



HOUSE OF REPRESENTATIVES

H. No. 6022

BY REPRESENTATIVES QUISUMBING, ROMULO, UNGAB AND QUIMBO, PER
COMMITTEE REPORT NO. 832

AN ACT ESTABLISHING A STATE COLLEGE IN THE MUNICIPALITY
OF CORDOVA, PROVINCE OF CEBU TO BE KNOWN AS THE
CORDOVA STATE COLLEGE OF SCIENCE AND TECHNOLOGY,
INTEGRATING THEREWITH THE CORDOVA PUBLIC COLLEGE
IN THE MUNICIPALITY OF CORDOVA, PROVINCE OF CEBU
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 Cordova, Province of Cebu to be known as the
3 Cordova State College of Science and Technology, hereinafter referred to as
4 the College, and integrating therewith the Cordova Public College located in
5 the Municipality of Cordova, Province of Cebu.

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

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

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

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

13 SEC. 5. *Administration.* – The College shall have the general powers
14 of a corporation set forth in Batas Pambansa Big. 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. 6. *The Governing Board.* – The governing board of the College
19 shall be the Board of Trustees, hereinafter referred to as the Board, which shall
20 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 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 constitution 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. 7. Powers and Duties of the Board of Trustees.* – The Board
24 shall have the following specific powers and duties, in addition to its general
25 powers of administration and the exercise of all the powers granted to the
26 Board of Directors of a corporation under existing laws:

27 (a) To promulgate and implement policies in accordance with the
28 declared State policies on education and other pertinent provisions of the

1 Philippine Constitution on education, agriculture, science and technology, as
2 well as the policies, standards and thrusts of the CHED under Republic Act
3 No. 7722, otherwise known as the “Higher Education Act of 1994”;

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

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

9 (d) To import economic, technical and cultural books and/or
10 publications;

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

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

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

24 Any provision of existing laws, rules and regulations to the contrary
25 notwithstanding, any income generated by the College from *tuition fees and*
26 other charges, as well as from the operation of auxiliary services and land
27 grants, shall be retained by the College, and may be disbursed by the Board for
28 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 any reason beyond its control, the College shall not be able to
4 *pursue any project for which funds have been appropriated and allocated under*
5 *its approved program of expenditures, the Board may authorize the use of said*
6 *funds for any reasonable purpose which, in its discretion, may be necessary*
7 *and urgent for the attainment of the objectives and goals of the College;*

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

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

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

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

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

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

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

6 (n) To establish and absorb nonchartered tertiary institutions within the
7 Province of Cebu as branches and extension centers in coordination with the
8 CHED and in consultation with the Department of Budget and Management
9 (DBM), in pursuit of the constitutional mandate to promote equal and greater
10 access to educational opportunities;

11 (o) To establish research and extension centers to promote the
12 development of the College;

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

16 (q) To delegate any of its powers and duties provided herein to the
17 President or Officer-in-Charge or other officials of the College as it may deem
18 appropriate, so as to expedite the administration of the affairs of the College;

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

23 (s) To collaborate with other governing boards of state universities and
24 colleges within the Province of Cebu and Region VII, under the supervision of
25 the CHED and in consultation with the DBM, and work towards the
26 restructuring of the College to ensure its efficiency and productivity, achieve
27 relevance as a tool of development and to remain competitive as an educational
28 institution;

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 training system, open distance learning and community laboratory for the
15 promotion of greater access to *higher education* and graduate studies, as the
16 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, whose
23 performance has been unanimously rated by the Board as outstanding based on
24 the guidelines, qualifications and standards set by the Board, beyond the age of
25 retirement but not beyond the age of seventy (70), upon the unanimous
26 recommendation by the search committee.

27 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene
28 once every three (3) months. Whenever necessary, the Chairperson of the

1 Board may, upon three (3) days' prior written notice, call a maximum of two
2 (2) special meetings within the same period.

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

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

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

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

24 *SEC. 9. The College President.* – The College shall be headed by a
25 President, who shall render full-time service and who shall be appointed by the
26 Board, subject to the guidelines, qualifications and standards set by the Board,
27 upon recommendation of a duly constituted search committee. The College
28 President shall have a term of four (4) years and shall be eligible for

1 reappointment for another term: *Provided*, That in order to effect a smooth
2 transition to a state college, the incumbent head of the Cordova Public College,
3 if qualified, shall act as the Officer-in-Charge, pending the appointment of the
4 first President of the College.

