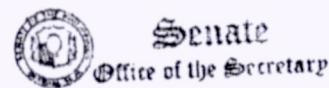


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



19 AUG 28 P 4:39

SENATE  
S. B. No. 984

RECEIVED BY: SF

Introduced by Senator SONNY ANGARA

**AN ACT  
ESTABLISHING THE SARANGANI STATE COLLEGE IN THE MUNICIPALITY  
OF ALABEL, PROVINCE OF SARANGANI, AND APPROPRIATING FUNDS  
THEREFOR**

**EXPLANATORY NOTE**

The Province of Sarangani was established in March 16, 1992 by virtue of Republic Act 7228—making it the 76<sup>th</sup> out of the 81 provinces of the Philippines.

Sarangani has the distinct geography of being bisected by General Santos City and the beautiful Sarangani Bay. As the country's southernmost province, it is also a prime convergence point for the BIMP-EAGA (Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area) region.

In recent years, the economy of the Province of Sarangani has been accelerating, with its agriculture, aquaculture, mariculture and even tourism industries expanding considerably. For instance, Sarangani contributed significantly to the 8.2-percent gross regional domestic product (GRDP) of SOCCSKSARGEN in 2017, which outpaced the GDP expansion rate of the country at the time.

Such strong performance can be explained in part by the multi-sectoral efforts to make the province more competitive. In fact, in 2017, according to the Cities and Municipalities Competitiveness (CMCI), Sarangani leaped 18 notches to become the country's 6<sup>th</sup> most competitive province. In the following year, it would inch up in rankings to become the country's 5<sup>th</sup> most competitive—and hence, most conducive to investments—province.

With such progress, the time is ripe for the province to have a new state college where it can educate its youth, enhance their skills, and deepen the talent pool available for further economic expansion.

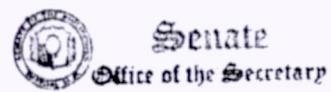
Hence, the foregoing measure aims to establish the Sarangani State College at the province's capital, Alabel. The college's general mandate will be to provide advance instruction and research in agriculture and fisheries, allied sciences, education, arts, and the related sciences. On top of this, the college will be expected to provide extension services, undertake projects and programs, and provide necessary instructional and research leadership for the progress of the Province of Sarangani, as well as the entire SOCCSKSARGEN Region (XII).

To help the Province of Sarangani along its path to progress, the swift passage of this measure is earnestly sought.



**SONNY ANGARA**

EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*



SENATE  
S. B. No. 984

'19 AUG 28 P 4:40

RECEIVED BY 

Introduced by Senator SONNY ANGARA

**AN ACT  
ESTABLISHING THE SARANGANI STATE COLLEGE IN THE MUNICIPALITY  
OF ALABEL, PROVINCE OF SARANGANI, 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 college in the  
2       Municipality of Alabel, Province of Sarangani, to be known as the Sarangani State  
3       College, hereinafter referred to as the College. Its main campus shall be located in  
4       the same municipality.

5       Sec. 2. *General Mandate.* – The College shall primarily provide advance  
6       instruction and research in agriculture and fisheries, education, marine and maritime  
7       studies, engineering, and arts and sciences. It shall also undertake extension and  
8       development programs, and provide the necessary instructional and research  
9       leadership in agricultural, environmental, and technological development in the  
10      Province of Sarangani and in Region XII.

11      Sec. 3. *Curricular Offerings.* – The College shall offer undergraduate and  
12      graduate courses in the fields of agriculture, fisheries, engineering, education, arts  
13      and sciences, and other degree courses within its areas of specialization and  
14      according to its capabilities, as the Board of Trustees may deem necessary to carry  
15      out its objectives and in order to meet the needs of the Province of Sarangani and of  
16      Region XII.

1           Sec. 4. *Administration.* – The College shall have the general powers of a  
2 corporation set forth in Republic Act No. 11232 otherwise known as the "Revised  
3 Corporation Code of the Philippines." The administration of the College and the  
4 exercise of its corporate powers shall be vested exclusively on the Board of Trustees  
5 and the President of the College.

