



HOUSE OF REPRESENTATIVES

H. No. 6202

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BY REPRESENTATIVES HERNANDEZ, HOFER, ESPINA, LOBREGAT, YU, YAP (V.), TAN (A.), BRAVO (A.), MARQUEZ, ALMARIO, GASATAYA, CASTRO (F.L.), ELAGO, TINIO, ARCILLAS, GARCIA (J.E.), CAMPOS, LIMKAICHONG, PANOTES, ESCUDERO, CORTES, GONZALES (A.D.), ARENAS, CRISOLOGO, SAMBAR, TEJADA, NOGRALES (K.A.) AND CUA, PER COMMITTEE REPORT NO. 358

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AN ACT ESTABLISHING THE SOUTH COTABATO STATE COLLEGE IN THE MUNICIPALITY OF SURALLAH, PROVINCE OF SOUTH COTABATO, INTEGRATING THEREWITH THE SURALLAH NATIONAL AGRICULTURAL SCHOOL LOCATED IN THE MUNICIPALITY OF SURALLAH, 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 Municipality of Surallah, Province of South Cotabato, to be  
3 known as the South Cotabato State College, hereinafter referred to as the  
4 College, and integrating therewith the Surallah National Agricultural School  
5 (SUNAS) located in the Municipality of Surallah, Province of South Cotabato.  
6 Its main campus shall be located in the Municipality of Surallah.

1           SEC. 2. *General Mandate.* – The College shall primarily provide both  
2 advance instruction and research in agriculture and allied technological  
3 sciences including education, arts and related sciences. It shall also undertake  
4 extension and development programs, and provide the necessary instructional  
5 and research leadership in agricultural, environmental and technological  
6 development in Region XII or the region called SOCCSKSARGEN.

7           SEC. 3. *Curricular Offerings.* – The College shall offer undergraduate  
8 and graduate courses in the fields of agriculture, environmental management,  
9 engineering, education, arts and sciences, and other degree courses within its  
10 areas of specialization and according to its capabilities, as the Board of  
11 Trustees may deem necessary to carry out its objectives and in order to meet  
12 the needs of the Province of South Cotabato and the Region of  
13 SOCCSKSARGEN.

14           The existing and any other future technical-vocational courses or  
15 programs under the supervision of the Technical Education and Skills  
16 Development Authority (TESDA) shall remain and continue to be offered  
17 within the campus of the College.

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

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

26           (a) the Chairperson of the Commission on Higher Education (CHED),  
27 Chairperson;

28           (b) the President of the College, Vice Chairperson;

1 (c) the Chairperson of the Committee on Education, Arts and Culture  
2 of the Senate, member;

3 (d) the Chairperson of the Committee on Higher and Technical  
4 Education of the House of Representatives, member;

5 (e) the Regional Director of the National Economic and Development  
6 Authority (NEDA), member;

7 (f) the Regional Director of the Department of Agriculture (DA),  
8 member;

9 (g) the Regional Director of the TESDA, member;

10 (h) the President of the federation of faculty associations of the  
11 College, member;

12 (i) the President of the federation of student councils of the College,  
13 member;

14 (j) the President of the federation of alumni associations of the  
15 College, member; and

16 (k) two (2) prominent citizens from the private sector who have  
17 distinguished themselves in their profession or fields of specialization of the  
18 College, members.

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

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

27 *SEC. 6. Promulgation and Implementation of Policies.* – The Board  
28 shall promulgate and implement policies in accordance with the declared State  
29 policies on education and other pertinent provisions of the Constitution on

1 education, agriculture, science and technology, as well as the policies,  
2 standards and thrusts of the CHED under Republic Act No. 7722, otherwise  
3 known as the "Higher Education Act of 1994".

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

8       (a) to promulgate rules and regulations as may be necessary to carry  
9 out the purposes and functions of the College;

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

13       (c) to import economic, technical and cultural books and publications;

14       (d) to receive in trust legacies, gifts and donations of real and personal  
15 properties of all kinds and to administer and dispose of the same when  
16 necessary for the benefit of the College, and subject to the limitations,  
17 directions and instructions of the donor, if any;

18       (e) to fix the tuition fees and other necessary school charges such as  
19 matriculation fees, graduation fees, and laboratory fees, as the Board may  
20 deem proper to impose, after due consultations with the involved sectors. Such  
21 fees and charges, including government subsidies and other income generated  
22 by the College, shall constitute special trust funds and shall be deposited in  
23 any authorized government depository bank, and all interests that shall accrue  
24 therefrom shall form part of the same funds for the use of the College. Any  
25 provision of existing laws, rules and regulations to the contrary  
26 notwithstanding, any income generated by the College from tuition fees and  
27 other charges, as well as from the operation of auxiliary services and land  
28 grants, shall be retained by the College, and may be disbursed by the Board for  
29 instruction, research, extension or other programs/projects of the College:



