bank, and all interest  
22 that shall accrue therefrom shall form part of the same funds for the use of the  
23 College.

24 Any provision of existing laws, rules and regulations to the contrary  
25 notwithstanding, any income generated by the College from tuition fees and  
26 other charges, as well as from the operation of auxiliary services and land  
27 grants shall be retained by the College, and may be disbursed by the Board for

1 instruction, research, extension or other programs/projects of the College:  
2 *Provided, That all fiduciary fees shall be disbursed for the specific purpose for*  
3 *which these are collected.*

4 If, for reasons beyond its control, the College shall not be able to pursue  
5 any project for which funds have been appropriated and allocated under its  
6 approved program of expenditures, the Board may authorize the use of said  
7 funds for any reasonable purpose which, in its discretion, may be necessary  
8 and urgent for the attainment of the objectives and goals of the College;

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

11 (g) To authorize the construction or repair of its buildings, machinery,  
12 equipment and other facilities and the purchase and acquisition of real and  
13 personal properties, including necessary supplies, materials and equipment;

14 (h) To appoint, upon recommendation of the President of the College,  
15 Vice Presidents, deans, directors, heads of departments, faculty members and  
16 other officials and employees of the College;

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

25 (j) To approve the curricula, instructional programs and rules of  
26 discipline drawn by the Administrative and Academic Councils as herein  
27 provided;

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

1 (l) To award honorary degrees upon persons in recognition of their  
2 outstanding contribution in the fields of agriculture, public service, arts,  
3 science and technology, education or in any field of specialization within the  
4 academic competence of the College; and to authorize the awarding of  
5 certificate of completion of nondegree and nontraditional courses;

6 (m) To establish and absorb nonchartered tertiary institutions within the  
7 Province of South Cotabato as branches and extension centers in coordination  
8 with the CHED and in consultation with the Department of Budget and  
9 Management (DBM), and to offer therein programs or courses to promote and  
10 carry out equal and greater access to educational opportunities as mandated by  
11 the Constitution;

12 (n) To establish research and extension centers of the College where  
13 such will promote the development of the latter;

14 (o) To establish professorial chairs in the College and to provide  
15 fellowships for qualified faculty members and scholarships to deserving  
16 students;

17 (p) To delegate any of its powers and duties provided for hereinabove  
18 to the President or Officer-in-Charge and/or other officials of the College as it  
19 may deem appropriate, so as to expedite the administration of the affairs of the  
20 College;

21 (q) To authorize an external management audit of the College, to be  
22 financed by the CHED, subject to the rules and regulations of the Commission  
23 on Audit (COA); and to institute reforms, including academic and structural  
24 changes on the basis of the audit results and recommendations;

25 (r) To collaborate with other governing boards of state universities and  
26 colleges within the Province of South Cotabato or Region XII, under the  
27 supervision of the CHED and in consultation with the DBM, and work towards  
28 the restructuring of the College to become more efficient, relevant, productive  
29 and competitive;

1           (s) To enter into joint ventures with business and industry for the  
2 profitable development and management of the economic assets of the College,  
3 the proceeds from which shall be used for the development and strengthening  
4 of the same;

5           (t) To develop consortia and other forms of linkages with local  
6 government units (LGUs), institutions and agencies, both public and private,  
7 local and foreign, in furtherance of the purposes and objectives of the College;

8           (u) To develop academic arrangements for institutional capability  
9 building with appropriate institutions and agencies, public and private, local  
10 and foreign, and to appoint experts/specialists as consultants, part-time or  
11 visiting or exchange professors, scholars or researchers, as the case may be;

12           (v) To set up the adoption of modern and innovative modes of  
13 transmitting knowledge such as the use of information technology, the dual  
14 learning system, open learning or distance education and community  
15 laboratory for the promotion of greater access to higher education and graduate  
16 studies, as the case may be;

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

19           (x) To privatize, where most advantageous to the College, the  
20 management of nonacademic services such as health, food, building, grounds  
21 or property maintenance and *such other similar activities; and*

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

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

5           A quorum of the Board shall consist of majority of all its members  
6 holding office at the time of the meeting: *Provided, however,* That the  
7 Chairperson of the CHED or the President of the College is among those  
8 present in the meeting.

9           In the absence of the Chairperson of the CHED, a Commissioner of the  
10 CHED, duly designated by him/her, shall represent him/her in the meeting with  
11 all the rights and responsibilities of a regular member: *Provided, however,*  
12 That during this meeting, the President of the College as Vice Chairperson  
13 shall be the Presiding Officer: *Provided, further,* That this *proviso*  
14 notwithstanding, the Chairperson of the CHED is hereby authorized to  
15 designate a CHED Commissioner as the regular Chair of the Board, in which  
16 case said CHED Commissioner shall act as the Presiding Officer.

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

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

26           SEC. 9. *The College President.* -- The College shall be headed by a  
27 President, who shall render full-time service. He/She shall be appointed by the  
28 Board, subject to the guidelines, qualifications and/or standards set by the



1 Board, upon recommendation of a duly constituted search committee. He/She  
2 shall have a term of four (4) years and shall be eligible for reappointment for  
3 another term.

4 Pending the appointment of the first President of the College, the  
5 Chairperson of the CHED shall appoint an Officer-in-Charge of the College.

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

9 In case of vacancy in the Office of the President by reason of death,  
10 compulsory retirement, resignation, removal for cause or incapacity of the  
11 President to perform the functions of his/her office, the Board shall designate  
12 an Officer-in-Charge of the College within six (6) months from the date of  
13 vacancy, pending the appointment of a new President.

