



## HOUSE OF REPRESENTATIVES

H. No. 4586

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BY REPRESENTATIVES ZAMORA-APSAY AND ANGARA, PER COMMITTEE  
REPORT NO. 906

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AN ACT ESTABLISHING A STATE COLLEGE IN THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF COMPOSTELA VALLEY TO BE KNOWN AS THE COMPOSTELA VALLEY STATE COLLEGE, INTEGRATING THEREWITH AS REGULAR BRANCHES THE BUKIDNON STATE UNIVERSITY EXTERNAL STUDIES CENTERS IN THE MUNICIPALITIES OF MONKAYO, MARAGUSAN, MONTEVISTA AND NEW BATAAN, ALL LOCATED IN THE PROVINCE OF COMPOSTELA VALLEY 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 Compostela, Province of Compostela Valley to  
3 be known as the Compostela Valley State College, hereinafter referred to as  
4 the College, and integrating therewith as its regular branches the Bukidnon  
5 State University (BSU) External Studies Centers in the municipalities of  
6 Monkayo, Maragusan, Montevista and New Bataan, all located in the Province  
7 of Compostela Valley. The main campus shall be located in the Municipality  
8 of Compostela.

1           SEC. 2. *General Mandate.* – The College shall primarily provide  
2 advanced education, higher technological, professional instruction and training  
3 in agriculture, science and technology and other related fields. It shall also  
4 undertake research and extension services in support of the socioeconomic  
5 development of the Province of Compostela Valley and provide progressive  
6 leadership in its areas of specialization.

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

11           SEC. 4. *Curricular Offerings.* – The College shall offer undergraduate,  
12 graduate and short-term technical courses in the fields of agriculture, forestry,  
13 arts and sciences, information technology, teacher education, industrial  
14 technology and other courses within its areas of specialization and according to  
15 its capabilities as the Board of Trustees may deem necessary to carry out its  
16 objectives and in order to meet the needs of the Province of Compostela Valley  
17 and Region XI.

18           The College may maintain and operate a reasonably-sized laboratory  
19 school if it has an Institute of Education.

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

25           SEC. 6. *The Governing Board.* – The governing body of the College  
26 shall be the Board of Trustees, hereinafter referred to as the Board, which shall  
27 be composed of the following:

- 1 (a) The Chairperson of the Commission on Higher Education (CHED),  
2 Chairperson;
- 3 (b) The President of the College, Vice Chairperson;
- 4 (c) The Chairperson of the Committee on Education, Arts and Culture  
5 of the Senate, member;
- 6 (d) The Chairperson of the Committee on Higher and Technical  
7 Education of the House of Representatives, member;
- 8 (e) The Regional Director of the National Economic and Development  
9 Authority (NEDA), member;
- 10 (f) The Regional Director of the Department of Science and  
11 Technology (DOST), member;
- 12 (g) The President of the federation of faculty associations of the  
13 College, member;
- 14 (h) The President of the federation of student councils of the College,  
15 member;
- 16 (i) The President of the federation of alumni associations of the  
17 College, member; and
- 18 (j) Two (2) prominent citizens from the private sector who have  
19 distinguished themselves in their profession or fields of specialization,  
20 members.

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

26 The term of office of the President of the federation of faculty  
27 associations, the President of the federation of student councils and the  
28 President of the federation of alumni associations shall be coterminous with

1 their respective terms of office, as set forth in their respective constitutions and  
2 bylaws.

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

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

9 (a) To promulgate and implement policies in accordance with the  
10 declared State policies and the provisions of the Philippine Constitution on  
11 education, agriculture, science and technology, as well as the policies,  
12 standards and thrusts of the CHED under Republic Act No. 7722, otherwise  
13 known as the "Higher Education Act of 1994";

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

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

19 (d) To import economic, technical and cultural books and/or  
20 publications;

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

25 (f) To fix the tuition fees and other necessary school charges such as,  
26 but not limited to, matriculation fees, graduation fees and laboratory fees, as  
27 the Board may deem proper to impose, after due consultations with the  
28 involved sectors.

1           Such fees and charges, including government subsidies and other  
2 income generated by the College, shall constitute special trust funds and shall  
3 be deposited in any authorized government depository bank, and all interests  
4 that shall accrue therefrom shall form part of the same funds for the use of the  
5 College.

6           Any provision of existing laws, rules and regulations to the contrary  
7 notwithstanding, any income generated by the College from tuition fees and  
8 other charges, as well as from the operation of auxiliary services and land  
9 grants, shall be retained by the College and may be disbursed by the Board for  
10 instruction, research, extension or other programs/projects of the College:  
11 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes  
12 for which these are collected.

