

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 27 P4 52

SENATE
S. B. No. 916

RECEIVED BY: _____

Introduced by Senator SONNY ANGARA

AN ACT
ESTABLISHING THE SARANGANI STATE COLLEGE IN THE MUNICIPALITY
OF ALABEL, PROVINCE OF SARANGANI, AND APPROPRIATING FUNDS
THEREFOR

EXPLANATORY NOTE

On March 16, 1992, the Province of Sarangani was established by virtue of Republic Act 7228 - making it the 76th out of the 81 provinces in the Philippines. The province is not like any other province because of its distinct geographic location as it is bisected by General Santos City and Sarangani Bay. In addition, not only is Sarangani the Philippines' southernmost province, it is also a prime convergence point for the BIMP-EAGA (Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area) region.

The economy of the province of Sarangani has been flourishing due to its successful expansion in agriculture, aquaculture, mariculture and tourism. This is evidenced by the province's contribution to the 8.2 percent gross regional domestic product (GRDP) of SOCCSKSARGEN in 2017 which notably surpassed the GDP expansion rate of the country at the time.

Regardless of the restrictions imposed due to the COVID-19 pandemic, Sarangani continues to show a promising future. In fact, the local government reported an increase in new business registrations - from 2,266 in 2019 to 2,674 in 2020. Capital infusion also increased from P16.1B to over P19 billion during the same timeframe. Due to the multi-sectoral efforts of both private and public institutions, the province became the country's 18th most competitive province in

2021 according to the Department of Trade and Industry's (DTI) Cities and Municipalities Competitive Index (CMCI) which measures economic dynamism, government efficiency, infrastructure, and resiliency.

Clearly, much has yet to be seen from the province of Sarangani. Hence, having a new state college would be beneficial for the province as it can educate its youth, enhance their skills, and deepen the talent pool for further economic expansion. The foregoing measure aims to establish Sarangani State College in the province's capital of Alabel with the following general mandates: to provide advanced instruction and research in agriculture and fisheries, allied sciences, education, arts, and the related sciences; to provide extension services, undertake projects and programs; and provide necessary instructional and research leadership for the progress of the Province of Sarangani and the entire SOCCSKSARGEN Region.

In view of the foregoing, the passage of this measure is earnestly sought.



SONNY ANGARA
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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 college in the
2 Municipality of Alabel, Province of Sarangani, to be known as the Sarangani State
3 College, hereinafter referred to as the College. Its main campus shall be located in
4 the same municipality.

5 Sec. 2. *General Mandate.* – The College shall primarily provide advance
6 instruction and research in agriculture and fisheries, education, marine and maritime
7 studies, engineering, and arts and sciences. It shall also undertake extension and
8 development programs, and provide the necessary instructional and research
9 leadership in agricultural, environmental, and technological development in the
10 Province of Sarangani and in Region XII.

11 Sec. 3. *Curricular Offerings.* – The College shall offer undergraduate and
12 graduate courses in the fields of agriculture, fisheries, engineering, education, arts
13 and sciences, and other degree courses within its areas of specialization and
14 according to its capabilities, as the Board of Trustees may deem necessary to carry
15 out its objectives and in order to meet the needs of the Province of Sarangani and of
16 Region XII.

1 Sec. 4. *Administration.* – The College shall have the general powers of a
2 corporation set forth in Republic Act No. 11232 otherwise known as the “Revised
3 Corporation Code of the Philippines.” The administration of the College and the
4 exercise of its corporate powers shall be vested exclusively on the Board of Trustees
5 and the President of the College.

6 Sec. 5. *The Governing Board.* – The governing board of the College shall be
7 the Board of Trustees, hereinafter referred to as the Board, which shall be chaired
8 and co-chaired by the Chairperson of the Commission on Higher Education (CHED)
9 and the President of the College, respectively, with the following as members:

- 10 a) Chairperson of the Committee on Education, Arts and Culture of the Senate;
- 11 b) Chairperson of the Committee on Higher and Technical Education of the
12 House of Representatives;
- 13 c) Regional Director of the National Economic and Development Authority
14 (NEDA);
- 15 d) Regional Director of the Department of Agriculture (DA);
- 16 e) Regional Director of the TESDA;
- 17 f) President of the federation of faculty associations of the College;
- 18 g) President of the federation of student councils of the College;
- 19 h) President of the federation of alumni association of the College; and
- 20 i) Two (2) prominent citizens from the private sector who have distinguished
21 themselves in their professions or fields of specialization of the College.

