

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3678



Introduced by **Hon. EDUARDO R. GULLAS**

EXPLANATORY NOTE

This bill seeks to establish a state college in the City of Talisay, Province of Cebu, to be known as the Talisay City State College.

Article XIV, Section 2(1) of the Constitution states that "the State shall establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people and society."

A lot of indigent but deserving students in Talisay City and its neighboring towns in the 1st Congressional District of Cebu Province, who cannot afford to enroll in expensive private vocational and technical schools will be the primary beneficiaries with the establishment of the Talisay City State College. The school shall offer general, and vocational/technical courses in Education, Arts and Sciences, Nursing and Industrial Technology which will help provide greater opportunities to hundreds of people improve their living conditions.

The establishment of the Talisay City State College will not only hasten the development and progress of the City of Talisay but also its neighboring towns, particularly in the 1st congressional district of Cebu Province.

In keeping with the State's policy of giving priority to education, science and technology and its application to the country's productive systems and national life, the early passage of this bill is earnestly sought.


EDUARDO R. GULLAS

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AN ACT

**ESTABLISHING THE TALISAY CITY STATE COLLEGE IN THE CITY OF
TALISAY, CEBU PROVINCE AND APPROPRIATING FUNDS THEREFOR.**

**Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled.**

SECTION 1. There shall be established in the City of Talisay, Province of Cebu, a State College to be known as the TALISAY CITY STATE COLLEGE, herein referred as the State College.

SECTION 2. *Declaration of Policy.* - The State College shall primarily provide higher technological, professional and vocational instruction and training in science, education, agriculture, fishery and industrial fields, as well as short term technical and vocational courses. It shall also promote research, advanced studies and progressive leadership in its areas of specialization.

The State College shall offer undergraduate and graduate courses in the fields of science, education, agriculture, fishery and industrial fields as the Board of Trustees may deem necessary. It shall also offer short-term technical or

vocational courses, provide non-formal education and undertake vigorous and extension programs in food production, nutrition, health and sports development.

SECTION 4. *Admission.* - No student shall be denied admission to the State College by reason of sex, ethnic considerations, or religious belief or affiliation.

SECTION 5. *The Governing Board.* - The governing board of the State College shall be the Board of Trustees of the Talisay City State College. It shall be composed of the following:

Chairman of the Commission On Higher Education (CHED)

President of the State College, Vice Chairman

Chairman of the Congressional Committee on Education and Culture,
Member

Regional Director of the National Economic and Development Authority,
Member

President of the faculty association of the State College, Member

President of the supreme student council of the State College,
Member

President of the alumni association of the State College, Member

Two (2) prominent citizens who have distinguished themselves in their profession or field of specialization chosen from among a list of at least five (5) persons qualified in the City as recommended by a search Committee constituted by the President of the State College in consultation with the NEDA Regional Director, based on the normal standards and qualifications for the position, members: two (2) prominent citizens shall be appointed by the Board of Trustees upon the recommendation of a duly constituted Committee who shall have the same powers, authority and privileges as the regular members of the Board. Provided, that the Presidents of the faculty association, supreme student council

and the representative of the alumni association shall sit in the board until the expiration of their term of office in such capacity. The prominent citizens shall serve for a term of two (2) years.

SECTION 6. *Term of Office.* - The head of the State College shall be known as the President of the Talisay City State College who shall be appointed by the Board of Trustees. He shall hold office for a term of six (6) years without reappointment, unless he reaches the age of retirement or earlier removed for cause or incapacitated to discharge the duties of the office. In case of vacancy by reason of death, resignation, removal for cause or 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 but in no case shall his term be more than six (6) years.

His salary shall be fixed by the Board of Trustees comparable to that being received by the President of similar educational institutions of like enrolment and standing.

The powers and duties of the President of the State College, in addition to those specifically provided for in this Act, shall be those usually pertaining to the office of the president of the state college or university.

SECTION 7. *Meetings; Quorum.* - The Board of Trustees shall convene at least once every quarter. The Chairman of the Board of Trustees may call a special meeting whenever necessary: Provided that members are notified in writing at least three (3) days prior to said meeting.

A quorum of the Board of Trustees shall consist of the majority of all members holding office at the same time a meeting is called: Provided, however, That among those present is the Chairman Commission on Higher Education who is the Chairman of the Board, or the President of the State College who is the Vice Chairman be as presiding officer in the former's absence.

The members of the Board of Trustees shall serve without compensation but they shall be reimbursed for actual and necessary expenses incurred either in attendance upon meetings of the Board or upon their official business as authorized by a resolution of the Board.

SECTION 8. *Powers and Duties of Governing Boards.* - The Board of Trustees shall have the following powers and duties in addition to its general powers of administration and shall exercise all the powers granted to the Board of Directors of a corporation under Sec. 36 of BP Blg. 68 better known as the Corporation Code of the Philippines.