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

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

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

23           (i) To appoint, upon recommendation of the President of the College,  
24 vice president, deans, directors, heads of campuses, faculty members and other  
25 officials and employees of the College;

26           (j) To fix and adjust salaries of faculty members and administrative  
27 officials and employees, subject to the provisions of the Revised Compensation  
28 and Position Classification System and other pertinent budget and

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

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

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

10 (m) To award honorary degrees upon persons in recognition of their  
11 outstanding contribution in the fields of education, public service, arts, science  
12 and technology, agriculture or in any field of specialization within the  
13 academic competence of the College; and to authorize the awarding of  
14 certificates of completion of nondegree and nontraditional courses;

15 (n) To establish and absorb nonchartered tertiary institutions within the  
16 Province of Compostela Valley as branches and centers in coordination with  
17 the CHED, and in consultation with the Department of Budget and  
18 Management (DBM), and to offer therein programs or courses, to promote and  
19 carry out equal access to educational opportunities as mandated by the  
20 Constitution;

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

23 (p) To establish professorial chairs in the College and to provide  
24 fellowships for qualified faculty members and scholarships to deserving  
25 students;

26 (q) To delegate any of its powers and duties provided for hereinabove  
27 to the President and/or other officials of the College as it may deem  
28 appropriate, so as to expedite the administration of the affairs of the College;

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

5 (s) To collaborate with other governing boards of state colleges and  
6 universities within the Province of Compostela Valley or Region XI, under the  
7 supervision of the CHED and in consultation with the DBM, and work towards  
8 the restructuring of the College to become more efficient, relevant, productive  
9 and competitive;

10 (t) To enter into joint ventures with business and industry for the  
11 profitable development and management of the economic assets of the College,  
12 the proceeds from which shall be used for the development and strengthening  
13 of the College;

14 (u) To develop consortia and other economic forms of linkages with  
15 local government units (LGUs), institutions and agencies, both public and  
16 private, local and foreign, in the furtherance of the purposes and objectives of  
17 the College;

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

22 (w) To set up the adoption of modern and innovative modes of  
23 transmitting knowledge such as the use of information technology, the dual  
24 learning system, open or distance education and community laboratory for the  
25 promotion of greater access to education;

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

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

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

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

13 A quorum of the Board shall consist of majority of all its members  
14 holding office at the time of the meeting; *Provided, however,* That the  
15 Chairperson of the Board or the President of the College is among those  
16 present in the meeting.

17 If the Chairperson of the CHED is unable to attend, a Commissioner  
18 may be designated as representative to the meeting with all the rights and  
19 responsibilities of a regular member; *Provided, however,* That during this  
20 meeting, the President of the College as Vice Chairperson shall be the  
21 Presiding Officer; *Provided, further,* That this *proviso* notwithstanding, the  
22 Chairperson of the CHED is hereby authorized to designate a CHED  
23 Commissioner as the regular Chair of the Board, in which case said CHED  
24 Commissioner shall act as the Presiding Officer.

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



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

6           **SEC. 9. *The College President.*** – The College shall be headed by a  
7 President, who shall render full-time service and who shall be appointed by the  
8 Board, subject to the guidelines, qualifications and/or standards set by the  
9 Board, upon recommendation of a duly constituted search committee. The  
10 College President shall have a term of four (4) years and shall be eligible for  
11 reappointment for another term.

12           Pending the appointment of the first President of the College, the  
13 Chairperson of the CHED shall appoint an Officer-in-Charge of the College:  
14 *Provided, That the Officer-in-Charge of the College shall be entitled to*  
15 *additional compensation for services rendered as interim head of the College,*  
16 *subject to budgeting, accounting and auditing rules of the COA.*

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

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

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

1           The salary of the President of the College shall be in accordance with  
2 the Revised Compensation and Position Classification System and shall be  
3 comparable to that being received by the Presidents of similar educational  
4 institutions.

5           The President of the College shall be assisted by a Vice President for  
6 Academic Affairs who shall be appointed by the Board upon recommendation  
7 of the President.

8           SEC. 10. *Heads of College Branches.* -- The BSU External Studies  
9 Centers located in the municipalities of Monkayo, Maragusan, Montevista and  
10 New Bataan shall be called College Branches and shall be headed by Directors  
11 who shall render full-time service. The Branch Directors shall be appointed by  
12 the Board upon recommendation of the search committee and the College  
13 President, subject to the guidelines, qualifications and standards set by the  
14 Board: *Provided*, That the incumbent heads of the BSU External Studies  
15 Centers in the said four (4) municipalities shall serve as Directors of their  
16 respective branches.