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

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

29 Sec. 6. *Promulgation and Implementation of Policies.* – The Board shall
30 promulgate and implement policies in accordance with the declared State policies on
31 education and other pertinent provisions of the Constitution on education,
32 agriculture, fisheries, science and technology, as well as the policies, standards and

1 thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher
2 Education Act of 1994."

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

7 a) Approve the curricula, instructional programs, and rules of discipline drawn by
8 the Administrative and the Academic Councils herein provided;

9 b) Appoint, upon the recommendation of the President of the College, the vice
10 presidents, deans, directors, heads of the campuses, faculty members, and
11 other officials and employees of the College;

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

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

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

- 7 e) Adopt and implement a socialized scheme of tuition and other school fees for
8 greater access of poor but deserving students in accordance with Republic Act
9 No. 10931, or the "Universal Access to Quality Tertiary Education Act";
- 10 f) Establish professorial chairs in the College and provide fellowships for
11 qualified faculty members, and scholarships to deserving students;
- 12 g) Receive and appropriate all sums as may be provided for the support of the
13 College in the manner it may determine, in its discretion, in order to carry out
14 the purposes and functions of the College;
- 15 h) Set the policies on admission and graduation of students;
- 16 i) Award honorary degrees upon persons in recognition of their outstanding
17 contribution in the fields of education, public service, arts, science and
18 technology, agriculture, fisheries or any field of specialization within the
19 academic competence of the College, and to authorize the awarding of
20 certificates of completion of non-degree and non-traditional courses;
- 21 j) Establish research and extension centers to promote the development of the
22 College;
- 23 k) Develop academic arrangements for institution capability building with
24 appropriate institutions and agencies, public and private and local and
25 foreign, and appoint experts/specialists as consultants; part-time, visiting or
26 exchange professors, scholars, researchers, as the case may be;
- 27 l) Adopt modern and innovative modes of transmitting knowledge for the
28 promotion of greater access to education such as the use of information
29 technology, the dual training system, open distance learning, and community
30 laboratory, among others;
- 31 m) Collaborate with the governing boards of the state universities and colleges
32 (SUCs) within the Province of Sarangani, under the supervision of the CHED,

- 1 in consultation with the Department of Budget and Management (DBM), in
2 restructuring the College to make it more efficient, relevant, productive and
3 competitive;
- 4 n) Absorb non-chartered tertiary institutions within the Province of Sarangani as
5 branches and centers, in coordination with the CHED, and in consultation with
6 the DBM, to ensure equal access to educational opportunities, as mandated
7 by the Constitution;
- 8 o) Authorize an external management audit of the College, to be financed by the
9 CHED, subject to the rules and regulations of the Commission on Audit (COA),
10 and institute reforms, including academic and structural changes, on the basis
11 of the audit results and recommendations;
- 12 p) Develop consortia and other economic forms of linkages with both local
13 government units (LGUs), institutions and agencies, both public and private
14 and local and foreign, in the furtherance of the purposes and objectives of the
15 College;
- 16 q) Import economic, technical, and cultural books and publications;
- 17 r) Enter into joint ventures with business and industry for the profitable
18 development and management of the economic assets of the College, the
19 proceeds from which shall be used for the development and strengthening of
20 the College;
- 21 s) Receive in trust legacies, gifts and donations of real and personal properties
22 of all kinds and to administer and dispose of the same, when necessary, for
23 the benefit of the College, and subject to the limitations, directions and
24 instructions of the donor, if any;
- 25 t) Authorize the construction or repair of its buildings, machinery, equipment
26 and other facilities, and the purchase and acquisition of real property,
27 including necessary supplies, materials and equipment;
- 28 u) Extend the term of the President of the College beyond the age of retirement,
29 but not beyond the age of seventy (70) based on the guidelines,
30 qualifications, and standards set by the Board: *Provided*, That the President's
31 performance has been rated by the Board as outstanding, and after
32 unanimous recommendation by the search committee;

- 1 v) Delegate any of its powers and duties to the President and other officials of
2 the College, as it may deem appropriate, so as to expedite the administration
3 of the affairs of the College
- 4 w) Establish policy guidelines and procedures for participative decision-making
5 and transparency within the College;
- 6 x) Where most advantageous to the College, privatize the management of
7 nonacademic services such as health, food, building or grounds or property
8 maintenance, and such other similar activities; and
- 9 y) Promulgate rules and regulations as may be necessary to carry out the
10 purposes and functions of the College.