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

17 The powers and duties of the President of the College, in addition to  
18 those specifically provided in this Act, shall be those usually pertaining to the  
19 Office of the President of similar colleges, and those delegated by the Board.

20 The salary of the President of the College shall be in accordance with  
21 the Revised Compensation and Position Classification System and shall be  
22 comparable to that being received by the Presidents of similar educational  
23 institutions.

24 The President of the College shall be assisted by a Vice President for  
25 Academic Affairs, who shall be appointed by the Board upon recommendation  
26 of the President.

1           SEC. 10. *The Administrative Council.* – There shall be an  
2 Administrative Council consisting of the President of the Collège as  
3 Chairperson, Vice Presidents, deans, directors and other officials of equal rank  
4 as members, whose duty is to review and recommend to the Board the policies  
5 governing the administration, management and development planning of the  
6 College.

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

11           The Academic Council shall have the power to review and recommend  
12 the curricular offerings and rules of discipline of the College, subject to the  
13 approval of the Board. It shall fix the requirements for the admission of  
14 students, as well as for their graduation and conferment of degrees, subject to  
15 review and/or approval by the Board through the President of the College. It  
16 shall have the disciplinary power over students of the College and shall  
17 formulate academic policies and rules and regulations on discipline, subject to  
18 the approval of the Board.

19           SEC. 12. *The Secretary of the College.* – The Board shall appoint a  
20 Secretary, who shall serve as such for both the Board and the College and shall  
21 keep all records and proceedings of the Board. He/She shall serve upon each  
22 member of the Board the appropriate notice of the Board meetings.

23           SEC. 13. *The Treasurer of the College.* – The Treasurer of the  
24 Philippines shall be the *ex officio* treasurer of the College.

25           SEC. 14. *The Faculty.* – No political beliefs, gender preference,  
26 cultural or community affiliation or ethnic origin, and religious opinion or  
27 affiliation shall be a matter of inquiry in the appointment of faculty members

1 of the College: *Provided*, That the said appointment shall be subject to the  
2 guidelines, qualifications and/or standards set by the Board: *Provided, further*,  
3 That no member of the faculty shall teach for or against any particular church  
4 or religious sect.

5 SEC. 15. *Scholarship Program/Admission*. – The College shall  
6 provide a scholarship program and other affirmative action programs to assist  
7 poor but deserving students who qualify for admission to the College.

8 No student shall be denied admission to the College by reason of sex,  
9 religion, cultural or community affiliation or ethnic origin.

10 SEC. 16. *Academic Freedom and Institutional Autonomy*. – The  
11 College shall enjoy academic freedom and institutional autonomy, pursuant to  
12 paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of  
13 the Philippines.

14 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/  
15 Supplies and Detail of Personnel*. – The heads of the bureaus and offices of  
16 the national government are hereby authorized to loan or transfer, upon the  
17 request of the President of the College, such apparatus, equipment or supplies  
18 as may be needed by the College, and to detail employees for duty therein  
19 when, in the judgment of the head of bureau or office, such apparatus,  
20 equipment, supplies or services of such employees can be spared without  
21 serious detriment to public service.

22 The employees so detailed shall perform such duties as required of them  
23 by the President of the College, and the time so employed shall be counted as  
24 part of their regular services.

25 SEC. 18. *Campus Site/Assets*. – The College shall have an area of not  
26 less than five (5) hectares, at least three (3) hectares of which are contiguous to  
27 the main campus, for its exclusive use as campus site for its academic and  
28 instructional programs, research and development activities and experimental  
29 and laboratory facilities.

1           The Board shall forthwith recommend a suitable site within the  
2 Municipality of Koronadal for this purpose. This parcel of land to be occupied  
3 by the South Cotabato State College is hereby declared to be property of the  
4 College, and shall be titled under that name: *Provided*, That should the  
5 College cease to exist or be abolished, or should such parcels of land  
6 aforementioned be no longer needed by the College, the same shall revert to  
7 the LGUs concerned.

8           SEC. 19. *Appropriations.* – The amount necessary to carry out the  
9 provisions of this Act shall be included in the annual General Appropriations  
10 Act of the year following its enactment into law and thereafter.

11           SEC. 20. *Development Plan, Management Audit, Organizational/  
12 Administrative/Academic Structure.* – Within the period of one hundred  
13 twenty (120) days after the approval of this Act, the College shall accomplish  
14 the following:

15           (a) Submit a five (5)-year development plan, including its  
16 corresponding program budget to the CHED, for corresponding  
17 recommendation to the DBM;

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

19           (c) Accordingly set up its organizational, administrative as well as  
20 academic structure, including the appointment of key College officials.

21           SEC. 21. *Filing of Report.* – On or before the fifteenth (15<sup>th</sup>) day of  
22 the second (2<sup>nd</sup>) month after the opening of the regular classes each year, the  
23 Board shall file with the Office of the President of the Philippines through the  
24 Chairperson of the CHED, and with both Houses of Congress a detailed report  
25 on the progress, conditions and needs of the College.

1           SEC. 22. *Supplementary Application.* – The provisions of Republic Act  
2 No. 8292, otherwise known as the “Higher Education Modernization Act of  
3 1997”, shall be an integral part of this Act and shall serve as part of the  
4 Governing Charter of the College.

5           SEC. 23. *Parity Clause.* – All other powers, functions and privileges,  
6 responsibilities and limitations to state colleges and/or their officials under  
7 existing laws shall be deemed granted to or imposed upon the College and/or  
8 its officials whenever appropriate.

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

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

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

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

Approved,

○