



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
Second Regular Session

HOUSE BILL NO. **9063**

Introduced by Representative Christian S. Unabia

EXPLANATORY NOTE

This bill seeks to convert the Community College of Gingoog City located in Gingoog City, Province of Misamis Oriental, into a state college to be known as the First Misamis Oriental State College.

Section 1, Article IV of the 1987 Constitution mandates that “*The State shall protect, foster and promote the right of all citizens to affordable quality education,*” and Section 2 of the same Article mandates that “*The State shall establish, maintain and support a complete, adequate and integrated system of education relevant to the needs of the people and the society.*”

Republic Act No. 10931, otherwise known as the “*Universal Access to Quality Tertiary Education Act,*” provides for free higher education in state universities and colleges to enable Filipino students to have equal opportunity to quality tertiary education especially those who come from poor families.

In 2015, the Gingoog Science and Technology College was established as a community college through Sangguniang Panlungsod Ordinance No. 2015-283. In the following year, it was changed to Community College of Gingoog City through Sangguniang Panlungsod Ordinance No. 2016-283. The mission of the school is to provide comprehensive education program to individuals and to serve all segments of society through an open-access admissions policy that offers equal and fair treatment to all students and serves its community as a community-based institution of higher education.

Since its establishment in 2015, the Community College of Gingoog City has been funded by the local government of Gingoog City. However, it has become difficult for the local government of Gingoog City to sustain its funding and address the growing need of its people for an available and affordable tertiary education in the locality.

Presently, the Community College of Gingoog City offers three courses: Bachelor of Science in Agribusiness, Bachelor of Science in Entrepreneurship, and Bachelor of Arts in Economics. If the Community College of Gingoog City is converted into a state college, it will offer more courses such as Bachelor of Science in Tourism Management and Bachelor of Science in Early Childhood Education, among others.

This proposed measure seeks to foster students' success in reaching their educational objectives and personal growth, and to create a quality, integrated, sustainable, and productive educational environment. The establishment of First Misamis Oriental State College will make tertiary education more accessible to the people not only of Gingoog City but also to the whole Province of Misamis Oriental. It will provide graduating senior high school students a chance to go to college and help them prepare for good employment and contribute to nation-building.

In view of the foregoing, approval of this proposed bill is earnestly sought.



CHRISTIAN S. UNABIA



Republic of the Philippines
House of Representatives
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HOUSE BILL NO. 9063

Introduced by Representative Christian S. Unabia

AN ACT

**CONVERTING THE COMMUNITY COLLEGE OF GINGOOG CITY
LOCATED IN THE CITY OF GINGOOG, PROVINCE OF MISAMIS
ORIENTAL, INTO A STATE COLLEGE TO BE KNOWN AS THE
“FIRST MISAMIS ORIENTAL STATE COLLEGE” AND
APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. *Conversion.* – The Community College of Gingoog City
located in the City of Gingoog, Province of Misamis Oriental is converted into a
state college to be known as the First Misamis Oriental State College,
hereinafter referred to as the “*College*”.

SEC. 2. *General Mandate.* – The College shall primarily provide
advanced studies and research, higher professional and technical instructions,
and training in science and technology and other related sciences.

It shall also undertake research and extension services and development
programs, and provide the necessary instructional and research leadership in

1 economics, entrepreneurship, agribusiness, early childhood education, and
2 tourism management and other socio-economic development in the Province of
3 Misamis Oriental and in Region X.

4 **SEC. 3. *Curricular Offerings.*** – The College shall offer undergraduate
5 courses in the fields of economics, entrepreneurship, agribusiness, early
6 childhood education, tourism management, and other degree courses within its
7 areas of specialization as the Board of Trustee may deem necessary to carry out
8 its objectives, and in order to meet the needs of the Province of Misamis
9 Oriental and Region X.

10 **SEC. 4. *Administration.*** – The College shall have the general powers of
11 a corporation set forth in Republic Act (RA) No. 11232, otherwise known as the
12 “*Revised Corporation Code of the Philippines*”. The administration of the
13 College and the exercise of its corporate powers are vested exclusively in the
14 Board of Trustees and the President of the College, in so far as authorized by
15 the Board.