1 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes  
2 for which these are collected: *Provided, however*, That if, for reasons beyond  
3 its control, the College shall not be able to pursue any project for which the  
4 funds have been appropriated and allocated under its approved program of  
5 expenditures, the Board may authorize the use of said funds for any reasonable  
6 purpose which, in its discretion, may be necessary and urgent for the  
7 attainment of the objectives and goals of the College;

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

10 (g) to authorize the construction or repair of its buildings, machinery,  
11 equipment and other facilities, and the purchase and acquisition of real  
12 property, including necessary supplies, materials and equipment;

13 (h) to appoint, upon recommendation of the President of the College,  
14 the vice presidents, deans, directors, heads of campuses, faculty members, and  
15 other officials and employees of the College;

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

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

27 (k) to set the policies on admission and graduation of students;

28 (l) to award honorary degrees upon persons in recognition of their  
29 outstanding contribution in the fields of education, public service, arts, science

1 and technology, agriculture or in any field of specialization within the  
2 academic competence of the College, and to authorize the awarding of  
3 certificates of completion of nondegree and nontraditional courses;

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

10 (n) to establish research and extension centers to promote the  
11 development of the College;

12 (o) to establish professorial chairs in the College and to provide  
13 fellowships for qualified faculty members, and scholarships to deserving  
14 students;

15 (p) to delegate any of its powers and duties provided hereinabove to  
16 the President or other officials of the College, as it may deem appropriate, so  
17 as to expedite the administration of the affairs of the College;

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

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

27 (s) to enter into joint ventures with business and industry for the  
28 profitable development and management of the economic assets of the

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

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

7 (u) to develop academic arrangements for institutional capability  
8 building with appropriate institutions and agencies, public and private,  
9 local and foreign, and to appoint experts/specialists as consultants,  
10 part-time, visiting or exchange professors, scholars or researchers, as the  
11 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 training system, open distance learning, and community laboratory for the  
15 promotion of greater access to education;

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

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

22 (y) to extend the term of the President of the College beyond the age of  
23 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 standards set by the Board, after unanimous  
26 recommendation by the search committee.

27 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at  
28 least once every quarter. However, the Chairperson of the Board may, upon

1 three (3) days' prior written notice, call a maximum of two (2) special  
2 meetings whenever necessary.

3 A quorum of the Board shall consist of a majority of all its members  
4 holding office at the time of the meeting: *Provided, however,* That the  
5 Chairperson of the Board or the President of the College must be present in the  
6 meeting.

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

16 In case the Chairpersons of the House and Senate Committees  
17 on Education shall not be able to attend the Board meeting, they may  
18 designate their respective representatives to attend the said meeting, who  
19 shall have the same rights and responsibilities as a regular member  
20 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 in  
23 attending the 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. The President shall be appointed  
28 by the Board, subject to the guidelines, qualifications and standards set by the  
29 Board, upon recommendation of a duly constituted search committee.



1           The President shall serve for a term of four (4) years and shall be  
2 eligible for reappointment for another term: *Provided*, That in order to effect a  
3 smooth transition to a state college, the incumbent Vocational School  
4 Administrator of the Surallah National Agricultural School, if qualified, shall  
5 *ipso facto* become the first President 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 the office, the Board shall have the  
12 authority to designate an Officer-in-Charge (OIC) of the College pending the  
13 appointment of a new President.

14           In case of vacancy in the Office of the President as mentioned in the  
15 immediately preceding paragraph, the successor or the OIC shall serve only  
16 for 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 universities, and those delegated by the  
20 Board.

21           The salary of the President of the College shall be in accordance with  
22 the Revised Compensation and Position Classification System as modified by  
23 Joint Resolution No. 4 dated June 17, 2009 and other pertinent budget and  
24 compensation laws, and shall be comparable to that being received by the  
25 Presidents of similar educational institutions.

26           The President of the College shall be assisted by a Vice President for  
27 Academic Affairs and a Vice President for Administration, who shall be  
28 appointed by the Board upon recommendation of the President.

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

7           SEC. 11. *The Academic Council.* – There shall be an Academic Council  
8 to be composed of the President of the College, who shall act as Chairperson,  
9 and all the academic staff with the rank of at least an assistant professor, as  
10 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 the conferment of degrees, subject  
15 to review and 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  
21 who shall keep all records and proceedings of the Board in addition to other  
22 duties and responsibilities. The Secretary shall serve upon each member of the  
23 Board the appropriate notice of the Board meetings.

