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COMMITTEE REPORT NO. 620

Submitted jointly by the Committees on Education, Arts and Culture, Ways and Means and Finance on JAN 30 2019

Re: House Bill No. 8799

Recommending its approval without amendments, taking into consideration Senate Bill No. 2045

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committees on Education, Arts and Culture, Ways and Means and Finance to which were referred House Bill No. 8799, introduced by Rep. Acosta-Alba, L., *et. al.*, entitled:


"AN ACT
CONVERTING THE NORTHERN BUKIDNON COMMUNITY COLLEGE IN THE
MUNICIPALITY OF MANOLO FORTICH, PROVINCE OF BUKIDNON, INTO A STATE
COLLEGE TO BE KNOWN AS THE NORTHERN BUKIDNON STATE COLLEGE, AND
APPROPRIATING FUNDS THEREFOR"

Senate Bill No. 2045, introduced by Senator Juan Miguel "Migz" Zubiri, entitled:

"AN ACT
CONVERTING THE NORTHERN BUKIDNON COMMUNITY COLLEGE IN THE
MUNICIPALITY OF MANOLO FORTICH, PROVINCE OF BUKIDNON, INTO A STATE
COLLEGE TO BE KNOWN AS THE NORTHERN BUKIDNON STATE COLLEGE, AND
APPROPRIATING FUNDS THEREFOR"

have considered the same and have the honor to report them back to the Senate with the recommendation that House Bill No. 8799 be approved without amendments, taking into consideration Senate Bill No. 2045.

Respectfully submitted:



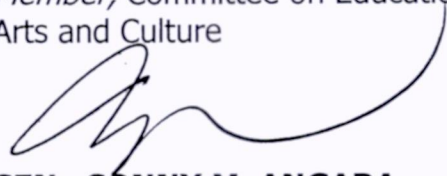
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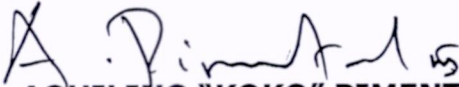


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Senate President



HOUSE OF REPRESENTATIVES

H. No. 8799

BY REPRESENTATIVES ACOSTA-ALBA, JAVIER, ZAMORA (M.C.),
SUANSING (E.) AND NIETO, PER COMMITTEE REPORT NO. 1034

AN ACT CONVERTING THE NORTHERN BUKIDNON
COMMUNITY COLLEGE IN THE MUNICIPALITY OF
MANOLO FORTICH, PROVINCE OF BUKIDNON, INTO A
STATE COLLEGE TO BE KNOWN AS THE NORTHERN
BUKIDNON STATE COLLEGE, AND APPROPRIATING
FUNDS THEREFOR

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

1 SECTION 1. *Conversion.* - The Northern Bukidnon
2 Community College in the Municipality of Manolo Fortich, Province
3 of Bukidnon, is hereby converted into a state college to be known
4 as the Northern Bukidnon State College, and hereinafter referred
5 to as the College. Its main campus shall be in the Municipality
6 of Manolo Fortich.

7 SEC. 2. *General Mandate.* - The College shall primarily
8 provide advance studies and research, higher professional and
9 technical instructions and training in science and technology, and
10 other related fields. It shall also undertake research and extension

1 services, and provide progressive leadership in its areas of
2 specialization in the Province of Bukidnon and in Region X.

3 SEC. 3. *Curricular Offerings.* – The College shall offer
4 undergraduate, graduate and short-term technical courses within
5 its areas of competence and specialization, as the Board of Trustees
6 may deem necessary to carry out its objectives, and for the human
7 resource development needs of the Province of Bukidnon and
8 Region X.

9 The College, if it has a College of Education, may adopt public
10 elementary and secondary schools in the Province of Bukidnon to
11 serve as pilot centers for innovative teaching and learning
12 strategies and approaches.