- (a) To receive and appropriate for the purpose specified by law such sums as may be provided for the support of the State College in the manner it may, in its discretion, determine to carry out the purposes and functions of the State College;
- (b) To confer degrees upon successful candidates for graduation of the State College. It may also confer honorary degrees upon persons in recognition of learning, statesmanship or eminence in any fields of specialization of the State College, or considerations of or to reciprocate some personal favor;
- (c) To authorize the President of the State College to award proficiency certificates or diplomas to students who have completed non-degree courses;

- (d) To appoint on recommendations of the President of the State College, a Vice President, deans, directors, secretary of the State College, registrar, heads of departments, professors, instructors, lectures, and other officials and employees of the State College' to fix their compensations, hours of service and such other duties and conditions as it may deem proper; to grant them, in its discretion, leaves of absences and to remove them for cause after due investigation and hearing; to establish chairs as may be necessary;
- (e) To approve the curricula and rules of discipline drawn by the College Council as hereinafter provided;
- (f) To fix tuition fees, matriculation fees, graduation fees, laboratory fees and such special fees as will constitute a special trust fund for the State College;
- (g) To provide fellowship for qualified faculty members and scholarships to deserving students, specially the underprivileged, that is, those from the low income families;
- (h) To provide vocational training to adult citizens and out-of-school youth;
- (i) To prescribe rules for its own governance and to enact for the government of State College such rules and regulations not contrary to law, as may be necessary to carry out the purposes and functions of the State College;
- (j) To receive in trust legacies, gifts and donations of real and personal property of all kinds, to administer the same for the benefit of the State College, or a department thereof, or for aid to any students,

State College, or a department thereof, or for aid to any students, in accordance with the directions or instructions of the donor and, in default thereof, in such manner as the Board of Trustees may in its discretion determine. All such donations shall be exempt from all taxes and shall be considered as deductible from the income tax of the donors;

- (k) To import duty-free commodities for educational purposes in accordance with existing laws;
- (l) To print technical and educational materials in any printing establishment in accordance with existing rules and regulations;
- (m) To authorize the State College to acquire sites, campuses, undertake the construction and/or repair of its buildings and other farm structures, land developments, machinery and equipment, and other facilities: Provided, That the funds for the purpose shall come from its appropriations; and

SECTION 10(a). *Promulgation And Implementation of Policies.* – The Board of Trustees shall promulgate and implement policies in accordance with the declared state policies on education and other pertinent provisions of RA 7723 and the Philippine Constitution.

(b). The heads of bureaus and offices of the National Government are hereby authorized to loan or transfer, upon request of the President of the State College, such apparatus, equipment or supplies as may be needed by the State College and to detail employees for duty therein, when in the judgment of the head of the bureau or office such apparatus, equipment, supplies or the services of such employees can be spared without serious detriment to public service.

Employees so detailed shall perform such duty as required under such detail and the time so employed shall be counted as part of the regular official service.

(c). The assets, acquisitions, income and operations and transactions of the State College shall be exempt from any and all taxes imposed by the government or any of its political subdivisions or taxing authority thereof in accordance with existing laws.

(d). Except for the President of the State College, all employees of the State College shall be subject to the rules of the civil service. Highly technical positions may be exempt from the civil service eligibility upon approval of the Board as recommended by the President. Provided, however, That all shall be entitled to the privileges and rights of security of tenure, promotions in position and salaries for meritorious service, leaves and retirement benefits as provided for by law in the government service.

(e). The body of instructors/professors of the State College shall constitute the faculty of the State College.

(f). The amount necessary for the establishment of the State College shall be charged to the appropriations of the Commission On Higher Education under the current General Appropriations Act of the year following the enactment into law and every year thereafter.

SECTION 11. *The Administration.* – The administration of the university or college shall be vested in the president of the university or college who shall render full-time service. He shall be appointed by the Board of Regents/Trustees, 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, That this provision shall not adversely affect the terms of the incumbents.

The president shall be assisted by a vice president for academic affairs who shall be appointed by the Board upon the former's recommendation without prejudice to the appointment of more than one vice president when so warranted.

In case of vacancy by reason of death, resignation, removal for incapacity of the president to perform the functions of his the Board shall have the authority to designate an officer-in-charge 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 expired term.

SECTION 12. *The Secretary of the State College.* – The Board shall appoint a secretary who shall serve as such for both the Board and university or college and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

SECTION 13. *The Treasurer of the Philippines.* – The Treasurer of the Philippines shall be the *ex-officio* treasurer of the state college. Accounts and expenses of the university or college shall be audited by the Commission on Audit or its duly authorized representative.

SECTION 14. *Administrative Council.* – There shall be an administrative body consisting of the president of the state college as Chairman, the vice president(s), deans, directors and other officials of rank as members, and whose

duty is to review and recommend to Board of Regents/Trustees policies governing the administration, implement and development planning of the state or college for immediate action.

SECTION 15. *Academic Council.* - There shall be an academic council with the president of the state college as Chairman and all the members of the instructional staff with the rank of not lower than the professors as members.

The academic council shall have the power to review and amend the curricular offerings and rules of discipline of the state college subject for appropriate action of the Board of Trustees. It shall fix the requirements for the admission of students as well as for graduation and the conferment of degrees subject to review and/or approval by the Board of Trustees through the president of the university or college.

SECTION 16. *Filing of Report.* - On or before the fifteenth (15th) day of the second month after the opening of regular classes each year, the president of the state college shall file with the Office of the President of the Philippines through the Chairman of the CHED, and with the Senate and House of Representatives a detailed report on the progress, conditions and needs of the university or college.

SECTION 17. *Implementation.* - The Chairman, Commission On Higher Education (CHED) is hereby directed to take steps as are necessary for the immediate implementation of this Act.

SECTION 18. *Separability Clause.* - If, for any reason, any part or portion of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SECTION 19. *Repealing Clause.* – All laws, decrees, executive orders contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 20. *Effectivity Clause.* - This Act shall take effect upon its approval.

Approved.
