



## HOUSE OF REPRESENTATIVES

H. No. 5993

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BY REPRESENTATIVES HERNANDEZ, ROMULO, PIAMONTE, DELA CRUZ,  
UNGAB AND QUIMBO, PER COMMITTEE REPORT NO. 824

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AN ACT ESTABLISHING THE SOUTH COTABATO STATE COLLEGE  
IN THE MUNICIPALITY OF SURALLAH, PROVINCE OF SOUTH  
COTABATO, INTEGRATING THEREWITH THE SURALLAH  
NATIONAL AGRICULTURAL SCHOOL LOCATED IN THE  
MUNICIPALITY OF SURALLAH, 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 Surallah, Province of South Cotabato to be  
3 known as the South Cotabato State College (SCSC), hereinafter referred to as  
4 the College, and integrating therewith the Surallah National Agricultural  
5 School (SUNAS), located in the Municipality of Surallah, Province of South  
6 Cotabato. Its main campus shall be located in the Municipality of Surallah.

7           SEC. 2. *General Mandate.* – The College shall primarily provide both  
8 advanced instruction and research in agriculture and allied technological  
9 sciences including education, arts and related sciences. It shall also undertake  
10 extension and development programs, and provide the necessary instructional

1 and research leadership in agricultural, environmental and technological  
2 development in Region XII (SOCCSKSARGEN).

3         **SEC. 3. *Curricular Offerings.*** – The College shall offer undergraduate  
4 and graduate courses in the fields of agriculture, environmental management,  
5 engineering, education, arts and sciences, and other degree courses within its  
6 areas of specialization and according to its capabilities, as the Board of  
7 Trustees may deem necessary to carry out its objectives and in order to meet  
8 the needs of the Province of South Cotabato and the SOCCSKSARGEN.

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

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  
17 exclusively 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 Technical  
27 Education of the House of Representatives, member;

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

3 (f) The Regional Director of the Department of Agriculture (DA),  
4 member;

5 (g) The Regional Director of the TESDA, member;

6 (h) The President of the federation of faculty associations of the  
7 College, member;

8 (i) The President of the federation of student councils of the College,  
9 member;

10 (j) The President of the federation of alumni associations of the  
11 College, member; and

12 (k) Two (2) prominent citizens from the private sector who have  
13 distinguished themselves in their profession or fields of specialization of the  
14 College, members.

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

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 as may be necessary to carry  
6 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 economic, technical and cultural books and  
11 publications;

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

16          (e) To fix the tuition fees and other necessary school charges such as  
17 matriculation fees, graduation fees, and laboratory fees, as the Board may  
18 deem proper to impose, after due consultations with the involved sectors.  
19 Such fees and charges, including government subsidies and other income  
20 generated by the College, shall constitute special trust funds and shall be  
21 deposited in any authorized government depository bank, and all interests that  
22 shall accrue therefrom shall form part of the same funds for the use of the  
23 College. Any provision of existing laws, rules and regulations to the contrary  
24 notwithstanding, any income generated by the College from tuition fees and  
25 other charges, as well as from the operation of auxiliary services and land  
26 grants, shall be retained by the College, and may be disbursed by the Board  
27 for instruction, research, extension or other programs/projects of the College:

1 *Provided*, That all fiduciary fees shall be disbursed for the specific purposes  
2 for which these are collected.

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

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

11 (g) To authorize the construction or repair of its buildings, machinery,  
12 equipment and other facilities, and the purchase and acquisition of real  
13 property, including necessary supplies, materials and equipment;

14 (h) To appoint, upon the recommendation of the President of the  
15 College, vice presidents, deans, directors, heads of campuses, faculty  
16 members, and other officials and employees of the College;

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

25 (j) To approve the curricula, instructional programs and rules of  
26 discipline drawn by the Administrative and Academic Councils herein  
27 provided;

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

1           (l) To award honorary degrees upon persons in recognition of their  
2 *outstanding contribution in the fields of education, public service, arts, science*  
3 *and technology, agriculture or in any field of specialization within the*  
4 *academic competence of the College, and to authorize the awarding of*  
5 *certificates of completion of nondegree and nontraditional courses;*

6           (m) To establish and absorb nonchartered tertiary institutions within  
7 *the Province of South Cotabato as branches and centers in coordination with*  
8 *the CHED and, in consultation with the Department of Budget and*  
9 *Management (DBM), and to offer therein programs or courses to promote and*  
10 *carry out equal access to educational opportunities, as mandated by the*  
11 *Constitution;*

