



## HOUSE OF REPRESENTATIVES

H. No. 8006

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BY REPRESENTATIVES ALMONTE, HOFER, NOGRALES (K.A.) AND CUA,  
PER COMMITTEE REPORT NO. 807

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AN ACT CONVERTING THE OROQUIETA AGRO-INDUSTRIAL SCHOOL (OAIS) IN THE CITY OF OROQUIETA, PROVINCE OF MISAMIS OCCIDENTAL, INTO A STATE COLLEGE TO BE KNOWN AS THE MISAMIS OCCIDENTAL STATE COLLEGE (MOSC), REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 4941, AND APPROPRIATING FUNDS THEREFOR

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

1           SECTION 1. *Conversion.* – The Oroquieta Agro-Industrial  
2 School (OAIS) in Barangay Villaflor, Oroquieta City, Province of  
3 Misamis Occidental, is hereby converted into a state college to be  
4 known as the Misamis Occidental State College (MOSC),  
5 hereinafter referred to as the College. Its main campus shall be in  
6 Oroquieta City.

7           SEC. 2. *General Mandate.* – The College shall primarily  
8 provide advance studies and research, higher professional and  
9 technical instructions for special purposes, short-term technical-  
10 vocational, and other continuing courses as may be relevant. It shall  
11 also undertake extension and development programs, and provide

1 the necessary instructional and research leadership in education,  
2 agriculture, fishery, engineering, arts and sciences in the Province  
3 of Misamis Occidental and in Region X.

4       SEC. 3. *Curricular Offerings.* – The College shall offer  
5 undergraduate, graduate and short-term technical-vocational  
6 courses, and other degree and nondegree courses within its areas of  
7 specialization, according to its capacity, and as the Board of  
8 Trustees may deem necessary to carry out its objectives and to meet  
9 the needs of the Province of Misamis Occidental and Region X.

10       The existing and any other future technical-vocational courses  
11 or programs under the supervision of the Technical Education and  
12 Skills Development Authority (TESDA) shall continue to be offered  
13 at the College's campus.

14       The existing high school shall be transferred to the  
15 jurisdiction and supervision of the Department of Education:  
16 *Provided,* That the College may operate a reasonably-sized  
17 laboratory high school if it has a College of Education.

18       SEC. 4. *Administration.* – The College shall have the general  
19 powers of a corporation set forth in the corporation law. The  
20 administration of the College and the exercise of its corporate  
21 powers shall be vested exclusively in the Board of Trustees, and in  
22 the President of the College, insofar as authorized by the Board.

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

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

- 1 (b) The President of the College, Vice-Chairperson;
- 2 (c) The Chairperson of the Committee on Education, Arts and  
3 Culture of the Senate, member;
- 4 (d) The Chairperson of the Committee on Basic Education  
5 and Culture of the House of Representatives, member;
- 6 (e) The Regional Director of the National Economic and  
7 Development Authority (NEDA), Region X, member;
- 8 (f) The Regional Director of the TESDA, member;
- 9 (g) The Regional Director of the Department of Science and  
10 Technology (DOST), member;
- 11 (h) The Regional Director of the Department of Agriculture  
12 (DA), member;
- 13 (i) The president of the faculty association of the College,  
14 member;
- 15 (j) The president of the student council of the College,  
16 member;
- 17 (k) The president of the alumni association of the College,  
18 member; and
- 19 (l) Two (2) prominent citizens who have distinguished  
20 themselves in their profession or fields of specialization of the  
21 College, members.

22 The two (2) prominent citizens shall be chosen from among  
23 the list of at least five (5) qualified persons in the Province of  
24 Misamis Occidental, as recommended by the search committee  
25 constituted by the College President in consultation with the  
26 Chairperson of the CHED and the other members of the Board,  
27 based on the normal standards and qualifications for the position.

1           The term of office of the president of the faculty association,  
2 the president of the student council and the president of the alumni  
3 association shall be coterminous with their respective terms of office  
4 as set forth in their respective constitution and bylaws.