13 SEC. 4. *Administration.* – The College shall have the
14 general powers of a corporation set forth in Batas Pambansa
15 Blg. 68, as amended, otherwise known as "The Corporation Code
16 of the Philippines". The administration of the College and the
17 exercise of its corporate powers shall be vested exclusively in
18 the Board of Trustees, and in the President of the College, insofar
19 as authorized by the Board.

20 SEC. 5. *The Governing Board.* – The governing board of the
21 College shall be the Board of Trustees, hereinafter referred to
22 as the Board, which shall be chaired and co-chaired by the
23 Chairperson of the Commission on Higher Education (CHED)
24 and the President of the College, respectively, and with the
25 following, as members:

26 (a) Chairperson of the Committee on Education, Arts and
27 Culture of the Senate;

1 (b) Chairperson of the Committee on Higher and Technical
2 Education of the House of Representatives;

3 (c) Regional Director of the National Economic and
4 Development Authority (NEDA);

5 (d) Regional Director of the Department of Science and
6 Technology (DOST);

7 (e) Regional Director of the Department of Agriculture (DA);

8 (f) President of the faculty associations of the College;

9 (g) President of the student councils of the College;

10 (h) President of the alumni associations of the College;

11 (i) Two (2) prominent citizens from the private sector who
12 have distinguished themselves in their professions or fields of
13 specialization.

14 The two (2) prominent citizens shall be chosen from the list
15 of at least five (5) qualified persons in the Province of Bukidnon,
16 as recommended by the search committee constituted by the
17 College President, and in consultation with the Chairperson of
18 the CHED, and the other members of the Board, based on the
19 normal standards and qualifications for the position.

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

22 Membership in the governing board of the President of the
23 faculty association, the President of the student council and the
24 President of the alumni association shall be coterminous with
25 their terms of office as provided under their respective terms of
26 office as set forth in their respective constitutions and bylaws.

1 SEC. 6. *Promulgation and Implementation of Policies.* –
2 The Board shall promulgate and implement policies in accordance
3 with the declared State policies on education and other pertinent
4 provisions of the Philippine Constitution on education, agriculture,
5 science and technology, as well as the policies, standards and
6 thrusts of the CHED under Republic Act No. 7722, otherwise
7 known as the "Higher Education Act of 1994".

8 SEC. 7. *Powers and Duties of the Board of Trustees.* –
9 In addition to its general powers of administration and the
10 exercise of all powers granted to the board of directors of
11 a corporation under existing laws, the Board shall have the
12 following specific powers and duties:

13 (a) Promulgate rules and regulations as may be necessary
14 to carry out the purposes and functions of the College;

15 (b) Approve the curricula, instructional programs, and rules
16 of discipline drawn by the Administrative and the Academic
17 Councils herein provided;

18 (c) Appoint, upon the recommendation of the President of
19 the College, the vice presidents, deans, directors, heads of the
20 campuses, faculty members and other officials and employees
21 of the College;

22 (d) Fix and adjust the salaries of faculty members and
23 administrative officials and employees, subject to the provisions
24 of the Revised Compensation and Position Classification System
25 and other pertinent budget and compensation laws governing
26 hours of service and such other duties and conditions as it may
27 deem proper; grant them, at its discretion, leaves of absence under

1 such regulations as it may promulgate, any provision of existing
2 law to the contrary notwithstanding; and remove them for cause
3 in accordance with the requirements of due process of law;

4 (e) Fix the tuition fees and other necessary school charges,
5 such as matriculation fees, graduation fees, and laboratory fees,
6 as the Board may deem proper to impose, after due consultation
7 with the concerned sectors. The fees and charges, including
8 government subsidies and other income generated by the College,
9 shall constitute its special trust funds, and shall be deposited
10 in any authorized government depository bank, all interests that
11 shall accrue therefrom shall form part of the same funds for
12 the use of the College. Any provision of existing law, rules or
13 regulations to the contrary notwithstanding, any income generated
14 by the College from tuition fees and other charges, as well as
15 from the operation of auxiliary services and land grants, shall be
16 retained by the College, and may be disbursed by the Board for
17 instruction, research, extension services or other programs and
18 projects of the College: *Provided*, That all fiduciary fees shall be
19 disbursed for the specific purposes for which these are collected:
20 *Provided, however*, That if, for reasons beyond its control, the
21 College shall not be able to pursue any project for which the
22 funds have been appropriated and allocated under its approved
23 program of expenditures, the Board may authorize the use of
24 said funds for any reasonable purpose which, in its discretion,
25 may be necessary and urgent for the attainment of the objectives
26 and goals of the College;