16 **SEC. 5. *Governing Body.*** – The governing body of the College is the
17 Board of Trustees, hereinafter referred to as the “*Board*,” which is composed of
18 the following:

- 19 (a) Chairperson of the Commission on Higher Education (CHED), as
20 Chairperson;
21 (b) President of the College, as Vice-Chairperson;

1 (c) Chairperson of the Committee on Education, Arts and Culture of
2 the Senate;

3 (d) Chairperson of the Committee on Higher and Technical Education
4 of the House of Representatives;

5 (e) Regional Director of the National Economic and Development
6 Authority;

7 (f) Regional Director of the Department of Agriculture;

8 (g) Regional Director of the Technical Education and Skills
9 Development Authority;

10 (h) President of the faculty associations of the College;

11 (i) President of the student councils of the College;

12 (j) President of the alumni associations of the College; and

13 (k) Two (2) prominent citizens from the private sector who have
14 distinguished themselves in their profession or fields of specialization; as
15 members.

16 The Board shall appoint the two (2) prominent citizens from a list of five
17 (5) qualified persons in the Province of Misamis Oriental, as recommended by
18 the search committee to be constituted by the College President, in consultation
19 with the Board, based on the standards and qualifications set by the Board.

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

1 SEC. 6. ***Promulgation and Implementation of Policies.*** – The Board
2 shall promulgate and implement policies in accordance with the provisions of
3 the Constitution on education, agriculture, science, and technology and other
4 policies of the State on education, including policies, standards and thrusts of
5 the CHED under RA 7722, otherwise known as the “*Higher Education Act of*
6 *1994*”.

7 SEC. 7. ***Powers and Duties of the Board.*** – In addition to its general
8 powers of administration and the exercise of all the powers granted to the board
9 of directors of a corporation under existing laws, the Board shall exercise the
10 following:

11 (a) Approve the curricula, institutional programs, and rules of
12 discipline drawn by the administrative and the academic councils provided
13 under this Act;

14 (b) Appoint, upon the recommendation of the College President, the
15 vice-presidents, deans, directors, heads of the campuses, faculty members, and
16 other officials and employees of the College;

17 (c) Fix and adjust the salaries of faculty members, administrative
18 officials and employees, subject to the provisions of RA 6758, otherwise known
19 as the “*Revised Compensation and Position Classification System,*” as
20 amended, and other pertinent budget and compensation laws governing hours of
21 service and such other duties and conditions as it may deem proper; grant them,
22 at its discretion, leaves of absence under such regulations as it may promulgate,

1 any provision of existing law to the contrary notwithstanding; and remove them
2 for cause in accordance with the requirements of due process of law;

3 (d) Fix the tuition and other necessary fees and charges, such as
4 matriculation fees, graduation fees, and laboratory fees, as the Board may deem
5 proper to impose, after due consultation with the involved sectors: *Provided,*
6 That the fees and charges, including government subsidies and other income
7 generated by the College, which are considered as special trust funds, shall be
8 deposited in any authorized government depository bank, and all interests that
9 shall accrue therefrom shall form part of the same fund for the use of the
10 College: *Provided, further,* That any provision of existing laws, rules or
11 regulations to the contrary notwithstanding, any income generated by the
12 College from the tuition fees and other charges, and from the operation of
13 auxiliary services and land grants, shall be retained by the College, and may be
14 disbursed by the Board for instruction, research, extension or other programs
15 and projects of the College: *Provided, finally,* That all fiduciary fees shall be
16 disbursed for the specific purposes for which the fiduciary fees are collected:
17 *Provided,* That if for reasons beyond its control, the College shall not be able to
18 pursue any project for which the funds have been appropriated and allocated
19 under its approved program of expenditures, the Board may authorize the use of
20 the funds for any reasonable purpose which, in its discretion, may be necessary
21 and urgent for the attainment of the objectives and goals of the College;

1 (e) Adopt and implement a socialized scheme of tuition and other
2 school fees for greater access to education of poor but deserving students in
3 accordance with RA 10931, otherwise known as the “*Universal Access to*
4 *Quality Tertiary Education Act*”;

5 (f) Establish professional chairs in the College and provide local and
6 international fellowships to qualified faculty members who have rendered at
7 least three (3) years of service to the College;