5           The two (2) prominent citizens shall serve a term of two (2)  
6 years from the date of appointment.

7           SEC. 6. *Promulgation and Implementation of Policies.* – The  
8 Board shall promulgate and implement policies in accordance with  
9 the declared State policies on education and other pertinent  
10 provisions of the Philippine Constitution on education, agriculture,  
11 science and technology, as well as the policies, standards and  
12 thrusts of the CHED under Republic Act No. 7722, otherwise known  
13 as the “Higher Education Act of 1994” and the TESDA under  
14 Republic Act No. 7796, otherwise known as the “TESDA Act of  
15 1994”.

16           SEC. 7. *Powers and Duties of the Board of Trustees.* – In  
17 addition to its general powers of administration and the exercise of  
18 all powers granted to the board of directors of a corporation under  
19 existing laws, the Board shall have the following specific powers  
20 and duties:

21           (a) To promulgate rules and regulations not contrary to laws  
22 as may be necessary to carry out the purposes and functions of the  
23 College;

24           (b) To receive and appropriate all sums as may be provided,  
25 for the support of the College in the manner it may determine in its  
26 discretion to carry out the purposes and functions of the College;

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

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

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

18           (e) To fix the tuition fees and other necessary school charges  
19 such as matriculation fees, graduation fees and laboratory fees, as  
20 the Board may deem proper to impose, after due consultation with  
21 the involved sectors. Such fees and charges, including government  
22 subsidies and other income generated by the College, shall  
23 constitute the special trust funds and shall be deposited in any  
24 authorized government depository bank, and all interests that shall  
25 accrue therefrom shall form part of the same funds for the use of the  
26 College. Any provision of existing laws, rules and regulations to the  
27 contrary notwithstanding, any income generated by the College

1 from tuition fees and other charges as well as from the operation of  
2 auxiliary services and land grants, shall be retained by the College,  
3 and may be disbursed by the Board for instruction, research,  
4 extension or other programs/projects of the College: *Provided*, That  
5 all fiduciary fees shall be disbursed for the specific purposes for  
6 which these were collected: *Provided, however*, That if, for reasons  
7 beyond its control, the College shall not be able to pursue any  
8 project for which the funds have been appropriated and allocated  
9 under its approved program of expenditures, the Board may  
10 authorize the use of the said funds for any reasonable purpose  
11 which, in its discretion, may be necessary and urgent for the  
12 attainment of the objectives and goals of the College;

13 (f) To adopt and implement a socialized scheme of tuition and  
14 school fees for greater access to education of poor but deserving  
15 students in accordance with the provisions of Republic Act  
16 No. 10931, otherwise known as the "Universal Access to Quality  
17 Tertiary Education Act";

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

22 (h) To appoint, upon the recommendation of the President of  
23 the College, the vice presidents, deans, directors and heads of  
24 departments, faculty members, and other officials and employees of  
25 the College;

26 (i) To fix and adjust the salaries of faculty members and  
27 administrative officials and employees, subject to the provisions of

1 the Revised Compensation and Position Classification System and  
2 other pertinent budget and compensation laws governing hours of  
3 service, and such other duties and conditions as it may deem proper;  
4 to grant them, at its discretion, leaves of absence under such  
5 regulations as it may promulgate, any provision of existing law to  
6 the contrary notwithstanding, and to remove them for cause in  
7 accordance with the requirements of due process of law;

8 (j) To approve the curricula, instructional programs, and  
9 rules of discipline drawn by the administrative and academic  
10 councils herein provided;

11 (k) To set the policies on admission and graduation of  
12 students;

13 (l) To 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 in any field of  
16 specialization within the academic competence of the College; and to  
17 authorize the awarding of certificates of completion of nondegree  
18 and nontraditional courses;

19 (m) To establish and absorb nonchartered tertiary  
20 institutions within the Province of Misamis Occidental as branches  
21 and centers, in coordination with the CHED and in consultation  
22 with the Department of Budget and Management (DBM), and to  
23 offer therein programs or courses to promote and carry out equal  
24 access to educational opportunities, as mandated by the  
25 Constitution;

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

1           (o) To establish professorial chairs in the College and to  
2 provide fellowships for qualified faculty members and scholarships  
3 to deserving students;

4           (p) To delegate any of its powers and duties provided herein  
5 to the President or other officials of the College as it may deem  
6 appropriate, so as to expedite the administration of the affairs of the  
7 College;