1 (f) Adopt and implement a socialized scheme of tuition and
2 other school fees for greater access of poor but deserving students
3 in accordance with Republic Act No. 10931 or the "Universal Access
4 to Quality Tertiary Education Act";

5 (g) Establish professorial chairs in the College and provide
6 fellowships for qualified faculty members, and scholarships to
7 deserving students;

8 (h) Receive and appropriate all sums as may be provided
9 for the support of the College in the manner it may determine,
10 in its discretion, in order to carry out the purposes and functions
11 of the College;

12 (i) Set the policies on admission and graduation of students;

13 (j) Award honorary degrees upon persons in recognition of
14 their outstanding contribution in the fields of education, public
15 service, arts, science and technology, agriculture or any field of
16 specialization within the academic competence of the College, and
17 authorize the awarding of certificates of completion of nondegree
18 and nontraditional courses;

19 (k) Establish research and extension centers to promote
20 the development of the College;

21 (l) Develop academic arrangements for institutional
22 capability-building with appropriate public, private, local or foreign
23 institutions and agencies, and appoint experts/specialists as
24 consultants, part-time/visiting/exchange professors, scholars or
25 researchers, as the case may be;

26 (m) Adopt modern and innovative modes of transmitting
27 knowledge for the promotion of greater access to education such

1 as the use of information technology, dual training system, open
2 distance learning, and community laboratory;

3 (n) Collaborate with the governing boards of the state
4 universities and colleges (SUCs) within the Province of Bukidnon
5 and in Region X, under the supervision of the CHED and in
6 consultation with the Department of Budget and Management
7 (DBM), in restructuring the College to make it more efficient,
8 relevant, productive and competitive;

9 (o) Absorb non-chartered tertiary institutions within the
10 Province of Bukidnon and in Region X as branches and
11 extension/external centers, in coordination with the CHED,
12 and in consultation with the DBM, and offer therein programs
13 or courses to promote and carry out equal access to educational
14 opportunities, as mandated by the Constitution;

15 (p) Authorize an external management audit of the College,
16 to be financed by the CHED, subject to the rules and regulations
17 of the Commission on Audit (COA), and institute reforms, including
18 academic and structural changes, on the basis of the audit results
19 and recommendations;

20 (q) Develop consortia and other economic forms of linkages
21 with local government units (LGUs), public, private, local and
22 foreign institutions and agencies in the furtherance of the purposes
23 and objectives of the College;

24 (r) Import economic, technical and cultural books and
25 publications;

26 (s) Enter into joint ventures with business and industry for
27 the profitable development and management of the economic

1 assets of the College, the proceeds from which shall be used for
2 the development and strengthening of the College;

3 (t) Receive, in trust, legacies, gifts and donations of real
4 and personal properties of all kinds and to administer and dispose
5 of the same, when necessary, for the benefit of the College, and
6 subject to the limitations, directions and instructions of the donor,
7 if any;

8 (u) Authorize the construction or repair of its buildings,
9 machinery, equipment and other facilities, and the purchase
10 and acquisition of real property, including the necessary supplies,
11 materials and equipment;

12 (v) Extend the term of the President of the College beyond
13 the age of retirement, but not beyond the age of seventy (70),
14 based on the guidelines, qualifications and standards set by
15 the Board: *Provided*, That the President's performance has been
16 rated by the Board as outstanding and unanimous recommendation
17 has been decided by the search committee;

18 (w) Delegate any of its powers and duties provided to the
19 President and other officials of the College, as it may deem
20 appropriate, so as to expedite the administration of the affairs of the
21 College;

22 (x) Establish policy guidelines and procedures for
23 participative decision-making and transparency within the College;

24 (y) Where most advantageous to the College, privatize the
25 management of nonacademic services such as health, food,
26 building or grounds or property maintenance, and such other
27 similar activities; and

1 (z) Promulgate rules and regulations, as may be necessary,
2 to carry out the purposes and functions of the College.

