



HOUSE OF REPRESENTATIVES

H. No. 6313

BY REPRESENTATIVES SOON-RUIZ, VILLAR, CUA (J.), JAVIER AND REMULLA,
PER COMMITTEE REPORT NO. 1999

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
9 services, and provide progressive leadership in its areas of specialization.

1 SEC. 3. *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 existing high school shall be transferred to the jurisdiction and
8 supervision of the Department of Education (DepEd): *Provided,* That the high
9 school shall be allowed to remain and operate within the campus of the College
10 until its students, who are currently enrolled, shall have completed their high
11 school education: *Provided, further,* That the College may operate a
12 reasonably-sized laboratory school, if it has a College of Education.

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

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

21 (a) The Chairperson of the Commission on Higher Education (CHED),
22 Chairperson;

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

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

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

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

3 (f) The Regional Director of the Department of Science and
4 Technology (DOST); member;

5 (g) The President of the faculty association of the College, member;

6 (h) The President of the student council of the College, member;

7 (i) The President of the alumni association of the College, member;
8 and

9 (j) Two (2) prominent citizens from the private sector who have
10 distinguished themselves in their profession or fields of specialization of the
11 College, members.

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

17 The term of office of the President of the faculty association, the
18 President of the student council and the President of the alumni association
19 shall be coterminous with their terms of office, as set forth in their respective
20 constitutions and bylaws.

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

23 SEC. 6. *Promulgation and Implementation of Policies.* – The Board
24 shall promulgate and implement policies in accordance with the declared State
25 policies on education and other pertinent provisions of the Philippine
26 Constitution on education, agriculture, science and technology, as well as the
27 policies, standards and thrusts of the CHED under Republic Act No. 7722,
28 otherwise known as the "Higher Education Act of 1994".

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

5 (a) To promulgate rules and regulations not contrary to law as may be
6 necessary to carry out the purposes and functions of the College;

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

10 (c) To import duty-free economic, technical and cultural books and/or
11 publications, upon certification by the CHED that such imported books and/or
12 publications are for economic, technical, vocational, scientific, philosophical,
13 historical or cultural purposes, in accordance with the provisions of the Tariff
14 and Customs Code of the Philippines, as amended;

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

19 Such donations shall be exempt from the donor's tax and the same shall
20 be considered as allowable deductions from the gross income in the
21 computation of the income tax of the donor, in accordance with the provisions
22 of the National Internal Revenue Code (NIRC) of 1997, as amended:
23 *Provided,* That such donations shall not be disposed of, transferred or sold;

24 (e) To fix the tuition fees and other necessary school charges such as,
25 but not limited to, matriculation fees, graduation fees and laboratory fees, as
26 the Board may deem proper to impose, after due consultations with the
27 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 purpose for
12 which these are collected.

13 If, for reasons beyond its control, the College shall not be able to pursue
14 any project for which 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 (f) To adopt and implement a socialized scheme of tuition and other
19 school fees for greater access to poor but deserving students;

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

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

26 (i) 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 laws to the contrary notwithstanding; and to remove them for cause in
5 accordance with the requirements of due process of law;

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

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

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

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

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

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

26 (p) To delegate any of its powers and duties provided for hereinabove
27 to the President or Officer-in-Charge and/or other officials of the College as it

1 may deem appropriate, so as to expedite the administration of the affairs of the
2 College;

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

7 (r) To collaborate with other governing boards of state universities and
8 colleges within the Province of Cebu or Region VII, under the supervision of
9 the CHED and in consultation with the DBM, and work towards the
10 restructuring of the College to become more efficient, relevant, productive and
11 competitive;

12 (s) To enter into joint ventures with business and industry for the
13 profitable development and management of the economic assets of the
14 College, the proceeds from which shall be used for the development and
15 *strengthening of the same*;

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

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

23 (v) To set up the adoption of modern and innovative modes of
24 transmitting knowledge such as the use of information technology, the dual
25 learning system, open learning or distance education and community
26 laboratory for the promotion of greater access to higher education and graduate
27 studies, as the case may be;

1 (w) To establish policy guidelines and procedures for participative
2 decision-making and transparency within the College;

3 (x) To privatize, where most advantageous to the University, the
4 management of nonacademic services such as health, food, building, grounds
5 or property maintenance and such other similar activities; and

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

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

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

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

27 In case the Chairpersons of the Congressional Committees on Education
28 shall not be able to attend the Board meeting, they may duly designate their

1 respective representatives to attend said meeting, who shall have the same
2 rights and responsibilities as a regular member of the Board.