12           (n) To establish research and extension centers to promote the  
13 *development of the College;*

14           (o) To establish professorial chairs in the College and to provide  
15 *fellowships for qualified faculty members, and scholarships to deserving*  
16 *students;*

17           (p) To delegate any of its powers and duties provided for hereinabove  
18 *to the President or other officials of the College, as it may deem appropriate,*  
19 *so as to expedite the administration of the affairs of the College;*

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

24           (r) To collaborate with other governing boards of state universities  
25 *and colleges (SUCs) within the Province of South Cotabato or REGION XII*  
26 *(SOCCSKSARGEN), under the supervision of the CHED and in consultation*  
27 *with the DBM, and work towards the restructuring of the College to become*  
28 *more efficient, relevant, productive and competitive;*

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

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

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

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

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

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

22           (y) 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  
24 has been unanimously rated by the Board as outstanding based on the  
25 guidelines, qualifications and standards set by the Board, after unanimous  
26 recommendation by the search committee.

27           SEC. 8. *Meetings of the Board.* – The Board shall regularly convene  
28 at least once every quarter. However, the Chairperson of the Board may, upon

1 three (3) days' prior written notice, call a maximum of two (2) special  
2 meetings whenever necessary.

3 A quorum of the Board shall consist of majority of all its members  
4 holding office at the time of the meeting: *Provided*, That the Chairperson of  
5 the Board or the President of the College must be present in the meeting.

6 The Chairperson of the CHED may designate a Commissioner of the  
7 CHED as the Chairperson's representative in the meeting, with all the rights  
8 and responsibilities of a regular member: *Provided, however*, That during the  
9 meeting, the President of the College, as Vice Chairperson, shall be the  
10 presiding officer: *Provided, further*, That this proviso notwithstanding, the  
11 Chairperson of the CHED is hereby authorized to designate a CHED  
12 Commissioner as the regular Chairperson of the Board, in which case said  
13 CHED Commissioner shall act as the presiding officer.

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

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

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

27 The President shall serve for a term of four (4) years and shall be  
28 eligible for reappointment for another term: *Provided*, That in order to effect



1 a smooth transition to a state college, the incumbent Vocational School  
2 Administrator of the SUNAS, if qualified, shall *ipso facto* become the first  
3 President of the College.

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

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  
9 President to perform the functions of the office, the Board shall have the  
10 authority to designate an Officer-in-Charge of the College pending the  
11 appointment of a new President.

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

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

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

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

27 SEC. 10. *The Administrative Council.* – There shall be an  
28 Administrative Council consisting of the President of the College, as

1 Chairperson, vice presidents, deans, directors and other officials of equal rank,  
2 as members, whose duty is to review and recommend to the Board the policies  
3 governing the administration, management and development planning of the  
4 College.

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

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

17 SEC. 12. *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  
19 shall keep all records and proceedings of the Board. The Secretary shall serve  
20 upon each member of the Board the appropriate notice of the Board meetings.

21 SEC. 13. *The Treasurer of the College.* – The Treasurer of the  
22 Philippines shall be the *ex officio* Treasurer of the College.

23 SEC. 14. *The Faculty.* – No political belief, gender preference,  
24 cultural or community affiliation or ethnic origin, and religious opinion or  
25 affiliation shall be a matter of inquiry in the appointment of faculty members  
26 of the College: *Provided*, That said appointment shall be subject to the  
27 guidelines, qualifications and standards set by the Board: *Provided, further*,

1 That no member of the faculty shall teach for or against any particular church  
2 or religious sect.

3 SEC. 15. *Scholarship Program/Admission.* – The College shall  
4 provide a scholarship program and other affirmative action programs to assist  
5 poor but deserving students who qualify for admission to the College. No  
6 student shall be denied admission to the College by reason of sex, religion,  
7 cultural or community affiliation or ethnic origin.

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

12 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*  
13 *and Detail of Personnel.* – The heads of the bureaus and offices of the  
14 national government are hereby authorized to loan or transfer, upon the  
15 request of the President of the College, such apparatus, equipment or supplies  
16 as may be needed by the College, and to detail employees for duty therein  
17 when, in the judgment of the head of the bureau or office, such apparatus,  
18 equipment, supplies or services of such employees can be spared without  
19 serious detriment to public service. The employees so detailed shall perform  
20 such duties as required of them by the President of the College, and the time  
21 so employed shall be counted as part of their regular services.