6           Sec. 5. *The Governing Board.* – The governing board of the College shall be  
7 the Board of Trustees, hereinafter referred to as the Board, which shall be chaired  
8 and co-chaired by the Chairperson of the Commission on Higher Education (CHED)  
9 and the President of the College, respectively, with the following as members:

- 10       a) Chairperson of the Committee on Education, Arts and Culture of the Senate;
- 11       b) Chairperson of the Committee on Higher and Technical Education of the  
12              House of Representatives;
- 13       c) Regional Director of the National Economic and Development Authority  
14              (NEDA);
- 15       d) Regional Director of the Department of Agriculture (DA);
- 16       e) Regional Director of the TESDA;
- 17       f) President of the federation of faculty associations of the College;
- 18       g) President of the federation of student councils of the College;
- 19       h) President of the federation of alumni association of the College; and
- 20       i) Two (2) prominent citizens from the private sector who have distinguished  
21              themselves in their professions or fields of specialization of the College.

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

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

29           Sec. 6. *Promulgation and Implementation of Policies.* – The Board shall  
30 promulgate and implement policies in accordance with the declared State policies on  
31 education and other pertinent provisions of the Constitution on education,  
32 agriculture, fisheries, science and technology, as well as the policies, standards and

1 thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher  
2 Education Act of 1994."

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

- 7       a) Approve the curricula, instructional programs, and rules of discipline drawn by  
8              the Administrative and the Academic Councils herein provided;
- 9       b) Appoint, upon the recommendation of the President of the College, the vice  
10          presidents, deans, directors, heads of the campuses, faculty members, and  
11          other officials and employees of the College;
- 12       c) Fix and adjust the salaries of faculty members, administrative officials and  
13          employees, subject to the provisions of the Revised Compensation and  
14          Position Classification System and other pertinent budget and compensation  
15          laws governing hours of service and such other duties and conditions as it  
16          may deem proper; to grant them, at its discretion, leaves of absence under  
17          such regulations as it may promulgate, any provision of existing law to the  
18          contrary notwithstanding; and to remove them for cause in accordance with  
19          the requirements of due process of law;
- 20       d) Fix the tuition fees and other necessary school charges, such as matriculation  
21          fees, graduation fees, and laboratory fees, as the Board may deem proper to  
22          impose, after due consultation with the involved sectors. The fees and  
23          charges, including government subsidies and other income generated by the  
24          College, shall constitute special trust funds, and shall be deposited in any  
25          authorized government depository bank, and all interests that shall accrue  
26          therefrom shall form part of the same funds for the use of the College. Any  
27          provision of existing law, rules, or regulations to the contrary  
28          notwithstanding, any income generated by the College from tuition fees and  
29          other charges, as well as from the operation of auxiliary services and land  
30          grants, shall be retained by the College, and may be disbursed by the Board  
31          for instruction, research, extension or other programs/projects of the College:  
32          *Provided*, That all fiduciary fees shall be disbursed for the specific purposes

- for which these are collected: *Provided, however,* That if, for reasons beyond its control, the College shall not be able to pursue any project for which the funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the College;
- e) Adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students in accordance with Republic Act No. 10931, or the "Universal Access to Quality Tertiary Education Act";
  - f) Establish professorial chairs in the College and provide fellowships for qualified faculty members, and scholarships to deserving students;
  - g) Receive and appropriate all sums as may be provided for the support of the College in the manner it may determine, in its discretion, in order to carry out the purposes and functions of the College;
  - h) Set the policies on admission and graduation of students;
  - i) Award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture, fisheries or any field of specialization within the academic competence of the College, and to authorize the awarding of certificates of completion of non-degree and non-traditional courses;
  - j) Establish research and extension centers to promote the development of the College;
  - k) Develop academic arrangements for institution capability building with appropriate institutions and agencies, public and private and local and foreign, and appoint experts/specialists as consultants; part-time, visiting or exchange professors, scholars, researchers, as the case may be;
  - l) Adopt modern and innovative modes of transmitting knowledge for the promotion of greater access to education such as the use of information technology, the dual training system, open distance learning, and community laboratory, among others;
  - m) Collaborate with the governing boards of the state universities and colleges (SUCs) within the Province of Sarangani, under the supervision of the CHED,

