



HOUSE OF REPRESENTATIVES

H. No. 4256

BY REPRESENTATIVES QUISUMBING AND ANGARA, PER COMMITTEE
REPORT NO. 668

AN ACT CONVERTING THE CORDOVA PUBLIC COLLEGE IN THE
MUNICIPALITY OF CORDOVA, PROVINCE OF CEBU INTO
A STATE COLLEGE TO BE KNOWN AS THE CORDOVA
STATE COLLEGE OF SCIENCE AND TECHNOLOGY 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 Cordova Public College in the
2 Municipality of Cordova, Province of Cebu is hereby converted into a state
3 college to be known as the Cordova State College of Science and Technology,
4 hereinafter referred to as the College.

5 SEC. 2. *General Mandate.* -- The College shall primarily provide
6 quality but affordable advanced instruction and professional training in
7 engineering, industrial technologies, business, arts and sciences, and other
8 relevant fields of study. It shall also undertake research and extension services,
9 and provide progressive leadership in its areas of specialization.

10 SEC. 3. *Academic Freedom and Institutional Autonomy.* -- The
11 College shall enjoy academic freedom and institutional autonomy, pursuant to
12 paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
13 the Philippines.

1 SEC. 4. *Curricular Offerings.* – The College shall offer undergraduate
2 and graduate studies in the fields of engineering, industrial technologies,
3 business, arts and sciences, and other degrees/courses within its areas of
4 specialization and according to its capabilities, as the Board of Trustees may
5 deem necessary to carry out its objectives, in order to meet the needs of the
6 Province of Cebu and Region VII.

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

9 SEC. 5. *Administration.* – The College shall have the general powers
10 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
11 known as “The Corporation Code of the Philippines”. The administration of
12 the College and the exercise of its corporate powers shall be vested exclusively
13 in the Board of Trustees and the President of the College.

14 SEC. 6. *The Governing Board.* – The governing board of the College
15 shall be the Board of Trustees, hereinafter referred to as the Board, which shall
16 be composed of the following:

17 (a) The Chairperson of the Commission on Higher Education (CHED),
18 Chairperson;

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

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

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

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

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

- 1 (g) The President of the faculty association of the College, member;
2 (h) The President of the student council of the College, member;
3 (i) The President of the alumni association of the College, member;
4 and
5 (j) Two (2) prominent citizens from the private sector who have
6 distinguished themselves in their profession or fields of specialization,
7 members.

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

13 The term of office of the President of the faculty association, the
14 President of the student council and the President of the alumni association
15 shall be coterminous with their terms of office, as set forth in their respective
16 constitution and bylaws.

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

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

23 (a) To promulgate and implement policies in accordance with the
24 declared State policies on education and other pertinent provisions of the
25 Philippine Constitution on education, agriculture, science and technology, as
26 well as the policies, standards and thrusts of the CHED under Republic Act
27 No. 7722, otherwise known as the “Higher Education Act of 1994”;

1 (b) To promulgate rules and regulations not contrary to law as may be
2 necessary to carry out the purposes and functions of the College;

3 (c) To receive and appropriate all sums as may be provided for the
4 support of the College in the manner it may determine, in its discretion, in
5 order to carry out the purposes and functions of the College;

6 (d) To import economic, technical and cultural books and/or
7 publications;

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

12 (f) To fix reasonable tuition fees and other necessary school charges
13 such as, but not limited to, matriculation fees, graduation fees and laboratory
14 fees, as the Board may deem proper to impose, after due consultations with the
15 involved sectors.

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

21 Any provision of existing laws, rules and regulations to the contrary
22 notwithstanding, any income generated by the College from tuition fees and
23 other charges, as well as from the operation of auxiliary services and land
24 grants, shall be retained by the College and may be disbursed by the Board for
25 instruction, research, extension or other programs/projects of the College:
26 *Provided*, That all fiduciary fees shall be disbursed for the specific purpose for
27 which these are collected.

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

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

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

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

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

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

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

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(m) To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of engineering, agriculture, public service, arts, science and technology, education or in any field of specialization

1 within the academic competence of the College; and to authorize the awarding
2 of certificates of completion of nondegree and nontraditional courses;

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

9 (o) To establish research and extension centers of the College where
10 such will promote the development of the latter;

11 (p) To establish professorial chairs in the College and to provide
12 fellowships for qualified faculty members and scholarships to deserving
13 students;

14 (q) To delegate any of its powers and duties provided for hereinabove
15 to the President or Officer-in-Charge and/or other officials of the College as it
16 may deem appropriate, so as to expedite the administration of the College;

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

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

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

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

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

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

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

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

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

1 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene
2 once every three (3) months. Whenever necessary, the Chairperson of the
3 Board may call, upon three (3) days' prior written notice, a maximum of two
4 (2) special meetings within the same period.