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

8 SEC. 9. *The College President.* – The College shall be headed by a
9 President, who shall render full-time service. He/She shall be appointed by the
10 Board, subject to the guidelines, qualifications and/or standards set by the
11 Board, upon recommendation of a duly constituted search committee. He/She
12 shall have a term of four (4) years and shall be eligible for reappointment for
13 another term: *Provided*, That in order to effect a smooth transition into a State
14 college, the incumbent head of the Cordova Public College, if qualified, shall
15 act as the Officer-in-Charge, pending the appointment of the first President of
16 the College.

17 Within six (6) months before the expiration of the term of office of the
18 incumbent President of the College, the Board shall constitute the Search
19 Committee for 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 his/her office, the Board shall designate
23 an Officer-in-Charge of the College within six (6) months from the date of
24 vacancy, pending the appointment of a new President.

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

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

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

8 The President of the College shall be assisted by a Vice President for
9 Academic Affairs, who shall be appointed by the Board upon recommendation
10 of the President.

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

17 SEC. 11. *The Academic Council.* – There shall be an Academic
18 Council to be composed of the President of the College, who shall act as
19 Chairperson, and all the academic staff with the rank of at least an assistant
20 professor, as members.

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

1 SEC. 12. *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 records and proceedings of the Board. He/She shall serve upon each
4 member of the Board the appropriate notice of the Board meetings.

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

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

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

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

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

23 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/
24 Supplies and Detail of Personnel.* – The heads of the bureaus and offices of
25 the national government are hereby authorized to loan or transfer, upon the
26 request of the President of the College, such apparatus, equipment or supplies
27 as may be needed by the College, and to detail employees for duty therein
28 when, in the judgment of the head of bureau or office, such apparatus,

1 equipment, supplies or services of such employees can be spared without
2 serious detriment to the public service.

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

6 SEC. 18. *Assets, Liabilities and Personnel.* – All, assets, real and
7 personal, personnel and records of the Cordova Public College, as well as
8 liabilities or obligations, are hereby transferred to the College. The positions,
9 rights and security of tenure of faculty members and personnel therein
10 employed under existing laws prior to the conversion into a state college shall
11 be respected.

12 All parcels of land belonging to the government and occupied by the
13 Cordova Public College are hereby declared to be property of the Cordova
14 State College of Science and Technology, and shall be titled under that name:
15 *Provided*, That should the College cease to exist or be abolished or should
16 such parcels of land aforementioned be no longer needed by the College, the
17 same shall revert to the Municipality of Cordova, or the Province of Cebu or
18 the Republic of the Philippines, as the case may be.

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

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

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

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

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

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

13 SEC. 22. *Supplementary Application.* – The provisions of Republic Act
14 No. 8292, otherwise known as the “Higher Education Modernization Act of
15 1997”, shall be an integral part of this Act and shall serve as part of the
16 Governing Charter of the College.

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

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

24 SEC. 25. *Separability Clause.* – If, for any reason, any part or
25 provision of this Act is declared invalid or unconstitutional, the remaining
26 parts or provisions not affected thereby shall remain in full force and effect.

1 SEC. 26. *Repealing Clause.* – All laws, presidential decrees, executive
2 orders, rules and regulations contrary to or inconsistent with the provisions of
3 this Act are hereby repealed or modified accordingly.

4 SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days
5 after its publication in two (2) newspapers of general circulation.

Approved,

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