

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 367



Introduced by Representative **FERDINAND L. HERNANDEZ**

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

This bill proposes to convert the Surallah National Agricultural School in the Province of South Cotabato into a state college to be known as South Cotabato State College (SCSC), and appropriating funds therefor.

The Surallah National Agricultural School is the lone tertiary government agricultural institution in the Province of South Cotabato. Established in 1976, it provides the people of the South Cotabato and nearby provinces quality education despite its modest resources and persevered to achieve competency and proficiency fulfilling its mandate.

As it aspires to further improve the delivery of quality education to the people, the conversion into a state college will widen the opportunity to achieve its goal. The improvement of the facilities and services will greatly benefit the people especially the youth of South Cotabato and nearby provinces.

As the Province of South Cotabato is gearing towards development and industrialization, education particularly in the tertiary level must be at pace and these may be attained thru the conversion of the Surallah National Agricultural School into a state college.

Foregoing considered, passage of this bill is earnestly sought.


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1 *Be it enacted by the Senate and House of Representatives of the Philippines*
2 *in Congress assembled:*

3
4 **SECTION 1. Establishment.** – There is hereby established a state college
5 in the Municipality of Surallah, Province of South Cotabato to be known as
6 the South Cotabato State College (SCSC), hereinafter referred to as the
7 College, and integrating therewith the Surallah National Agricultural School
8 (SUNAS), located in the Municipality of Surallah, Province of South Cotabato.
9 Its main campus shall be located in the Municipality of Surallah.

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

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

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

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

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

21
22 **SEC. 5. The Governing Board.** – The governing board of the College shall
23 be the Board of Trustees, hereinafter referred to as the Board, which shall
24 be composed of the following:

- 25
26 (a) The Chairperson of the Commission on Higher Education
27 (CHED), Chairperson;
28 (b) The President of the College, Vice Chairperson;

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

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

26

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

29

1 **SEC. 6. *Promulgation and Implementation of Policies.*** – The Board
2 shall promulgate and implement policies in accordance with the declared
3 State policies on education and other pertinent provisions of the Philippine
4 Constitution on education, agriculture, science and technology, as well as
5 the policies, standards and thrusts of the CHED under Republic Act No.
6 7722, otherwise known as the “Higher Education Act of 1994”.

7
8
9 **SEC. 7. *Powers and Duties of the Board of Trustees.*** – The Board shall
10 have the following specific powers and duties in addition to its general
11 powers of administration and the exercise of all the powers granted to the
12 Board of Directors of a corporation under existing laws:

- 13
14 (a) To promulgate rules and regulations as may be necessary to
15 carry out the purposes and functions of the College;
16 (b) To receive and appropriate all sums as may be provided for
17 the support of the College in the manner it may determine in
18 its discretion, in order to carry out the purposes and functions
19 of the College;
20 (c) To import economic, technical and cultural books and
21 publications;
22 (d) To receive in trust, legacies, gifts and donations of real and
23 personal properties of all kinds and to administer and dispose
24 of the same when necessary for the benefit of the College,
25 and subject to the limitations, directions and instructions of
26 the donor, if any;
27 (e) To fix the tuition fees and other necessary school charges
28 such as matriculation fees, graduation fees, and laboratory
29 fees, as the Board may deem proper to impose, after due

1 consultations with the involved sectors. Such fees and
2 charges, including government subsidies and other income
3 generated by the College, shall constitute special trust funds
4 and shall be deposited in any authorized government
5 depository bank, and all interests that shall accrue therefrom
6 shall form part of the same funds for the use of the College.
7 Any provision of existing laws, rules and regulations to the
8 contrary notwithstanding, any income generated by the
9 College from tuition fees and other charges, as well as from
10 the operation of auxiliary services and land grants, shall be
11 retained by the College, and may be disbursed by the Board
12 for instruction, research, extension or other
13 programs/projects of the College: *Provided*, That all fiduciary
14 fees shall be disbursed for the specific purposes for which
15 these are collected. If, for reasons beyond its control, the
16 College shall not be able to pursue any project for which the
17 funds have been appropriated and allocated under its
18 approved program of expenditures, the Board may authorize
19 the use of said funds for any reasonable purpose which, in its
20 discretion, may be necessary and urgent for the attainment of
21 the objectives and goals of the College;

- 22 (f) To adopt and implement a socialized scheme of tuition and
23 school fees for greater access to poor but deserving students;
24 (g) To authorize the construction or repair of its buildings,
25 machinery, equipment and other facilities, and the purchase
26 and acquisition of real property, including necessary supplies,
27 materials and equipment;
28 (h) To appoint, upon the recommendation of the President of the
29 College, vice presidents, deans, directors, heads of campuses,