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

26           SEC. 14. *The Faculty.* – No political belief, gender preference, cultural  
27 or community affiliation or ethnic origin, and religious opinion or affiliation  
28 shall be a matter of inquiry in the appointment of faculty members of the  
29 College: *Provided, however,* That said appointment shall be subject to the

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

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

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

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

23 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and  
24 personal, personnel and records of the SUNAS, as well as liabilities or  
25 obligations, are hereby transferred to the College: *Provided,* That the  
26 positions, rights and security of tenure of faculty members and personnel  
27 therein employed under existing laws prior to the integration of the SUNAS  
28 into the College shall be respected: *Provided, further,* That the incumbents of

1 the plantilla positions of the SUNAS shall remain in the same status until  
2 otherwise provided for by the Board.

3 All parcels of land belonging to the government occupied by the  
4 SUNAS are hereby declared to be property of the College and shall be titled  
5 under that name: *Provided*, That should the College cease to exist or be  
6 abolished, or should such parcels of land aforementioned be no longer needed  
7 by the College, the same shall revert to the national government or to the  
8 concerned LGU.

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

15 All grants, bequests, endowments, donations and contributions made to  
16 the College to be used actually, directly and exclusively by the College shall  
17 be exempt from donor’s tax and the same shall be allowed as allowable  
18 deductions from the gross income of the donor for purposes of computing the  
19 taxable income of the donor in accordance with the provisions of the National  
20 Internal Revenue Code of 1997, as amended.

21 SEC. 20. *Appropriations.* – The amount necessary to carry out  
22 the provisions of this Act shall be included in the annual General  
23 Appropriations Act.

24 SEC. 21. *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  
27 the following:



1 (a) submit a five (5)-year development plan, including its  
2 corresponding program budget to the CHED, for corresponding  
3 recommendation to the DBM;

4 (b) undergo a management audit in cooperation with the CHED; and

5 (c) accordingly set up its organizational, administrative, as well  
6 as academic structure, including the appointment of the College  
7 key officials.

8 SEC. 22. *Annual Report.* – On or before the fifteenth (15<sup>th</sup>) day of the  
9 second month after the opening of the regular classes each year, the Board  
10 shall file with the Office of the President of the Philippines, through the  
11 Chairperson of the CHED, and with both Houses of Congress, a detailed report  
12 on the progress, condition and needs of the College.

13 SEC. 23. *Supplementary Application.* – The provisions of Republic Act  
14 No. 8292, otherwise known as the “Higher Education Modernization Act of  
15 1997”, shall be an integral part of this Act and shall serve as part of the  
16 Governing Charter of the College.

17 SEC. 24. *Parity Clause.* – All other powers, functions and privileges,  
18 responsibilities and limitations to state colleges and their officials under  
19 existing laws shall be deemed granted to or imposed upon the College and  
20 officials, whenever appropriate.

21 SEC. 25. *Compliance With CHED Requirements.* – The provisions of  
22 this Act notwithstanding, the establishment of the institution into a state  
23 college shall become effective only upon the determination and declaration by  
24 the CHED, based on the recommendation of a panel of experts it shall  
25 constitute for the purpose, that the institution has complied with the  
26 requirements for a college status based on CHED Memorandum Order No. 46,  
27 Series of 2012 (Policy-Standard to Enhance Quality Assurance (QA) in  
28 Philippine Higher Education Through an Outcomes-Based and  
29 Typology-Based QA): *Provided*, That the panel may issue such a

1 recommendation when the institution has substantially complied with the  
2 requirements for the grant of status as a state college.

3 The following operational requirements for a state college, as  
4 established by the CHED, shall be complied with:

5 (a) full-time permanent faculty members who have the relevant  
6 degrees as required by the CHED and experience in the subject areas they  
7 handle;

8 (b) degree programs characterized by a core curriculum that  
9 holistically develops thinking, problem solving, decision-making,  
10 communication, technical, and social skills in line with the mission of the  
11 College;

12 (c) learning resources and support structures that are appropriate for  
13 developing knowledge and skills in the specific natural science, social science,  
14 humanities, and professional disciplines offered by the College, including  
15 laboratories, books and journals, etc.;

16 (d) links with the community that would ensure the development of  
17 relevant academic and extension programs as well as the application of their  
18 learning outcomes; and

19 (e) outreach programs involving students in social-development  
20 oriented experiences that allow them to contextualize their knowledge within  
21 actual social and human experiences.

22 The institution shall retain its status prior to the effectivity of this Act,  
23 unless in the meantime it is able to comply with the requirements provided  
24 herein, within a period not later than January 01, 2021.

25 SEC. 26. *Implementing Rules and Regulations.* – The Board, in  
26 consultation with the CHED, shall formulate the guidelines to fully implement  
27 the provisions of this Act within sixty (60) days from its effectivity.

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

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

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

Approved,

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