8 (g) Receive and appropriate all sums as may be provided for the
9 support of the College in the manner it may determine, in its discretion, to carry
10 out the purposes and functions of the College;

11 (h) Set the policies on admission and graduation of students;

12 (i) Award honorary degrees upon persons in recognition of their
13 outstanding contribution in the fields of economics, entrepreneurship,
14 agribusiness, early childhood education, and tourism management or any field
15 of specialization within the academic competence of the College, and authorize
16 the awarding of certificates of completion of non-degree and non-traditional
17 courses;

18 (j) Establish applied research and extension that support the goals and
19 objectives of the College;

20 (k) Develop academic arrangements for institutional capability
21 building with appropriate institutions and agencies, public and private, and local

1 and foreign, and appoint experts or specialists as consultants, part-time, visiting
2 or exchange professors, scholars or researchers, as the case may be;

3 (l) Adopt modern and innovative modes of transmitting knowledge,
4 including the use of information technology, dual training system, open distance
5 learning, community laboratory, and competency-based training, for the
6 promotion of greater access to professional and technological education and
7 skills development;

8 (m) Coordinate with CHED, TESDA and other governing boards of the
9 state universities and colleges, consult with the Department of Budget and
10 Management (DBM), and work towards the restructuring of the College to
11 make it more efficient, relevant, productive and competitive;

12 (n) Absorb non-chartered tertiary institutions within the Province of
13 Misamis Oriental as branches and extension centers, in coordination with
14 CHED, and in consultation with the DBM, and offer programs or courses to
15 promote and carry out equal access to educational opportunities, as mandated by
16 the Constitution;

17 (o) Authorize an external management audit of the College, subject to
18 the rules and regulations of the Commission on Audit and institute reforms,
19 including academic and structural changes, on the basis of the audit results and
20 recommendations;

1 (p) Develop consortia and other forms of linkages with the local
2 government units, institutions and agencies, both public and private, local and
3 foreign, in the furtherance of the purpose and objectives of the College;

4 (q) Import economic, technical and cultural books or publications;

5 (r) Enter into joint ventures with business and industry for the
6 profitable development and management of the assets of the College and use the
7 proceeds for the development and strengthening of the College;

8 (s) Receive in trust legacies, gifts and donations of real and personal
9 properties of all kinds and administer or dispose of the same when necessary for
10 the benefit of the College, subject to the limitations, directions and instructions
11 of the donor, if any;

12 (t) Authorize the construction or repair of its buildings, machinery,
13 equipment and other facilities, and the purchase or acquisition of real and
14 personal properties, including necessary supplies, materials and equipment;

15 (u) Extend the term of the president of the College beyond the age of
16 retirement, but not beyond the age of seventy (70), based on the guidelines,
17 qualifications and standards set by the Board: *Provided*, That the president's
18 performance has been rated by the Board as outstanding, and after unanimous
19 recommendation by the search committee;

20 (v) Delegate any of its powers and duties to the president and other
21 officials of the College, as it may deem appropriate, so as to expedite the
22 administration of the affairs of the College;

1 (w) Establish policy guidelines and procedures for participative
2 decision-making and transparency within the College;

3 (x) Privatize the management of non-academic services such as health,
4 food, building or grounds or property maintenance, and such other similar
5 activities if advantageous to the College; and

6 (y) Promulgate rules and regulations as may be necessary to carry out
7 the purposes and functions of the College.

8 SEC. 8. ***Meetings of the Board.*** – The Board shall regularly convene
9 once every quarter. However, the chairperson of the Board may, upon three (3)
10 days' prior written notice, call a maximum of two (2) special meetings
11 whenever necessary.

12 A quorum of the Board shall consist of a majority of all its members
13 holding office at the time of the meeting: *Provided*, That the Chairperson of the
14 Board or the President of the College is present in the meeting.

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

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

5 The members of the Board shall not receive any salary, but shall be
6 entitled to reimbursements for actual and necessary expenses incurred in
7 attending the meetings of the Board or in connection with other official business
8 authorized by resolution of the Board, subject to existing laws and regulations.

9 **SEC. 9. *College President.*** – The College shall be headed by a President
10 who shall render full-time service. The College President shall be appointed by
11 the Board, upon the recommendation of the duly constituted search committee.