1 faculty members, and other officials and employees of the
2 College;

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

14 (j) To approve the curricula, instructional programs and rules of
15 discipline drawn by the Administrative and Academic Councils
16 herein provided;

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

18 (l) To award honorary degrees upon persons in recognition of
19 their outstanding contribution in the fields of education, public
20 service, arts, science and technology, agriculture or in any
21 field of specialization within the academic competence of the
22 College, and to authorize the awarding of certificates of
23 completion of nondegree and nontraditional courses;

24 (m) To establish and absorb nonchartered tertiary institutions
25 within the Province of South Cotabato as branches and
26 centers in coordination with the CHED and, in consultation
27 with the Department of Budget and Management (DBM), and
28 to offer therein programs or courses to promote and carry out

1 equal access to educational opportunities, as mandated by
2 the Constitution;

3 (n) To establish research and extension centers to promote the
4 development of the College;

5 (o) To establish professorial chairs in the College and to provide
6 fellowships for qualified faculty members, and scholarships to
7 deserving students;

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

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

17 (r) To collaborate with other governing boards of state
18 universities and colleges (SUCs) within the Province of South
19 Cotabato or REGION XII (SOCCSKSARGEN), under the
20 supervision of the CHED and in consultation with the DBM,
21 and work towards the restructuring of the College to become
22 more efficient, relevant, productive and competitive;

23 (s) To enter into joint ventures with business and industry for
24 the profitable development and management of the economic
25 assets of the College, the proceeds from which shall be used
26 for the development and strengthening of the College;

27 (t) To develop consortia and other economic forms of linkages
28 with local government units, institutions and agencies, both

1 public and private, local and foreign, in the furtherance of the
2 purposes and objectives of the College;

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

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

13 (w) To establish policy guidelines and procedures for
14 participative decision-making and transparency within the
15 College;

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

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

26
27
28 **SEC. 8. Meetings of the Board.** – The Board shall regularly convene at
29 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. A quorum of the Board shall consist of
3 majority of all its members holding office at the time of the meeting:
4 *Provided*, That the Chairperson of the Board or the President of the College
5 must be present in the meeting.

6
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
10 the 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 said
14 CHED Commissioner shall act as the presiding officer.

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

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

27
28 **SEC. 9. The College President.** – The College shall be headed by a
29 President, who shall render full-time service. The President shall be

1 appointed by the Board, subject to the guidelines, qualifications and
2 standards set by the Board, upon recommendation of a duly constituted
3 search committee.

4
5 The President shall serve for a term of four (4) years and shall be
6 eligible for reappointment for another term: *Provided*, That in order to effect
7 a smooth transition to a state college, the incumbent Vocational School
8 Administrator of the SUNAS, if qualified, shall *ipso facto* become the first
9 President of the College.

10
11 Within six (6) months before the expiration of the term of office of the
12 incumbent President of the College, the Board shall constitute the Search
13 Committee for the Presidency (SCP).

14 In case of vacancy in the Office of the President by reason of death,
15 compulsory retirement, resignation, removal for cause or incapacity of the
16 President to perform the functions of the office, the Board shall have the
17 authority to designate an Officer-in-Charge of the College pending the
18 appointment of a new President.

19
20 In case of vacancy in the Office of the President as mentioned in the
21 immediately preceding paragraph, the successor or the Officer-in-Charge
22 shall serve only for the unexpired portion of the term.

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

27
28 The salary of the President of the College shall be in accordance with
29 the Revised Compensation and Position Classification System, as modified by

1 Joint Resolution No. 4 dated June 17, 2009 and other pertinent budget and
2 compensation laws, and shall be comparable to that being received by the
3 Presidents of similar educational institutions.
4

5 The President of the College shall be assisted by a Vice President for
6 Academic Affairs and a Vice President for Administration, who shall be
7 appointed by the Board upon recommendation of the President.
8

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

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

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

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

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

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

17
18 **SEC. 15. *Scholarship Program/Admission.*** – The College shall provide a
19 scholarship program and other affirmative action programs to assist poor but
20 deserving students who qualify for admission to the College. No student shall
21 be denied admission to the College by reason of sex, religion, cultural or
22 community affiliation or ethnic origin.

23
24 **SEC. 16. *Academic Freedom and Institutional Autonomy.*** – The
25 College shall enjoy academic freedom and institutional autonomy, pursuant
26 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
27 the Philippines.

