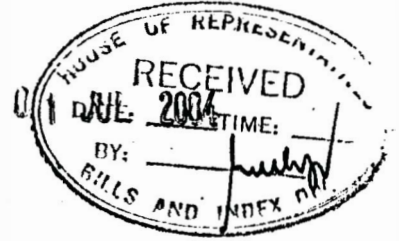


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

13<sup>th</sup> CONGRESS  
First Regular Session

House Bill No. 990



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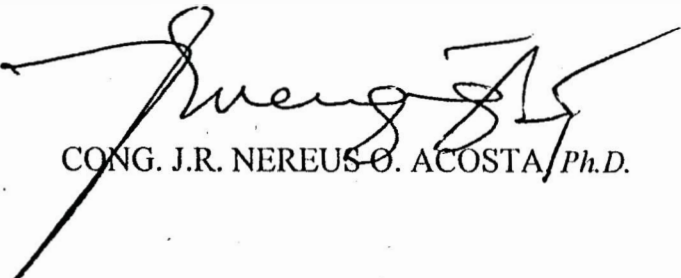
Introduced by Hon. J. R. Nereus O. Acosta

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EXPLANATORY NOTE

Bukidnon is a large land-locked province in Northern Mindanao. The existing institutions of higher learning in Bukidnon, notably the Bukidnon State College and the Central Mindanao University, are located in Malaybalay and Musuan, respectively, which are far from the municipalities of northern Bukidnon. College level students from the Municipalities of Manolo Fortich, Libona, Talakag, Baungon and Sumilao have to study either in Malaybalay or Musuan, or in Cagayan de Oro City in Misamis Oriental, a situation which entails added costs for completing a basic tertiary – level degree. Establishing a college in northern Bukidnon, specifically in the area's largest and most populous municipality of Manolo Fortich will serve to effectively address the need for higher professional and technical learning in the part of Mindanao. This becomes urgent in light of the increasing demands for human resource development and manpower in a region with vast potential for economic growth, commerce and agri-industrial development.

The passage of this bill is earnestly sought.



CONG. J. R. NEREUS O. ACOSTA/Ph.D.

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

13<sup>th</sup> CONGRESS  
First Regular Session

House Bill No. **990**

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Introduced by Hon. J.R. Nereus O. Acosta

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AN ACT

ESTABLISHING A STATE COLLEGE IN THE MUNICIPALITY OF MANOLO FORTICH, PROVINCE OF BUKIDNON TO BE KNOWN AS THE NORTHERN BUKIDNON STATE COLLEGE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Be it enacted by the Senate and the House of Representatives in Congress assembled:

SECTION 1. There is hereby established a college in the municipality of Manolo Fortich, Province of Bukidnon to be known as the Northern Bukidnon State College.

SECTION 2. The State College shall primarily offer higher professional and technical instructions and training in science and technology and promote research, extension, and production services, advanced studies and specialized training in fields deemed relevant to the development goals of the Province of Bukidnon.

SECTION 3. The State College shall have the general powers of a corporation set forth in the corporation law. The administration of the college and the exercise of its corporate powers shall be vested exclusively in the Board of Regents and the President of the college insofar as authorized by the Board.

The State College shall adopt public elementary and secondary schools in the Province of Bukidnon to serve as pilot centers for innovative teaching learning strategies and approaches so operated and maintained under appropriate Memorandum of Agreement between the College and the Department of Education, Culture and Sports/Commission on Higher Education (CHED).

SECTION 4. The governing body of the State College shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

- a) Chairman of the Commission on Higher Education (CHED), Chairman
- b) President of the College, Vice-Chairman;
- c) Chairman of the Committee on Education, Culture and Arts of the Senate, Member;

- d) Chairman of the Committee on Education, and Culture of the House of Representatives, Member;
- e) Regional Director of the National Economic Development Authority (NEDA), Member;
- f) President of the Faculty Association of the University, Member;
- g) President of the Student Council or the student representative elected by the student at large, member;
- h) Two (2) prominent citizens who have distinguished themselves in their professionals or fields of specialization, Members.

The two (2) prominent citizens shall be chosen from among a list of at least five (5) persons qualified in the Province of Bukidnon, as recommended by a search committee constituted by the State College President in consultation with the Chairman of CHED based on the normal standards and qualifications for the position.

The term of office of the representative of the Faculty Association, the Student Council, and the Alumni Association shall be co-terminous with their terms of office.

The two (2) prominent citizens shall serve for a term of two (2) years.

SECTION 5. The Board shall promulgate and implement policies in accordance with the declared policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports as well as the policies, standards and thrusts of the CHED under R.A. 7722.

SEC. 6. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws:

- A) To enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the University;
- B) To receive and appropriate all sums as may be provided, for the support of the University in the manner it may determine, in its discretion, to carry out the purposes and functions of the University;
- C) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the State College and subject to the limitations, directions and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;
- D) To fix tuition fees and other necessary school charges such as, but not limited to, matriculation fees, graduation fees, and laboratory fees, as the Board may deem proper to impose after due consultations with the involved sectors;

Such fees and charges, including government subsidies and other income generated by the State College, shall constitute special funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefore shall form part of the same fund for the use of the State College.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the State College from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the State College, and may be disbursed by the Board for instruction, research, extension, or other programs/projects of the State College: Provided, that all fiduciary fees shall be disbursed for the specific purposes for which they are collected.

If for reasons beyond its control, the State College shall not be able to pursue any project for which funds have been appropriate 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 State College.