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

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

11 In the absence of the Chairperson of the CHED, a
12 Commissioner of the CHED, duly designated by the CHED
13 Chairperson as representative in the meeting, shall have all
14 the rights and responsibilities of a regular member: *Provided,*
15 That during this meeting, the President of the College, as
16 Vice - Chairperson, shall be the presiding officer: *Provided, further,*
17 That this *proviso* notwithstanding, the Chairperson of the CHED
18 is hereby authorized to designate a CHED Commissioner as the
19 regular Chairperson of the Board, in which case said CHED
20 Commissioner shall act as the Presiding Officer.

21 In case the Chairpersons of the Congressional Committees on
22 Education shall not be able to attend the meeting, they may
23 designate their respective representatives who shall have the same
24 rights and responsibilities as the regular members of the Board.

25 The members of the Board shall not receive any salary, but
26 shall be entitled to reimbursements for actual and necessary
27 expenses incurred, either in their attendance to the meetings of the

1 Board or in connection with other official business authorized by
2 resolutions of the Board, subject to existing laws and regulations.

3 SEC. 9. *The College President.* – The College shall be
4 headed by a President who shall render full-time service.
5 The President shall be appointed by the Board, subject to the
6 guidelines, qualifications and standards set by the Board, upon
7 the recommendation of a duly constituted search committee.

8 The College President shall have a term of four (4) years
9 and shall be eligible for reappointment to another term: *Provided,*
10 That this *proviso* notwithstanding, and in order to effect a
11 smooth transition to a state college, the incumbent administrator
12 of the Northern Bukidnon Community College, if qualified, shall
13 serve as the first president of the College. The remaining term of
14 the incumbent administrator of the Northern Bukidnon Community
15 College shall be considered as the first term as College President.

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

19 In case of vacancy in the Office of the President, by reason
20 of death, compulsory retirement, resignation, removal for cause
21 or incapacity of the President to perform the functions of the office,
22 the Board shall designate an Officer-in-Charge (OIC) of the College
23 within six (6) months from the date of vacancy, pending the
24 appointment of a new President.

25 In case of vacancy in the Office of the President, as mentioned
26 in the immediately preceding paragraph, the successor or the
27 OIC shall serve only during the unexpired portion of the term.

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

5 The salary of the President of the College shall be in
6 accordance with the Revised Compensation and Position
7 Classification System, as modified by Joint Resolution No. 4
8 dated June 17, 2009, and by such other laws amendatory thereto,
9 which may hereinafter be enacted, and shall be comparable to that
10 being received by the Presidents of similar educational institutions.

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

15 SEC. 10. *Administrative Council.* - There shall be an
16 Administrative Council consisting of the President of the College,
17 as Chairperson, and the vice presidents, deans, directors, and
18 other officials of equal rank as members, whose duty is to
19 implement the policies governing the administration, management,
20 and development of the College, as approved by the Board.

21 SEC. 11. *Academic Council.* - There shall be an Academic
22 Council composed of the President of the College, who shall act
23 as Chairperson, and all members of the academic staff with the
24 rank of not lower than assistant professor, as members.

25 The Academic Council shall have the power to review and
26 recommend the curricular offerings and rules of discipline of the
27 College, subject to the appropriate action by the Board. It shall

1 fix the requirements for the admission of students, as well as for
2 their graduation and conferment of degrees, subject to review
3 and approval by the Board through the President of the College.
4 It shall also have disciplinary powers over students of the College
5 and shall formulate academic policies and rules and regulations
6 on discipline, subject to the approval of the Board.