12 The College President shall serve for a term of four (4) years and shall be
13 eligible for reappointment for another term: *Provided*, That in order to affect a
14 smooth transition to College, the incumbent President of the Community
15 College of Gingoog City shall act as the Officer-in-Charge (OIC) pending the
16 appointment of the first College President. Within six (6) months from the date
17 of approval of this Act, the Board shall constitute the search committee for the
18 College President.

19 In case of vacancy in the office of the College President by reason of
20 death, compulsory retirement, resignation, removal for cause or incapacity of
21 the College President to perform the functions of the office, the Board shall
22 designate an OIC of the College, pending the appointment of a new College

1 President. The OIC or new College President shall serve only for the unexpired
2 portion of the term.

3 The powers and duties of the College President, in addition to those
4 specifically provided in this Act, are those usually pertaining to the Office of the
5 College President of similar colleges, and those delegated by the Board.

6 The salary of the College President shall be in accordance with RA 6758,
7 otherwise known as the "*Compensation and Position Classification Act of*
8 *1989*," as amended, and other pertinent budget and compensation laws, and
9 shall be comparable to the salaries received by the presidents of similar
10 educational institutions.

11 The College President shall be assisted by a Vice-President for Academic
12 Affairs and Vice-President for Administration, who shall be appointed by the
13 Board upon recommendation of the College President.

14 SEC. 10. ***Administrative council.*** – There shall be an administrative
15 council consisting of the President of the College, as Chairperson, and the vice-
16 presidents, deans, directors and other officials of equal rank, as members, whose
17 duty is to implement the policies governing the administration, management and
18 development plan of the College as approved by the Board.

19 SEC. 11. ***Academic Council.*** – There shall be an academic council
20 composed of the College President, who shall act as Chairperson, and all the
21 academic staff with the rank of not lower than 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
3 approval of the Board. It shall fix the requirements for the admission of
4 students, as well as for their graduation and conferment of degrees, subject to
5 review and approval by the Board through the College President. It shall have
6 the disciplinary power over students of the College and shall formulate
7 academic policies and rules and regulations on discipline, subject to the
8 approval of the Board.

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

14 SEC. 13. ***College Treasurer.*** – The Treasurer of the Philippines is the *Ex*
15 *Officio* Treasurer of the College.

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

1 SEC. 15. *Admission and Scholarship Program.* – No student shall be
2 denied admission to the College by reason of sex, religion, cultural or
3 community affiliation, or ethnic origin.

4 The College shall provide scholarship and other affirmative action
5 programs to assist the poor but deserving students who qualify for admission to
6 the College.

7 SEC. 16. *Academic Freedom and Institutional Autonomy.* – The
8 College shall enjoy academic freedom and institutional autonomy, pursuant to
9 paragraph 2, Section 5 Article XIV of the 1987 Constitution.

10 SEC. 17. *Authority of government agencies.* – The heads of the bureaus
11 and offices of the national government are hereby authorized to loan or transfer,
12 upon the request of the College President, apparatus, equipment or supplies as
13 may be needed by the College, and detail employees for duty therein when, in
14 the judgment of the head of bureau or office, the apparatus, equipment, supplies
15 or services of such employees may be spared without serious detriment to the
16 public service. The detailed employees shall perform such duties as required of
17 them by the College President, and the time so employed shall be counted as
18 part of their regular service.

19 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
20 personal, personnel and records of the Community College of Gingoog City,
21 and its liabilities or obligations, are hereby transferred to the College: *Provided,*
22 That the positions, rights, and security of tenure of faculty members and

1 personnel employed in the Community College of Gingoog City under existing
2 laws prior to its conversion into a College shall be respected: *Provided, further,*
3 That the College shall also accordingly upgrade or increase its human resource
4 component.

5 All parcels of land belonging to the government occupied by the
6 Community College of Gingoog City are hereby declared to be the property of
7 the College and shall be titled under its name: *Provided,* That if the College
8 cease to exist or abolished or the parcels of land are no longer needed, the title
9 to said parcels of land shall be transferred to the local government of Gingoog
10 City, Province of Misamis Oriental.