1 **SEC. 17. Authority to Loan or Transfer**

2 ***Apparatus/Equipment/Supplies and Detail of Personnel.*** – The heads
3 of the bureaus and offices of the national government are hereby authorized
4 to loan or transfer, upon the request of the President of the College, such
5 apparatus, equipment or supplies as may be needed by the College, and to
6 detail employees for duty therein when, in the judgment of the head of the
7 bureau or office, such apparatus, equipment, supplies or services of such
8 employees can be spared without serious detriment to public service. The
9 employees so detailed shall perform such duties as required of them by the
10 President of the College, and the time so employed shall be counted as part
11 of their regular services.
12

13 **SEC. 18. *Assets, Liabilities and Personnel.*** – All assets, real and
14 personal, personnel and records of the SUNAS, as well as its liabilities or
15 obligations, are hereby transferred to the College: *Provided*, That the
16 positions, rights and security of tenure of faculty members and personnel
17 therein employed under existing laws prior to the integration of the SUNAS
18 into the College shall be respected: *Provided, further*, That the incumbents
19 of the positions shall remain in the same status until otherwise provided for
20 by the Board: *Provided, finally*, That the College shall also include an
21 upgrade or increase in its human resource component. All parcels of land
22 belonging to the government occupied by the SUNAS are hereby declared to
23 be property of the College and shall be titled under that name: *Provided*,
24 That should the College cease to exist or be abolished, or should such
25 parcels of land aforementioned be no longer needed by the College, the
26 same shall revert to the national government or to the concerned local
27 government unit.
28

1 **SEC. 19. Appropriations.** – The amount necessary to carry out the
2 provisions of this Act shall be included in the annual General Appropriations
3 Act.

4
5 **SEC. 20. Tax Exemption.** – The importation of economic, technical and
6 cultural books or publications, which are for economic, technical, vocational,
7 scientific, philosophical, historical or cultural purposes made by the College,
8 upon certification by the CHED, shall be exempt from customs duties in
9 accordance with the provisions of the Tariff and Customs Code of the
10 Philippines, as amended.

11
12 All grants, bequests, endowments, donations and contributions made
13 to the College to be used actually, directly and exclusively by the College
14 shall be exempt from donor's tax and the same shall be considered as
15 allowable deductions from the gross income of the donor for purposes of
16 computing the taxable income of the donor in accordance with the provisions
17 of the National Internal Revenue Code of 1997, as amended.

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

- 23
24 (a) Submit a five (5)-year development plan, including its
25 corresponding program budget to the CHED, for
26 corresponding recommendation to the DBM;
27 (b) Undergo a management audit in cooperation with the CHED;
28 and

1 (c) Accordingly set up its organizational, administrative, as well
2 as academic structure, including the appointment of the
3 College key officials.
4

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

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

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

21 **SEC. 25. Compliance with CHED Requirements.** – The provisions of this
22 Act notwithstanding, the establishment or conversion of the institution into a
23 state college shall become effective only upon the determination and
24 declaration by the CHED, based on the recommendation of a panel of
25 experts, that the institution has complied with the requirements for a college
26 status. The CHED, through its regional office, shall regularly provide
27 technical assistance to the institution and monitor compliance with the
28 requirements of the Commission.
29

- 7
- 8 (a) Equivalent or appropriate accreditation under CHED policies and
- 9 guidelines for colleges;
- 10 (b) Ratio of qualified full-time faculty with requisite degrees to
- 11 number of students;
- 12 (c) Adequate library and laboratories;
- 13 (d) Research and development output of practical and commercial
- 14 application to the community;
- 15 (e) Relevant linkages and outreach programs that are of service to
- 16 the community; and
- 17 (f) (f) Relevant academic policies, systems and processes.

18

19 The institution shall retain its status prior to the effectivity of this Act, unless

20 in the meantime it is able to comply with the requirements provided herein,

21 within a period not beyond January 1, 2019.

22

23 **SEC. 26. Implementing Rules and Regulations.** – The Board, in

24 consultation with the CHED, shall formulate the guidelines to fully implement

25 the provisions of this Act.

26

27 **SEC. 27. Separability Clause.** – If, for any reason, any part or provision of

28 this Act is declared invalid or unconstitutional, the remaining parts or

29 provisions not affected thereby shall remain in full force and effect.

1
2 **SEC. 28. Repealing Clause.** – All laws, presidential decrees, executive
3 orders, rules and regulations contrary to or inconsistent with the provisions
4 of this Act are hereby repealed or modified accordingly.
5
6 **SEC. 29. Effectivity.** – This Act shall take effect fifteen (15) days after its
7 publication in the *Official Gazette* or in a newspaper of general circulation.
8
9 *Approved,*