- E) To adopt and implement a socialized tuition scheme of tuition and school fees for greater access to poor but deserving students;
- F) To authorize the construction or repair of its buildings, machineries, equipment, and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the State College through the Board shall be exempt from all taxes and duties;
- G) To appoint upon the recommendation of the president of the State College, vice president, deans, directors, heads of departments, faculty members and other officials and employees;
- H) To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- I) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- J) To set policies on admission and graduation of students;

- K) To award honorary degrees upon persons in recognition of outstanding contributions in the fields of education, public service, arts, science and technology, or in any field of specialization within the academic competence of the State College; and to authorize the awarding of certificates for completion of non-degree and non-traditional courses;
- L) To absorb non-chartered tertiary institutions within the Province of Bukidnon in coordination with the CHED and in consultation with the Department of Budget and Management, and to offer therein needed programs or courses, to promote and carry out equal access to educational opportunities mandated by the Constitution;
- M) To establish chairs in the State College and to provide fellowships for qualified faculty members and scholarships to deserving students;
- N) To establish chairs in the State College and to provide fellowships for qualified faculty members and scholarships to deserving students;
- O) To authorize an external management audit of the institution, to be financed by the CHED, and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;
- P) To collaborate with other governing boards of state colleges and universities within the province or region, under the supervision of the commission on Higher Education and in consultation with the Department of Budget and Management, the restructuring of the State College to become more efficient, relevant, productive and competitive;
- Q) To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the State College, the proceeds from which to be used for the development and strengthening of the State College;
- R) To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the State College;
- S) To develop academic arrangements for institution capability with appropriate institutions and agencies, public and private, local foreign, and to appoint experts/specialists as consultants, or visiting or exchange professors, scholars, researches, as the case may be;
- T) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual system, open

learning, community laboratory, etc., for the promotion of greater access to higher education;

- U) To establish policy guidelines and procedures for participative decision-making and transparency within the State College;
- V) To privatize, where most advantageous to the institution, management and non-academic services such as health, food, building or grounds or property maintenance and such other similar activities; and
- W) To extend the term of the president of the State College beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous recommendation by the search committee for the president of the institution concerned.

SEC. 7. The Board of Regents shall regularly convene at least once every quarter. The Chairman of the Board of Regents may call a special meeting whenever necessary: Provided, That members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: Provided, That, the chairman of the Board, or the president of the State College are among those present in the meeting.

In the absence of the Chairman of the CHED, a Commissioner of the CHED, duly designated by him, shall represent him in the meeting. Provided, however, That during this meetings, the president of the State College as vice chairman shall be presiding officer. Provided, further, that this provision notwithstanding, the chairman of the CHED is hereby authorized to designate a CHED Commissioner the regular Chair to the Board of Trustees, in which case said Commissioner shall act as the presiding officer.

The members of the Board shall not receive compensation but shall be reimbursed for necessary expenses incurred in their attendance of meetings or in connection with their official business authorized by resolution of the Board.

SEC. 8. The administration of the State College shall be vested in the President of the State College who shall render full-time service. He shall be appointed by the Board of Regent, upon the recommendation of a duly constituted search committee. He shall have a term of four (4) years and shall be eligible for reappointment for another term: Provided, however, That this proviso notwithstanding, in order to effect a smooth on Higher Education shall appoint an Officer-In-Charge pending the appointment of the first State College President.

In case of vacancy in the office of the President by reason of death, resignation, incapacity of the President to perform the functions of his office, the Board shall have the

authority to designate an officer-in-charge of the State College pending the appointment of a new president.

In case of vacancy in the office of the president as mentioned in the immediately preceding paragraph, his successor shall hold office for the unexpired term.

The powers and duties of the President of the State College in addition to those specifically provided in this Act, shall be those usually pertaining to the office of the President of similar State College.

The salary of the President of the State College shall be in accordance with the Revised Compensation and Position Classification System and shall be comparable to that being received by the Presidents of similar educational institutions of like enrollment and standing.

SEC. 9. There shall be an administrative council consisting of the President of the State College as chairman, the vice-president(s), deans, directors and other officials of equal rank whose duty is to implement the policies governing the administration, management and development planning of the State College, as approved by the Board.

SEC. 10. There shall be an academic council with the President of the State College, as chairman, and all members of the instructional staff with the rank of not lower than assistant professor, as members.

The academic council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for the admission to the State College, as well as for graduation and the conferring of degrees, subject to review and/or approval by the Board through the president of the State College. It shall also have disciplinary powers over the students through the president within the limits prescribed by the rules of discipline, as approved by the Board.

SEC. 11. There shall be a Secretary of the State College who shall be appointed by the Board upon recommendation of the president of the State College. He shall also be the Secretary of the Board and shall keep such records of the State College as may be determined by the Board.

SEC. 12. The treasurer of the Philippines shall be the ex-officio Treasurer of the State College.

SEC. 13. No student shall be denied admission to the State College by reason of sex, nationality, religion, or political affiliation.

SEC. 14. On or before the fifteenth (15<sup>th</sup>) day of the second month after the opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines, through the chairperson of the CHED and to both House of Congress, a detailed report on the progress, conditions and needs of the State College.

SEC. 15. All accounts and expenses of the State College shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 16. The amount necessary for the implementation of this Act shall be included in the Annual General Appropriations Act.

SEC. 17. All laws, presidential decrees, executive orders, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 18. If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SEC. 19. This Act shall take effect fifteen (15) days upon publication in the Official Gazette.

Approved.