7 SEC. 12. *The Secretary of the College.* – The Board shall
8 appoint a Secretary who shall serve as such for both the Board
9 and College, and shall keep all records and proceedings of
10 the Board in addition to other duties and responsibilities.
11 The Secretary shall serve upon each member of the Board the
12 appropriate notice of Board meetings.

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

15 SEC. 14. *Faculty.* – No political belief, gender preference,
16 cultural or community affiliation or ethnic origin, nor religious
17 opinion or affiliation shall be the matter of inquiry in the
18 appointment of faculty members of the College: *Provided, however,*
19 That said appointment shall be subject to the qualifications
20 and standards set by the Board: *Provided, further,* That no member
21 of the faculty shall teach for or against any particular church or
22 religious sect.

23 SEC. 15. *Academic Freedom and Institutional Autonomy.* –
24 The College shall enjoy academic freedom and institutional
25 autonomy pursuant to paragraph 2, Section 5 of Article XIV of the
26 Constitution.

1 SEC. 16. *Scholarship Programs/Admission.* – The College
2 shall provide scholarship programs and other affirmative action
3 programs to assist poor but deserving students who qualify for
4 admission to the College.

5 No student shall be denied admission to the College by reason
6 of sex, nationality, religion, cultural or community affiliation or
7 ethnic origin.

8 SEC. 17. *Authority to Lend or Transfer Apparatus/
9 Equipment/Supplies and Detail of Personnel.* – The heads of the
10 bureaus and offices of the national government are hereby
11 authorized to lend and/or transfer, upon the request of the
12 President of the College, such apparatus, equipment or supplies as
13 may be needed by the College, and detail employees for duty therein
14 when, in the judgment of the head of bureau or office, such
15 apparatus, equipment, supplies or services of such employees
16 can be spared without serious detriment to public service. The
17 employees so detailed shall perform such duties as required of
18 them by the President of the College and the time so employed
19 shall be counted as part of their regular service.

20 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real
21 and personal, personnel and records of the Northern Bukidnon
22 Community College, as well as its liabilities or obligations, are
23 hereby transferred to the College: *Provided,* That the positions,
24 rights and security of tenure of the academic staff and personnel
25 therein employed under existing laws prior to the conversion of the
26 Northern Bukidnon Community College into a State College shall

1 be respected: *Provided, finally,* That the College shall also
2 accordingly upgrade or increase its human resource component.

3 All parcels of land belonging to the government occupied
4 by the Northern Bukidnon Community College are hereby declared
5 the property of the College and shall be titled under its name:
6 *Provided,* That should the College cease to exist or be abolished
7 or would no longer need such aforementioned parcels of land,
8 the title to said parcels of land shall be transferred to the local
9 government of Manolo Fortich, Province of Bukidnon.

10 SEC 19. *Tax Exemption.* – The importation of economic,
11 technical and cultural books or publications, which are for
12 economic, technical, vocational, scientific, philosophical, historical
13 or cultural purposes, made by the College upon certification by
14 the CHED, shall be exempt from customs duties in accordance
15 with the provisions of Republic Act No. 10863, otherwise known as
16 the “Customs Modernization and Tariff Act (CMTA)”.

17 All grants, bequests, endowments, donations and
18 contributions made to the College and used actually, directly
19 and exclusively by it, shall be exempt from the donor’s tax and
20 the same shall be considered as allowable deduction from the
21 gross income of the donor, in accordance with the provisions of
22 the National Internal Revenue Code of 1997, as amended.

23 SEC. 20. *Compliance with CHED Requirements.* – The
24 provisions of this Act notwithstanding, the conversion of the
25 institution into a state college shall become effective only upon
26 the determination and declaration by the CHED based on the
27 recommendation of a panel of experts it shall constitute for

1 the purpose, that the institution has complied with the
2 requirements for a college status based on CHED Memorandum
3 Order No. 46, series of 2012 (Policy-Standard to Enhance
4 Quality Assurance in Philippine Higher Education Through
5 an Outcomes-Based and Typology-Based Quality Assurance):
6 *Provided*, That the panel may issue such recommendation when
7 the institution has substantially complied with the requirements
8 for the grant of college status.

