

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Second Regular Session
SIXTEENTH CONGRESS

House Bill No. 4833



Introduced by Rep. Maria Carmen S. Zamora

EXPLANATORY NOTE

The passage of Republic Act No. 10598 last June 4, 2013 was greeted with much joy by the people of Compostela Valley Province. This law had finally established the first ever state-run, tertiary educational institution in the province. After years of shepherding the measure in the legislative mill, its enactment into law was finally realized, and Comvalenyos now have a state college literally “in their own backyard,” ready and capable to provide quality and accessible instruction to those desirous of earning college degrees.

With the concerted efforts of all stakeholders, the administrative and technical requirements operationalizing the new school were set into motion. The Board of Trustees was convened with the help of the Commission on Higher Education (CHED), the school’s Development Plan was drawn, and the law’s Implementing Rules and Regulations were crafted and approved *en banc* by the CHED. The undersigned’s congressional office was at the forefront of these initiatives, being the law’s principal author and prime mover. Funds were painstakingly sourced for the construction of the school’s initial infrastructure requirements, while extensive consultations were conducted among the faculty and the students of the affected external studies centers of the Bukidnon State University (BSU), which were integrated into the new state college.

Hopes ran even higher, when the Regional Development Council (RDC) XI endorsed through a resolution the proposed special budget of CVSC for FY 2015. The stakeholders are cognizant of the fact that the school’s full operation is contingent on the Department of Budget and Management’s (DBM) approval of the same.

1 This hopeful expectation was eventually doused by the DBM's
2 denial of the budget proposal. The agency had resolved to deny
3 consideration of CVSC's budget on the basis that the requirements under
4 Section 26 of R.A. No. 10598 (CVSC's enabling law) had not yet been met.
5

6 The policy behind the enactment of R.A. 10598 is for CVSC to have
7 the support of the state: its creation is *fait accompli*, and the budgetary
8 appropriation for the college is outside of the ambit of Sec. 26. This
9 representation fully supports the requirement to comply with CHED
10 standards, but these standards must be reasonable and appropriate for
11 CVSC's status. Time and again we have contended that the template
12 provisions conditionally inserted (Section 26 of Republic Act No. 10598, in
13 particular) prior to the Senate approval of the then-pending bill, do not
14 apply to a newly-established state college such as CVSC. This was
15 confirmed during the many meetings of the school's Board of Trustees over
16 which the Honorable CHED Chairperson presides: it is thus clear that the
17 requirements under Sec. 26 should apply *only* to university-level
18 institutions, and not to state colleges. It is also our position that the
19 budgetary needs of CVSC is mandatory in Section 20 of the said law, and
20 that no discretion is conferred on the DBM in terms of making the
21 provisions of Section 26 as conditions precedent to determining and issuing
22 appropriations for the operations of the state college.
23

24 In view of the foregoing, and consistent with Article XIV, Section 1,
25 of the Philippine Constitution which states that "*The state shall protect and*
26 *promote the right of all citizens to quality education at all levels and shall*
27 *take appropriate steps to make such education accesible to all,*" we seek
28 the passage of the appropriate amendments to Section 26 of RA 10598, and
29 make it applicable to the operational requirements of CVSC. This will give
30 life to spirit of the law, and that is to make CVSC a viable and sustainable
31 institution of higher learning.

MARIA CARMEN S. ZAMORA

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AN ACT AMENDING SECTION 26 OF REPUBLIC ACT NO. 10598 ENTITLED "AN ACT ESTABLISHING A STATE COLLEGE IN THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF COMPOSTELA VALLEY TO BE KNOWN AS COMPOSTELA VALLEY STATE COLLEGE, INTEGRATING THEREWITH AS REGULAR BRANCHES THE BUKIDNON STATE UNIVERSITY EXTERNAL STUDIES CENTERS IN THE MUNICIPALITIES OF MONKAYO, MARAGUSAN, MONTEVISTA, AND NEW BATAAN, ALL LOCATED IN THE PROVINCE OF COMPOSTELA VALLEY AND APPROPRIATING FUNDS THEREFOR"

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

SECTION 1. Section 26 of Republic Act No. 10598 is hereby amended to read as follows:

X X X X X X X X X

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

"The CHED shall designate a panel of experts who shall prepare a recommendation to the Chairperson of the CHED, on whether the institution has substantially complied with the requirements for the grant of college status. The following are the operational requirements for a college:

"(a) APPROPRIATE OR EQUIVALENT ACCREDITATION UNDER CHED POLICIES AND GUIDELINES FOR COLLEGES;

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

"(c) Adequate library and laboratories;

"(d) Research and development output of practical and commercial application to the community;

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

"(f) Relevant academic policies, systems and processes.

"THE FOREGOING REQUIREMENTS SHALL NOT BE DEEMED CONDITIONS FOR THE OPERATION OF SEC. 20 OF THIS ACT.

*"The institution shall retain its status prior to the effectivity of this Act, unless in the meantime it is able to comply with the requirements provided herein, within a period not exceeding **DECEMBER 31, 2018.**"*

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SEC. 2. All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or amended accordingly.

SEC. 3. This Act shall take effect upon its approval.

Approved,