- 1       in consultation with the Department of Budget and Management (DBM), in  
2       restructuring the College to make it more efficient, relevant, productive and  
3       competitive;
- 4       n) Absorb non-chartered tertiary institutions within the Province of Sarangani as  
5       branches and centers, in coordination with the CHED, and in consultation with  
6       the DBM, to ensure equal access to educational opportunities, as mandated  
7       by the Constitution;
- 8       o) Authorize an external management audit of the College, to be financed by the  
9       CHED, subject to the rules and regulations of the Commission on Audit (COA),  
10      and institute reforms, including academic and structural changes, on the basis  
11      of the audit results and recommendations;
- 12      p) Develop consortia and other economic forms of linkages with both local  
13      government units (LGUs), institutions and agencies, both public and private  
14      and local and foreign, in the furtherance of the purposes and objectives of the  
15      College;
- 16      q) Import economic, technical, and cultural books and publications;
- 17      r) Enter into joint ventures with business and industry for the profitable  
18      development and management of the economic assets of the College, the  
19      proceeds from which shall be used for the development and strengthening of  
20      the College;
- 21      s) Receive in trust legacies, gifts and donations of real and personal properties  
22      of all kinds and to administer and dispose of the same, when necessary, for  
23      the benefit of the College, and subject to the limitations, directions and  
24      instructions of the donor, if any;
- 25      t) Authorize the construction or repair of its buildings, machinery, equipment  
26      and other facilities, and the purchase and acquisition of real property,  
27      including necessary supplies, materials and equipment;
- 28      u) Extend the term of the President of the College beyond the age of retirement,  
29      but not beyond the age of seventy (70) based on the guidelines,  
30      qualifications, and standards set by the Board: *Provided*, That the President's  
31      performance has been rated by the Board as outstanding, and after  
32      unanimous recommendation by the search committee;

- 1       v) Delegate any of its powers and duties to the President and other officials of  
2                  the College, as it may deem appropriate, so as to expedite the administration  
3                  of the affairs of the College
- 4       w) Establish policy guidelines and procedures for participative decision-making  
5                  and transparency within the College;
- 6       x) Where most advantageous to the College, privatize the management of  
7                  nonacademic services such as health, food, building or grounds or property  
8                  maintenance, and such other similar activities; and
- 9       y) Promulgate rules and regulations as may be necessary to carry out the  
10                  purposes and functions of the College.

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

15                  A quorum of the Board shall consist of a majority of all its members holding  
16                  office at the time of the meeting: *Provided, however,* That either the Chairperson of  
17                  the Board or the President of the College must be present in the meeting.

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

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

30                  The members of the Board shall not receive any salary, but shall be entitled  
31                  to reimbursements for actual and necessary expenses incurred in attending the

1 meetings of the Board or in connection with other official business authorized by  
2 resolution of the Board, subject to existing laws and regulations.

3        Sec. 9. *The College President.* – The President shall serve for a term of four  
4 (4) years and shall be eligible for reappointment for another term. Within six (6)  
5 months from the date of approval of this Act, the Board shall constitute the Search  
6 Committee for the Presidency.

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 President  
9 to perform the functions of the office, the Board shall have the authority to  
10 designate an OIC of the College pending the appointment of a new President.

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

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

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

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

25        Sec. 10. *The Administrative Council.* – There shall be an Administrative Council  
26 consisting of the President of the College, as Chairperson, and the vice presidents,  
27 deans, directors, and other officials of equal rank, as members whose duty is to  
28 review and recommend to the Board the policies governing the administration,  
29 management and development plan of the College.

30        Sec. 11. *The Academic Council.* – There shall be an Academic Council to be  
31 composed of the President of the College, who shall act as Chairperson, and all the  
32 academic staff with the rank of at least an assistant professor, as members.

1       The Academic Council shall have the power to review and recommend the  
2 curricular offerings and rules of discipline of the College, subject to the approval of  
3 the Board. It shall fix the requirements for the admission of students, as well as for  
4 their graduation and the conferment of degrees, subject to review and approval by  
5 the Board through the President of the College. It shall have the disciplinary power  
6 over students of the College and shall formulate academic policies and rules and  
7 regulations on discipline, subject to the approval of the Board.

8       Sec. 12. *The Secretary of the College.* – The Board shall appoint a Secretary,  
9 who shall serve as such for both the Board and the College, and who shall keep all  
10 records and proceedings of the Board in addition to other duties and responsibilities.  
11 The Secretary shall serve upon each member of the Board the appropriate notice of  
12 the Board meetings.

13       Sec. 13. *The Treasurer of the College.* – The Treasurer of the Philippines shall  
14 be the *ex officio* treasurer of the College.

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

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

26       Sec. 16. *Academic Freedom and Institutional Autonomy.* – The College shall  
27 enjoy academic freedom and institutional autonomy, pursuant to paragraph 2,  
28 Section 5 of Article XIV of the Constitution.

29       Sec. 17. *Authority to Loan or Transfer Apparatus / Equipment / Supplies and*  
30 *Detail of Personnel.* – The heads of the bureaus and offices of the national  
31 government are hereby authorized to loan or transfer, upon the request of the  
32 President of the College, such apparatus, equipment or supplies as may be needed

1 by the College, and to detail employees for duty therein when, in the judgment of  
2 the head of bureau or office, such apparatus, equipment, supplies or services of  
3 such employees can be spared without serious detriment to the public service. The  
4 employees so detailed shall perform such duties as required of them by the  
5 President of the College, and the time so employed shall be counted as part of their  
6 regular service.