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

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

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

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

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

1 Board, upon recommendation of a duly constituted search committee. The
2 College President shall have a term of four (4) years and shall be eligible for
3 reappointment for another term: *Provided*, That in order to effect a smooth
4 transition to a State College, the incumbent head of the Cordova Public
5 College, if qualified, shall act as the Officer-in-Charge, pending the
6 appointment of the first President of the College.

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

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

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

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

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

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

1 SEC. 10. *The Secretary of the College.* – The Board shall appoint a
2 secretary, who shall serve as such for both the Board and the College and shall
3 keep all the records and proceedings of the Board. The Secretary of the
4 College shall serve upon each member of the Board the appropriate notice of
5 the Board meetings.

6 SEC. 11. *The Treasurer of the College.* – The Treasurer of the
7 Philippines shall be the *ex officio* treasurer of the College.

8 SEC. 12. *The Administrative Council.* – There shall be an
9 Administrative Council consisting of the President of the College as
10 Chairperson, Vice Presidents, deans, directors and other officials of equal rank
11 as members, whose duty is to review and recommend to the Board the policies
12 governing the administration, management and development planning of the
13 College.

14 SEC. 13. *The Academic Council.* – There shall be an Academic
15 Council to be composed of the President of the College, who shall act as
16 Chairperson, and all the academic staff with the rank of at least an assistant
17 professor, as members.

18 The Academic Council shall have the power to review and recommend
19 the curricular offerings and rules of discipline of the College, subject to the
20 approval of the Board. It shall fix the requirements for the admission of
21 students, as well as for their graduation and conferment of degrees, subject to
22 review and/or approval by the Board through the President of the College. It
23 shall have the disciplinary power over students of the College and shall
24 formulate academic policies and rules and regulations on discipline, subject to
25 the approval of the Board.

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

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

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

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

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

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

21 SEC. 17. *Assets, Liabilities and Personnel*. – All assets, real and
22 personal, personnel and records of the Cordova Public College, as well as
23 liabilities or obligations, are hereby transferred to the Cordova State College of
24 Science and Technology. The positions, rights and security of tenure of faculty
25 members and personnel therein employed under existing laws prior to the
26 conversion into a State College shall be respected.

1 All parcels of land belonging to the government and occupied by the
2 Cordova Public College are hereby declared to be property of the Cordova
3 State College of Science and Technology, and shall be titled under that name:
4 *Provided*, That should the College cease to exist or be abolished or should
5 such parcels of land aforementioned be no longer needed by the College, the
6 same shall revert to the Municipality of Cordova, or the Province of Cebu or
7 the Republic of the Philippines, as the case may be.

8 SEC. 18. *Tax Exemption on Importation and Donations.* – The
9 importation of economic, technical and cultural books and/or publications,
10 which are for economic, technical, vocational, scientific, philosophical,
11 historical or cultural purposes made by the Cordova State College of Science
12 and Technology upon certification by the CHED shall be exempt from customs
13 duties in accordance with the provisions of the Tariff and Customs Code of the
14 Philippines, as amended.

15 All donations in any form to the Cordova State College of Science and
16 Technology shall be exempt from the donor's tax and the same shall be
17 considered as allowable deduction from the gross income in the computation of
18 the income tax of the donor, in accordance with the provisions of the National
19 Internal Revenue Code of 1997, as amended.

20 SEC. 19. *Appropriations.* – The amount necessary to initially
21 implement the provisions of this Act shall be charged against the current year's
22 funding provided by the LGU concerned. The concerned LGU shall continue
23 to provide assistance to the Cordova Public College until such time that the full
24 funding requirement of the Cordova State College of Science and Technology
25 is included in the annual General Appropriations Act.

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

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

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

9 (c) Set up its organizational, administrative as well as academic
10 structure, including the appointment of the key officials of the College.

11 SEC. 21. *Filing of Report.* – On or before the fifteenth (15th) day of
12 the second (2nd) month after the opening of regular classes every year, the
13 Board shall file with the Office of the President of the Philippines, through the
14 Chairperson of the CHED, and with both Houses of Congress a detailed report
15 on the progress, conditions and needs of the College.

16 SEC. 22. *Suppletory Application.* – The provisions of Republic Act
17 No. 8292, otherwise known as the “Higher Education Modernization Act of
18 1997”, shall be an integral part of this Act and shall serve as part of the
19 Governing Charter of the College.

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

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

1 ·SEC. 25. *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. 26. *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. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after
8 its publication in two (2) newspapers of general circulation.

Approved,

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