22 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and  
23 personal, personnel and records of the SUNAS, as well as its liabilities or  
24 obligations, are hereby transferred to the College: *Provided,* That the  
25 positions, rights and security of tenure of faculty members and personnel  
26 therein employed under existing laws prior to the integration of the SUNAS  
27 into the College shall be respected: *Provided, further,* That the incumbents of  
28 the positions shall remain in the same status until otherwise provided for by

1 the Board: *Provided, finally*, That the College shall also include an upgrade or  
2 increase in its human resource component.

3 All parcels of land belonging to the government occupied by the  
4 SUNAS are hereby declared to be property of the College and shall be titled  
5 under that name: *Provided*, That should the College cease to exist or be  
6 abolished, or should such parcels of land aforementioned be no longer needed  
7 by the College, the same shall revert to the national government or to the  
8 concerned local government unit.

9 SEC. 19. *Appropriations*. – The amount necessary to carry out the  
10 provisions of this Act shall be included in the annual General Appropriations  
11 Act.

12 SEC. 20. *Tax Exemption*. – The importation of economic, technical  
13 and cultural books or publications, which are for economic, technical,  
14 vocational, scientific, philosophical, historical or cultural purposes made by  
15 the College, upon certification by the CHED, shall be exempt from customs  
16 duties in accordance with the provisions of the Tariff and Customs Code of  
17 the Philippines, as amended.

18 All grants, bequests, endowments, donations and contributions made to  
19 the College to be used actually, directly and exclusively by the College shall  
20 be exempt from donor's tax and the same shall be considered as allowable  
21 deductions from the gross income of the donor for purposes of computing the  
22 taxable income of the donor in accordance with the provisions of the National  
23 Internal Revenue Code of 1997, as amended.

24 SEC. 21. *Development Plan, Management Audit/Organizational/  
25 Administrative/Academic Structure*. – Within the period of one hundred  
26 twenty (120) days after the approval of this Act, the College shall accomplish  
27 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 College key officials.

7 SEC. 22. *Annual Report.* – On or before the fifteenth (15<sup>th</sup>) day of the  
8 second month after the opening of the regular classes each year, the Board  
9 shall file with the Office of the President of the Philippines, through the  
10 Chairperson of the CHED and with both Houses of Congress, a detailed report  
11 on the progress, condition and needs of the College.

12 SEC. 23. *Suppletory Application.* – The provisions of Republic Act  
13 No. 8292, otherwise known as the “Higher Education Modernization Act of  
14 1997”, shall be an integral part of this Act and shall serve as part of the  
15 Governing Charter of the College.

16 SEC. 24. *Parity Clause.* – All other powers, functions and privileges,  
17 responsibilities and limitations to SUCs and their officials under existing laws  
18 shall be deemed granted to or imposed upon the College and its officials,  
19 whenever appropriate.

20 SEC. 25. *Compliance with CHED Requirements.* – The provisions of  
21 this Act notwithstanding, the establishment or conversion of the institution  
22 into a state college shall become effective only upon the determination and  
23 declaration by the CHED, based on the recommendation of a panel of experts,  
24 that the institution has complied with the requirements for a college status.  
25 The CHED, through its regional office, shall regularly provide technical  
26 assistance to the institution and monitor compliance with the requirements of  
27 the Commission.

1           The CHED shall designate a panel of experts who shall prepare a  
2 recommendation to the Chairperson of the CHED, on whether the institution  
3 has complied with the requirements for the grant of a college status.

4           The following operational requirements for a state college shall be  
5 complied with:

6           (a) Equivalent or appropriate accreditation under CHED policies and  
7 guidelines for colleges;

8           (b) Ratio of qualified full-time faculty with requisite degrees to  
9 number of students;

10          (c) Adequate library and laboratories;

11          (d) Research and development output of practical and commercial  
12 application to the community;

13          (e) Relevant linkages and outreach programs that are of service to the  
14 community; and

15          (f) Relevant academic policies, systems and processes.

16           The institution shall retain its status prior to the effectivity of this Act,  
17 unless in the meantime it is able to comply with the requirements provided  
18 herein, within a period not beyond January 1, 2019.

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

22           SEC. 27. *Separability Clause.* – If, for any reason, any part or  
23 provision of this Act is declared invalid or unconstitutional, the remaining  
24 parts or provisions not affected thereby shall remain in full force and effect.

25           SEC. 28. *Repealing Clause.* – All laws, presidential decrees,  
26 executive orders, rules and regulations contrary to or inconsistent with the  
27 provisions of this Act are hereby repealed or modified accordingly.

1           SEC. 29. *Effectivity.* – This Act shall take effect fifteen (15) days after  
2 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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