11 *Sec. 8. Meetings of the Board.* – The Board shall regularly convene at least
12 once every quarter. However, the Chairperson of the Board may, upon three (3)
13 days' prior written notice, call a maximum of two (2) special meetings whenever
14 necessary.

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

18 In the absence of the CHED Chairperson, a Commissioner of the CHED duly
19 designated by the CHED Chairperson as representative in the meeting, shall have all
20 the rights and responsibilities of a regular member: *Provided, however,* That during
21 the meeting, the President of the College, as Vice Chairperson, shall be the Presiding
22 Officer: *Provided, further,* That this provision notwithstanding, the Chairperson of
23 the CHED is hereby authorized to designate a CHED Commissioner as the regular
24 Chairperson of the Board, in which case said CHED Commissioner shall act as the
25 Presiding Officer.

26 In case the Chairpersons of the House and Senate Committees on Education
27 shall not be able to attend the Board meeting, they may designate their respective
28 representatives to attend the said meeting, who shall have the same rights and
29 responsibilities as a regular member of the Board.

30 The members of the Board shall not receive any salary, but shall be entitled
31 to reimbursements for actual and necessary expenses incurred in attending the

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

3 *Sec. 9. The College President.* – The President shall serve for a term of four
4 (4) years and shall be eligible for reappointment for another term. Within six (6)
5 months from the date of approval of this Act, the Board shall constitute the Search
6 Committee for the Presidency.

7 In case of vacancy in the Office of the President by reason of death,
8 compulsory retirement, resignation, removal for cause or incapacity of the President
9 to perform the functions of the office, the Board shall have the authority to
10 designate an OIC of the College pending the appointment of a new President.

11 In case of vacancy in the Office of the President as mentioned in the
12 immediately preceding paragraph, the successor or the OIC shall serve only for the
13 unexpired portion of the term.

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

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

22 The President of the College shall be assisted by a Vice President for
23 Academic Affairs and a Vice President for Administration, who shall be appointed by
24 the Board upon recommendation of the President.

25 *Sec. 10. The Administrative Council.*– There shall be an Administrative Council
26 consisting of the President of the College, as Chairperson, and the vice presidents,
27 deans, directors, and other officials of equal rank, as members whose duty is to
28 review and recommend to the Board the policies governing the administration,
29 management and development plan of the College.

30 *Sec. 11. The Academic Council.* – There shall be an Academic Council to be
31 composed of the President of the College, who shall act as Chairperson, and all the
32 academic staff with the rank of at least an assistant professor, as members.

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

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

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

15 Sec. 14. *The Faculty.* – No political belief, gender preference, cultural or
16 community affiliation or ethnic origin, and religious opinion or affiliation shall be a
17 matter of inquiry in the appointment of faculty members of the College: *Provided,*
18 *however,* That said appointment shall be subject to the guidelines, qualifications and
19 standards set by the Board: *Provided, further,* That no member of the faculty shall
20 teach for or against any particular church or religious sect.

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

26 Sec. 16. *Academic Freedom and Institutional Autonomy.* – The College shall
27 enjoy academic freedom and institutional autonomy, pursuant to paragraph 2,
28 Section 5 of Article XIV of the Constitution.

29 Sec. 17. *Authority to Loan or Transfer Apparatus / Equipment / Supplies and*
30 *Detail of Personnel.* – The heads of the bureaus and offices of the national
31 government are hereby authorized to loan or transfer, upon the request of the
32 President of the College, such apparatus, equipment or supplies as may be needed

1 by the College, and to detail employees for duty therein when, in the judgment of
2 the head of bureau or office, such apparatus, equipment, supplies or services of
3 such employees can be spared without serious detriment to the public service. The
4 employees so detailed shall perform such duties as required of them by the
5 President of the College, and the time so employed shall be counted as part of their
6 regular service.