11 **SEC. 19. *Mandatory Requirements.*** – Within one hundred twenty (120)
12 days after the approval of this Act, the College shall:

13 (a) Submit a five (5) - year development plan, including its
14 corresponding program budget to the CHED, for corresponding
15 recommendation to the DBM;

16 (b) Undergo a management audit in cooperation with the CHED; and

17 (c) Set up its organizational, administrative, and academic structure,
18 including the appointment of the College key officials.

19 **SEC. 20. *Compliance with CHED Requirements.*** – Notwithstanding the
20 provisions of this Act, the conversion of Community College of Gingoog City
21 into a state college shall become effective only upon the determination and
22 declaration by the CHED, based on the recommendation of a panel of experts it

1 shall constitute for the purpose, that the institution has complied with the
2 requirements for a state college status based on CHED Memorandum Order No.
3 46, Series of 2012, Policy-Standard to Enhance Quality Assurance in Philippine
4 Higher Education Through an Outcomes-Based and Typology-Based Quality
5 Assurance: *Provided*, That the panel may issue such recommendation when the
6 institution has substantially complied with the requirements for the grant of
7 status as a state college.

8 The following operational requirements for the College, as established by
9 the CHED, shall be complied with:

10 (a) Possess full-time permanent faculty members who have the
11 relevant degrees as required by the CHED and experience in the subject areas
12 they handle;

13 (b) Offer degree programs characterized by a core curriculum that
14 holistically develops thinking, problem solving, decision-making,
15 communication, technical, and social skills in line with the mission of the
16 College;

17 (c) Possess learning resources and support structures that are
18 appropriate for developing knowledge and skills in the specific natural science,
19 social science, humanities, and professional disciplines offered by the College,
20 including laboratories, books and journals, among others;

1 (d) Maintain links with the community that ensure the development of
2 relevant academic and extension programs and the application of their learning
3 outcomes; and

4 (e) Conduct outreach programs involving students in social-
5 development oriented experiences that allow them to contextualize their
6 knowledge within actual social and human experiences.

7 The CHED, through its regional office, shall regularly provide technical
8 assistance to the institution and monitor compliance with the requirements of
9 the Commission.

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

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

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

1 **SEC. 22. *Tax Exemption.*** – The importation of economic, technical and
2 cultural books or publications, which are for economic, technical vocational,
3 scientific, philosophical, historical or cultural purposes made by the College,
4 upon certification by the CHED, shall be exempt from customs duties in
5 accordance with the provisions of RA 10863, otherwise known as the “*Customs*
6 *Modernization and Tariff Act (CMTA)*”. All grants, bequests, endowments,
7 donations and contributions made to the College to be used actually, directly
8 and exclusively by the College are exempt from donor’s tax and the same are
9 authorized as allowable deductions from the gross income of the donor for
10 purposes of computing the taxable income of the donor in accordance with the
11 provisions of the National Internal Revenue Code, as amended.

12 **SEC. 23. *Appropriations.*** – The amount necessary to carry out the
13 provisions of this Act shall be charged against the current appropriations of the
14 Community College of Gingoog City. Thereafter, such sums as may be
15 necessary for the continued operation and maintenance of the College shall be
16 included in the annual General Appropriations Act (GAA).

17 The City of Gingoog may provide additional funding to the Misamis
18 Oriental State College until such time that its full funding requirement is
19 included in the annual GAA.

20 **SEC. 24. *Suppletory Application.*** – The provisions of RA 8292,
21 otherwise known as the “*Higher Education Modernization Act of 1997,*” shall

1 be an integral part of this Act and shall serve as part of the governing charter of
2 the College.

3 SEC. 25. ***Implementing Rules and Regulations.*** – Within sixty (60) days
4 from the effectivity of this Act, the Board shall, in consultation with the CHED,
5 formulate the rules and regulations necessary for the effective implementation
6 of this Act.

7 SEC. 26. ***Separability Clause.*** – If any part or provision of this Act is
8 declared invalid or unconstitutional, the remaining parts or provisions not
9 affected shall remain in full force and effect.

10 SEC. 27. ***Repealing Clause.*** – All laws, presidential decrees, executive
11 orders, rules and regulations contrary to or inconsistent with the provisions of
12 this Act are repealed or modified accordingly.

13 SEC. 28. ***Effectivity.*** – This Act shall take effect fifteen (15) days after
14 its publication in the *Official Gazette* or in a newspaper of general publication.

15 Approved,