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

- 10       a) Submit a five (5) - year development plan, including its corresponding  
11           program budget to the CHED, for corresponding recommendation to the  
12           DBM;
- 13       b) Undergo a management audit in cooperation with the CHED; and
- 14       c) Accordingly set up its organizational, administrative, as well as academic  
15           structure, including the appointment of the College key officials.

16           *Sec. 19. Compliance with CHED Requirements.* – The provisions of this Act  
17 notwithstanding, the establishment of the institution into a state college shall  
18 become effective only upon the determination and declaration by the CHED, based  
19 on the recommendation of a panel of experts it shall constitute for the purpose, that  
20 the institution has complied with the requirements for a college status based on  
21 CHED Memorandum Order No. 46, Series of 2012 (Policy-Standard to Enhance  
22 Quality Assurance (QA) in Philippine Higher Education Through an Outcomes-Based  
23 and Typology-Based QA): *Provided,* That the panel may issue such a  
24 recommendation when the institution has substantially complied with the  
25 requirements for the grant of status as a state college.

26           The following operational requirements for a state college, as established by  
27 the CHED, shall be complied with:

- 28       a) Full-time permanent faculty members who have the relevant degrees as  
29           required by the CHED and experience in the subject areas they handle;
- 30       b) Degree programs characterized by a core curriculum that holistically develops  
31           thinking, problem solving, decision-making, communication, technical, and  
32           social skills in line with the mission of the College;

- 1       c) Learning resources and support structures that are appropriate for developing  
2              knowledge and skills in the specific natural science, social science,  
3              humanities, and professional disciplines offered by the College, including  
4              laboratories, books and journals, etc.;
- 5       d) Links with the community that would ensure the development of relevant  
6              academic and extension programs as well as the application for their learning  
7              outcomes; and
- 8       e) Outreach programs involving students in social-development oriented  
9              experiences that allow them to contextualize their knowledge within actual  
10             social and human experiences.

11             After five (5) years of operation, it shall be evaluated by the CHED to  
12             determine its compliance with the requirements for a College classification according  
13             to the horizontal typology of higher education institutions (HEIs).

14             Moreover, the College shall undergo the institutional sustainability assessment  
15             (ISA) process to ensure that an internal quality assurance (IQA) system has been  
16             established leading to sustainable offering of quality programs and services.

17             *Sec. 20. Annual Report.* – On or before the fifteenth (15th) day of the second  
18             month after the opening of the regular classes each year, the Board shall file with  
19             the Office of the President of the Philippines, through the Chairperson of the CHED,  
20             and with both Houses of Congress, a detailed report on the progress, condition and  
21             needs of the College.

22             *Sec. 21. Tax Exemption.* – The importation of economic, technical and cultural  
23             books or publications, which are for economic, technical, vocational, scientific,  
24             philosophical, historical, or cultural purposes made by the College, upon certification  
25             by the CHED, shall be exempt from customs duties in accordance with the provisions  
26             of Republic Act No. 10863, otherwise known as the "Customs Modernization and  
27             Tariff Act (CMTA)".

28             All grants, bequests, endowments, donations, and contributions made to the  
29             College to be used actually, directly and exclusively by the College shall be exempt  
30             from donor's tax and the same shall be allowed as allowable deductions from the  
31             gross income of the donor for purposes of computing the taxable income of the

1 donor in accordance with the provisions of the National Internal Revenue Code of  
2 1997, as amended.

3 Sec. 22. *Appropriations*. – The amount necessary to carry out the provisions  
4 of this Act shall be included in the annual General Appropriations Act.

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

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

13 Sec. 25. *Implementing Rules and Regulations*. – The Board, in consultation  
14 with the CHED, shall formulate the guidelines to fully implement the provisions of  
15 the Act within sixty (60) days from its effectivity.

16 Sec. 26. *Separability Clause*. – If any portion or provision of this Act is  
17 subsequently declared invalid or unconstitutional, other provisions hereof which are  
18 not affected thereby shall remain in full force and effect.

19 Sec. 27. *Repealing Clause*. –All other laws, acts, presidential decrees,  
20 executive orders, presidential proclamations, issuances, rules and regulations, or  
21 parts thereof which are contrary to or inconsistent with any of the provisions of this  
22 Act are hereby repealed, amended, or modified accordingly.

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

Approved,