7 Sec. 18. *Development Plan, Management Audit / Organizational /*
8 *Administrative / Academic Structure.* – Within the period of one hundred twenty
9 (120) days after the approval of this Act, the College shall accomplish the following:

- 10 a) Submit a five (5) - year development plan, including its corresponding
11 program budget to the CHED, for corresponding recommendation to the
12 DBM;
- 13 b) Undergo a management audit in cooperation with the CHED; and
- 14 c) Accordingly set up its organizational, administrative, as well as academic
15 structure, including the appointment of the College key officials.

16 Sec. 19. *Compliance with CHED Requirements.* – The provisions of this Act
17 notwithstanding, the establishment of the institution into a state college shall
18 become effective only upon the determination and declaration by the CHED, based
19 on the recommendation of a panel of experts it shall constitute for the purpose, that
20 the institution has complied with the requirements for a college status based on
21 CHED Memorandum Order No. 46, Series of 2012 (Policy-Standard to Enhance
22 Quality Assurance (QA) in Philippine Higher Education Through an Outcomes-Based
23 and Typology-Based QA): *Provided,* That the panel may issue such a
24 recommendation when the institution has substantially complied with the
25 requirements for the grant of status as a state college.

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

- 28 a) Full-time permanent faculty members who have the relevant degrees as
29 required by the CHED and experience in the subject areas they handle;
- 30 b) Degree programs characterized by a core curriculum that holistically develops
31 thinking, problem solving, decision-making, communication, technical, and
32 social skills in line with the mission of the College;

- 1 c) Learning resources and support structures that are appropriate for developing
2 knowledge and skills in the specific natural science, social science,
3 humanities, and professional disciplines offered by the College, including
4 laboratories, books and journals, etc.;
- 5 d) Links with the community that would ensure the development of relevant
6 academic and extension programs as well as the application for their learning
7 outcomes; and
- 8 e) Outreach programs involving students in social-development oriented
9 experiences that allow them to contextualize their knowledge within actual
10 social and human experiences.

11 After five (5) years of operation, it shall be evaluated by the CHED to
12 determine its compliance with the requirements for a College classification according
13 to the horizontal typology of higher education institutions (HEIs).

14 Moreover, the College shall undergo the institutional sustainability assessment
15 (ISA) process to ensure that an internal quality assurance (IQA) system has been
16 established leading to sustainable offering of quality programs and services.

17 *Sec. 20. Annual Report.* – On or before the fifteenth (15th) day of the second
18 month after the opening of the regular classes each year, the Board shall file with
19 the Office of the President of the Philippines, through the Chairperson of the CHED,
20 and with both Houses of Congress, a detailed report on the progress, condition and
21 needs of the College.

22 *Sec. 21. Tax Exemption.* – The importation of economic, technical and cultural
23 books or publications, which are for economic, technical, vocational, scientific,
24 philosophical, historical, or cultural purposes made by the College, upon certification
25 by the CHED, shall be exempt from customs duties in accordance with the provisions
26 of Republic Act No. 10863, otherwise known as the “Customs Modernization and
27 Tariff Act (CMTA)”.

28 All grants, bequests, endowments, donations, and contributions made to the
29 College to be used actually, directly and exclusively by the College shall be exempt
30 from donor’s tax and the same shall be allowed as allowable deductions from the
31 gross income of the donor for purposes of computing the taxable income of the

1 donor in accordance with the provisions of the National Internal Revenue Code of
2 1997, as amended.

3 Sec. 22. *Appropriations.* – The amount necessary to carry out the provisions
4 of this Act shall be included in the annual General Appropriations Act.

5 Sec. 23. *Suppletory Application.* – The provisions of Republic Act No. 8292,
6 otherwise known as the "Higher Education Modernization Act of 1997", shall be an
7 integral part of this Act and shall serve as part of the Governing Charter of the
8 College.

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

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

16 Sec. 26. *Separability Clause.* – If any portion or provision of this Act is
17 subsequently declared invalid or unconstitutional, other provisions hereof which are
18 not affected thereby shall remain in full force and effect.

19 Sec. 27. *Repealing Clause.* –All other laws, acts, presidential decrees,
20 executive orders, presidential proclamations, issuances, rules and regulations, or
21 parts thereof which are contrary to or inconsistent with any of the provisions of this
22 Act are hereby repealed, amended, or modified accordingly.

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

Approved,