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

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

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

16 The powers and duties of the President of the College, in addition to
17 those specifically provided in this Act, shall be those usually pertaining to the
18 Office of the President of similar colleges, and those 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, who shall be appointed by the Board upon recommendation
26 of the President.

27 SEC. 10. *The Secretary of the College.* – The Board shall appoint a
28 Secretary, who shall serve as such for both the Board and the College and shall

1 keep all the records and proceedings of the Board. The Secretary of the
2 College shall serve upon each member of the Board the appropriate notice of
3 the Board meetings.

4 SEC. 11. *The Treasurer of the College.* – The Treasurer of the
5 Philippines shall be the *ex officio* Treasurer of the College.

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

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

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

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

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

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

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

19 SEC. 17. *Assets, Liabilities and Personnel.* – All assets, real and
20 personal, personnel and records of the Cordova Public College, as well as its
21 liabilities or obligations, are hereby transferred to the College. The positions,
22 rights and security of tenure of faculty members and personnel therein
23 employed under existing laws prior to the conversion into a state college shall
24 be respected: *Provided*, That the College shall also include an upgrade or
25 increase in its human resource component.

26 All parcels of land belonging to the government and occupied by the
27 Cordova Public College are hereby declared to be property of the College, and
28 shall be titled under that name: *Provided*, That should the College cease to

1 exist or be abolished, or should such parcels of land aforementioned be no
2 longer needed by the College, the same shall revert to the Municipality of
3 Cordova, or the Province of Cebu or the Republic of the Philippines, as the
4 case may be.

5 SEC. 18. *Tax Exemption.* – The importation of economic, technical
6 and cultural books and publications, which are for economic, technical,
7 vocational, scientific, philosophical, historical or cultural purposes made by the
8 College, upon certification by the CHED, shall be exempt from customs duties
9 in accordance with the provisions of the Tariff and Customs Code of the
10 Philippines, as amended.

11 All donations in any form to the College shall be exempt from the
12 donor's tax and the same shall be considered as allowable deduction from the
13 gross income in the computation of the income tax of the donor, in accordance
14 with the provisions of the National Internal Revenue Code of 1997, as
15 amended.

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

22 SEC. 19. *Appropriations.* – The amount necessary to carry out the
23 initial implementation of this Act shall be charged against the current year's
24 funding of the Cordova Public College provided by the Municipality of
25 Cordova, Province of Cebu. The Municipality of Cordova shall continue to
26 provide the same assistance until such time that the full funding requirement of
27 the Cordova State College of Science and Technology is included in the annual
28 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. *Annual Report.* – On or before the fifteenth (15th) day of the
12 second (2nd) month after the opening of regular classes every year, the Board
13 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, condition 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 universities and colleges and their
22 officials under existing laws shall be deemed granted to or imposed upon the
23 College and its officials whenever appropriate.

24 SEC. 24. *Compliance with CHED Requirements.* – The provisions of
25 this Act notwithstanding, the establishment or conversion of the institution into
26 a state college shall become effective only upon the determination and
27 declaration by the CHED, based on the recommendation of a panel of experts,
28 that the institution has complied with the requirements for a college status. The

1 CHED, through its regional office, shall regularly provide technical assistance
2 to the institution and monitor compliance with the requirements of the
3 Commission.

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

7 The following operational requirements for a state college shall be
8 complied with:

9 (a) *Appropriate or equivalent accreditation under CHED policies and*
10 *guidelines for colleges;*

11 (b) *Ratio of qualified full-time faculty with requisite degrees to number*
12 *of students;*

13 (c) *Adequate library and laboratories;*

14 (d) *Research and development output of practical and commercial*
15 *application to the community;*

16 (e) *Relevant linkages and outreach programs that are of service to the*
17 *community; and*

18 (f) *Relevant academic policies, systems and processes.*

19 The institution shall *retain its status prior to the effectivity of this Act,*
20 *unless in the meantime it is able to comply with the requirements provided*
21 *herein, within a period not later than January 1, 2019.*

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

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

1 SEC. 27. *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. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after
5 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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