17           SEC. 11. *The Secretary of the College.* -- The Board shall appoint a  
18 Secretary, who shall serve as such for both the Board and the College and shall  
19 keep all records and proceedings of the Board. The Secretary of the College  
20 shall serve upon each member of the Board the appropriate notice of the Board  
21 meetings.

22           SEC. 12. *The Treasurer of the College.* -- The Treasurer of the  
23 Philippines shall be the *ex officio* Treasurer of the College.

24           SEC. 13. *The Administrative Council.* -- There shall be an  
25 Administrative Council consisting of the President of the College as  
26 Chairperson, vice president, deans, directors and other officials of equal rank  
27 as members, whose duty is to review and recommend to the Board policies

1 governing the administration, management and development planning of the  
2 College.

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

7 The Academic Council shall have the power to review and recommend  
8 the curricular offerings and rules of discipline of the College, subject to the  
9 approval of the Board. It shall fix the requirements for the admission of  
10 students, as well as for their graduation and conferment of degrees, subject to  
11 review and approval by the Board through the President of the College. It shall  
12 have the disciplinary power over students of the College and shall formulate  
13 academic policies and rules and regulations on discipline, subject to the  
14 approval of the Board.

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

22 SEC. 16. *Scholarship Program/Admission.* – The College shall  
23 provide a scholarship program and other affirmative action programs to assist  
24 poor but deserving students who qualify for admission to the College.

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

27 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
28 *and Detail of Personnel.* – The heads of the bureaus and offices of the

1 national government are hereby authorized to loan or transfer, upon the request  
2 of the President of the College, such apparatus, equipment or supplies as may  
3 be needed by the College, and to detail employees for duty therein when, in the  
4 judgment of the head of the bureau or office, such apparatus, equipment,  
5 supplies or services of such employees can be spared without serious detriment  
6 to public service.

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

10 SEC. 18. *Campus Site, Assets and Liabilities.* — The College shall  
11 have an area for its exclusive use as campus site for its academic and  
12 instructional programs, research and development activities, and experimental  
13 and laboratory facilities.

14 The Board shall forthwith recommend a suitable site within the  
15 Municipality of Compostela for this purpose. The parcels of land to be  
16 occupied by the Compostela Valley State College, including land assets  
17 belonging to the government occupied by the BSU External Studies Centers in  
18 the municipalities of Monkayo, Maragusan, Montevista and New Bataan, are  
19 hereby declared property of the Compostela Valley State College, and shall be  
20 titled under that name: *Provided*, That should the College cease to exist or be  
21 abolished, or should said parcel of land aforementioned be no longer needed  
22 by the College, the same shall revert to the LGUs concerned.

23 All assets, real and personal, personnel and records of the BSU External  
24 Studies Centers aforementioned, as well as liabilities or obligations, are hereby  
25 transferred to the College. The positions, rights and security of tenure of  
26 faculty members and personnel therein employed under existing laws prior to  
27 the conversion into a state college shall be respected.

1           **SEC. 19. *Tax Exemption on Importation and Donations.*** – The  
2 importation of economic, technical and cultural books or publications, which is  
3 for economic, technical, vocational, scientific, philosophical, historical or  
4 cultural purposes made by the College upon certification by the CHED shall be  
5 exempt from customs duties in accordance with the provisions of the Tariff and  
6 Customs Code of the Philippines, as amended.

7           Donations in any form to the College shall be exempt from the donor's  
8 tax and the same shall be considered as allowable deduction from the gross  
9 income in the computation of the income tax of the donor, in accordance with  
10 the provisions of the National Internal Revenue Code of 1997, as amended.

11           **SEC. 20. *Appropriations.*** – The amount necessary to implement the  
12 provisions of this Act shall be included in the annual General Appropriations  
13 Act. The BSU External Studies Centers in the municipalities of Monkayo,  
14 Maragusan, Montevista and New Bataan in the Province of Compostela Valley  
15 shall continue to receive funding from the BSU until such time that the said  
16 External Studies Centers are fully integrated as regular branches of the  
17 College.

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

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

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

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

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

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

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

14           SEC. 25. *Implementing Rules and Regulations.* – The Board, in  
15 consultation with the CHED, shall formulate the rules and regulations to fully  
16 implement the provisions of this Act.

17           SEC. 26. *Separability Clause.* – If, for any reason, any part or  
18 provision of this Act is declared invalid or unconstitutional, the remaining  
19 parts or provisions not affected thereby shall remain in full force and effect.

20           SEC. 27. *Repealing Clause.* – All laws, presidential decrees, executive  
21 orders, rules and regulations contrary to or inconsistent with the provisions of  
22 this Act are hereby repealed or modified accordingly.

23           SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after  
24 its publication in two (2) newspapers of general circulation.

Approved,