9 The following requirements for a college, as established by
10 the CHED, shall be complied with:

11 (a) The College shall possess full-time permanent faculty
12 members who have the relevant degrees as required by the
13 CHED and experience in the subject areas they handle;

14 (b) The College shall offer degree programs characterized
15 by a core curriculum that holistically develops thinking, problem
16 solving, decision-making, communication, technical, and social
17 skills in line with the mission of the College;

18 (c) The College shall possess comprehensive learning
19 resources and support structures that are appropriate for
20 developing knowledge and skills in the specific natural science,
21 social science, humanities, and professional disciplines offered
22 by the College, including laboratories, books and journals, etc.;

23 (d) The College shall maintain links with the community
24 that would ensure the development of relevant academic and
25 extension programs as well as the application of their learning
26 outcomes; and

1 (e) The College shall conduct outreach programs involving
2 students in social-development oriented experiences that allow
3 them to contextualize their knowledge within actual social and
4 human experiences.

5 The CHED, through its regional office, shall regularly
6 provide technical assistance to the institution and monitor
7 compliance with the requirements of the Commission.

8 The institution shall retain its status prior to the effectivity
9 of this Act until it is able to comply with the requirements provided
10 herein.

11 SEC. 21. *Development Plan, Management Audit,*
12 *Organizational/Administrative/Academic Structure.* – Within a
13 period of one hundred twenty (120) days after the approval of
14 this Act, the College shall accomplish the following:

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

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

20 (c) Set up its organizational, administrative, as well as
21 academic structure, including the appointment of key officials
22 of the College; and

23 (d) Set in motion the establishment of at least four (4)
24 separate degree-granting units, one of which is in the arts and
25 sciences, and another unit for nondegree technical-vocational
26 education and training.

1 SEC. 22. *Filing of Report.* – On or before the fifteenth (15th)
2 day of the second month after the opening of the regular classes
3 each year, the Board shall file with the Office of the President of the
4 Philippines, through the Chairperson of the CHED, and with both
5 Houses of Congress, a detailed report on the progress, conditions
6 and needs of the College.

7 SEC. 23. *Suppletory Application.* – The provisions of Republic
8 Act No. 8292, otherwise known as the “Higher Education
9 Modernization Act of 1997”, shall be an integral part of this Act
10 and shall serve as part of the governing charter of the College.

11 SEC. 24. *Parity Clause.* – All other powers, functions and
12 privileges, responsibilities and limitations to state colleges and
13 their officials under existing laws shall be deemed granted to
14 or imposed upon the College and its officials whenever appropriate.

15 SEC. 25. *Appropriations.* – The amount necessary to carry
16 out the initial implementation of this Act shall be charged
17 against the current year’s funding of the Northern Bukidnon
18 Community College provided by the Municipality of Manolo
19 Fortich, Province of Bukidnon. The municipality shall continue to
20 provide the same funding to the Northern Bukidnon Community
21 College corresponding to the funding given before the same is
22 converted into the Northern Bukidnon State College until such time
23 that the full funding requirement of the Northern Bukidnon State
24 College is included in the annual General Appropriations Act.

25 SEC. 26. *Implementing Rules and Regulations.* – Within
26 sixty (60) days after the effectivity of this Act, the Board shall,

1 in consultation with the CHED, formulate the guidelines to fully
2 implement the provisions of this Act.

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

7 SEC. 28. *Repealing Clause.* – All laws, presidential decrees,
8 executive orders, and rules and regulations contrary to or
9 inconsistent with the provisions of this Act are hereby repealed
10 or modified accordingly.

11 SEC. 29. *Effectivity.* – This Act shall take effect fifteen (15)
12 days after its publication in the *Official Gazette* or in a newspaper
13 of general circulation.

Approved,

O