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

13           (r) To collaborate with other governing boards of other state  
14 universities and colleges (SUCs) within the Province of Misamis  
15 Occidental and Region X, under the supervision of the CHED and in  
16 consultation with the DBM, and work for the restructuring of the  
17 College to become more efficient, relevant, productive and  
18 competitive;

19           (s) To enter into joint ventures with business and industry for  
20 the profitable development and management of the economic assets  
21 of the College, the proceeds of which shall be used for the  
22 development and strengthening of the College;

23           (t) To develop consortia and other linkages with local  
24 government units (LGUs), institutions and agencies, both public  
25 and private, local and foreign, in the furtherance of the purposes  
26 and objectives of the College;



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

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

10          (w) To establish policy guidelines and procedures to promote  
11 participative decision-making and transparency within the College;

12          (x) To privatize, where most advantageous to the College, the  
13 management of nonacademic services such as health services, food  
14 services, building or grounds or property maintenance, and such  
15 other similar activities; and

16          (y) To extend the term of the President of the College beyond  
17 the age of retirement, whose performance has been unanimously  
18 rated by the governing board as outstanding, after unanimous  
19 recommendation by the search committee, but not beyond the age of  
20 seventy (70).

21          SEC. 8. *Meetings of the Board.* – The Board shall convene  
22 regularly at least once every quarter. However, the Chairperson of  
23 the Board may, upon three (3) days prior written notice, call a  
24 special meeting whenever necessary.

25          A quorum of the Board shall consist of a majority of all its  
26 members holding office at the time of the meeting: *Provided*, That

1 the Chairperson of the Board or the President of the College is  
2 among those present in the meeting.

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

13 In case the Chairpersons of the Congressional Committees on  
14 Education shall not be able to attend the Board meeting, they may  
15 designate their respective representatives who shall have the same  
16 rights and responsibilities as the regular member of the Board.

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

22 SEC. 9. *The College President.* – The College shall be headed  
23 by a President who shall render full-time service. The President  
24 shall be appointed by the Board, subject to the guidelines,  
25 qualifications and/or standards set by the Board, upon  
26 recommendation of a duly constituted search committee.

1           The College President shall have a term of four (4) years and  
2 shall be eligible for reappointment to another term: *Provided*, That  
3 this *proviso* notwithstanding, and in order to effect a smooth  
4 transition to a state college, the incumbent administrator of the  
5 OAIS, if qualified, shall serve as the first president of the College.  
6 The remaining term of the incumbent administrator of the OAIS  
7 shall be considered as the first term College President.

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

11           In case of vacancy in the office of the President by reason of  
12 death, compulsory retirement, resignation, removal for cause or  
13 incapacity of the President to perform the functions of the office, the  
14 Board shall have the authority to designate an Officer-in-Charge  
15 (OIC) of the College pending the appointment of a new President.  
16 Within six (6) months from the date of vacancy, the Board shall  
17 constitute the SCP.

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

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

26           The President of the College shall be assisted by a Vice  
27 President for Academic Affairs and a Vice President for

1 Administration, who shall be appointed by the Board upon the  
2 recommendation of the President.

3       SEC. 10. *Administrative Council.* – There shall be an  
4 Administrative Council consisting of the President of the College, as  
5 Chairperson, and the vice presidents, deans, directors, and other  
6 officials of equal rank as members, whose duty is to implement the  
7 policies governing the administration, management and  
8 development of the College, as approved by the Board.

9       SEC. 11. *Academic Council.* – There shall be an Academic  
10 Council composed of the President of the College, who shall act as  
11 Chairperson, and all members of the academic staff with the rank of  
12 not lower than assistant professor, as members.

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

22       SEC. 12. *The Secretary of the College.* – The Board shall  
23 appoint a Secretary who shall serve as such for both the Board and  
24 the College, and who shall keep all records and proceedings of the  
25 Board in addition to other duties and responsibilities. The Secretary  
26 shall serve upon each member of the Board the appropriate notice of  
27 Board meetings.

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

3           SEC. 14. *Faculty.* – No political belief, gender preference,  
4 cultural or community affiliation or ethnic origin, and religious  
5 opinion or affiliation shall be a matter of inquiry in the appointment  
6 of faculty members of the College: *Provided*, That said appointment  
7 shall be subject to the qualifications and standards set by the  
8 Board: *Provided, further*, That no member of the faculty shall teach  
9 for or against any particular church or religious sect.

10          SEC. 15. *Scholarships Program/Admission.* – The College  
11 shall provide a scholarship program and other affirmative action  
12 programs to assist poor but deserving students who qualify for  
13 admission to the College.

14          No student shall be denied admission to the College by reason  
15 of sex, nationality, religion, cultural or community affiliation or  
16 ethnic origin.

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

21          SEC. 17. *Filing of Annual Report.* – On or before the  
22 fifteenth (15<sup>th</sup>) day of the second month after the opening of the  
23 regular classes each year, the Board shall file with the Office of the  
24 President of the Philippines, through the Chairperson of the CHED,  
25 and with both Houses of Congress, a detailed report on the progress,  
26 conditions and needs of the College.

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

13          SEC. 19. *Assets, Liabilities and Personnel.* – All assets, real  
14      and personal, personnel and records of the OAIS in Barangay  
15      Villaflor, Oroquieta City, Province of Misamis Occidental, as well as  
16      its liabilities or obligations, are hereby transferred to the College:  
17      *Provided,* That the positions, rights and security of tenure of the  
18      academic staff and personnel therein employed under existing laws  
19      prior to the conversion of the OAIS into a College shall be respected:  
20      *Provided, finally,* That the College shall also include an upgrade or  
21      increase in its human resource component.

22          All parcels of land belonging to the government occupied by  
23      the OAIS are hereby declared the property of the College and shall  
24      be titled under that name: *Provided,* That should the College cease  
25      to exist, or be abolished, or such aforementioned parcels of land be  
26      no longer needed by the College, the title to said parcels of land

1 shall be transferred to the LGU of Oroquieta City, Province of  
2 Misamis Occidental.

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

7           (a) Submit a five (5)-year development plan, including its  
8 corresponding program budget to the CHED, for corresponding  
9 recommendation to the DBM;

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

12           (c) Accordingly set up its organizational, administrative as  
13 well as academic structure, including the appointment of the  
14 College key officials; and

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

19           SEC. 21. *Compliance with CHED Requirements.* – The  
20 provisions of this Act notwithstanding, the establishment or  
21 conversion of the institution into a state college shall become  
22 effective only upon the determination and declaration by the CHED,  
23 based on the recommendation of a panel of experts it shall  
24 constitute for the purpose, that the institution has complied with  
25 the requirements for a college status based on CHED Memorandum  
26 Order No. 46, series of 2012 (Policy Standard to Enhance Quality  
27 Assurance (QA) in Philippine Higher Education Through an

1 Outcomes-Based and Typology-Based QA): *Provided*, That the  
2 panel may issue such a recommendation when the institution has  
3 substantially complied with the requirements for the grant of status  
4 as state college.

5 The institution shall retain its status prior to the effectivity of  
6 this Act until such time that it is able to comply with the  
7 requirements provided herein.

8 *SEC. 22. Suppletory Application.* – The provisions of  
9 Republic Act No. 8292, otherwise known as the “Higher Education  
10 Modernization Act of 1997”, shall be an integral part of this Act and  
11 shall serve as part of the governing charter of the College.

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

16 *SEC. 24. Appropriations.* – The amount necessary to carry  
17 out the provisions of this Act shall be charged against the current  
18 year’s appropriations for the OAIS. Thereafter, such sums as may  
19 be necessary for the operation and maintenance of the College shall  
20 be included in the annual General Appropriations Act.

21 *SEC. 25. Implementing Rules and Regulations.* – Within  
22 sixty (60) days upon the effectivity of this Act, the Board, in  
23 consultation with the CHED, shall formulate the guidelines to fully  
24 implement the provisions of this Act.

25 *SEC. 26. Separability Clause.* – If, for any reason, any part  
26 or provision of this Act is declared invalid or unconstitutional, the



1 remaining parts or provisions not affected shall remain in full force  
2 and effect.

3       SEC. 27. *Repealing Clause.* – Republic Act No. 4941 and all  
4 laws, presidential decrees, executive orders, rules and regulations  
5 contrary to or inconsistent with the provisions of this Act are hereby  
6 repealed or modified accordingly.

7       SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15)  
8 days after its publication in the *Official Gazette* or in a newspaper of  
9 general circulation.

Approved,

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