

**[ REPUBLIC ACT NO. 11150, December 13, 2018 ]**

**AN ACT ESTABLISHING THE SOUTH COTABATO STATE COLLEGE  
IN THE MUNICIPALITY OF SURALLAH, PROVINCE OF SOUTH  
COTABATO, INTEGRATING THEREWITH THE SURALLAH  
NATIONAL AGRICULTURAL SCHOOL LOCATED IN THE  
MUNICIPALITY OF SURALLAH, PROVINCE OF SOUTH COTABATO,  
AND APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. Establishment. - There is hereby established a state college in the Municipality of Surallah, Province of South Cotabato, to be known as the South Cotabato State College, hereinafter referred to as the College, integrating therewith the Surallah National Agricultural School (SUNAS) located in the Municipality of Surallah, Province of South Cotabato. Its main campus shall be located in the same municipality.

SEC. 2. General Mandate . - The College shall primarily provide both advance instruction and research in agriculture, allied technological sciences, education, and arts and related sciences. It shall also undertake extension and development programs, and provide the necessary instructional and research leadership, in agricultural environmental and technological development in the Province of South Cotabato and in Region XII.

SEC. 3. Curricular Offerings. - The College shall offer undergraduate and graduate courses in the fields of agriculture, environmental management, engineering, education, arts and sciences, and other degree courses within its areas of specialization and according to its capabilities, as the Board of Trustees may deem necessary to carry out its objectives and in order to meet the needs of the Province of South Cotabato and in Region XII.

The existing and any other future technical-vocational courses or programs under the supervision of the Technical Education and Skills Development Authority (TESDA) shall remain and continue to be offered by the College.

SEC. 4. Administration. - The College shall have the general powers of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as "The Corporation Code of the Philippines." The administration of the College and the exercise of its corporate powers shall be vested exclusively on the Board of Trustees and the President of the College.

SEC. 5. The Governing Board. - The governing board of the College shall be the Board of Trustees, hereinafter referred to as the Board, which shall be chaired and

co-chaired by the Chairperson of the Commission on Higher Education (CHED) and the President of the College, respectively, with the following as members:

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

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

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

SEC. 6. Promulgation and Implementation of Policies. - The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Constitution on education, agriculture, science and technology, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise known as the "Higher Education Act of 1994."

SEC. 7. Powers and Duties of the Board of Trustees. - 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) Approve the curricula, instructional programs, and rules of discipline drawn by the Administrative and the Academic Councils herein provided;
- (b) Appoint, upon the recommendation of the President of the College, the vice presidents, deans, directors, heads of the campuses, faculty members, and other officials and employees of the College;
- (c) Fix and adjust the salaries of faculty members, administrative officials and employees, subject to the provisions of the Revised Compensation and Position

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

(d) Fix the tuition fees and other necessary school charges, such as matriculation fees, graduation fees, and laboratory fees, as the Board may deem proper to impose, after due consultation with the involved sectors. The fees and charges, including government subsidies and other income generated by the College, shall constitute special trust funds, and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same funds for the use of the College. Any provision of existing law, rules or regulations to the contrary notwithstanding, any income generated by the College from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the College, and may be disbursed by the Board for instruction, research, extension or other programs/projects of the College. 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 professional chairs in the College and to 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 or any field of specialization within the academic competence of the College, and to authorize the awarding of certificates of completion of nondegree and nontraditional 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 to appoint experts/specialist as consultants; part-time, visiting or exchange professors; scholars, researchers, as the case may be;

(l) Adopt modern and innovative mode 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;

(m) Collaborate with the governing boards of the state universities and colleges (SUCs) within the Province of South Cotabato under the supervision of the CHED and in consultation with the Department of Budget and Management (DBM), in restructuring the College to make it more efficient, relevant, productive and competitive;

(n) Absorb non-chartered tertiary institutions within the Province of South Cotabato as branches and centers, in coordination with the CHED, and in consultation with the DBM, and to offer therein programs or course to promote and carry out equal access to education opportunities, as mandated by the Constitution;

(o) Authorize an external management audit of the College, to be financed by the CHED, subject to the rules and regulations of the Commission on Audit (COA); and to institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

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

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

(r) Enter into joint venture with business and industry for the profitable development and management of the economic assets of the College, the proceeds from which shall be used for the development and strengthening of the College;

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

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

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

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

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

(x) Where most advantageous to the College, privatize the management of nonacademic services such as health, food, building or grounds or property maintenance, and such other similar activities; and

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

SEC. 8. Meetings of the Board. - The Board shall regularly convene at least once every quarter. However, the Chairperson of the Board may upon three (3) days prior written notice, call a maximum of two (2) special meetings whenever necessary.

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

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

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

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

SEC. 9. The College President. - The President shall serve for a term of four (4) years and shall be eligible for reappointment for another term; Provided, That in order to effect a smooth transition to a state college, the incumbent Vocational School Administrator of the Surallah National Agricultural School shall act as the Officer-in-Charge (OIC) pending the appointment of the first President of the College. Within six (6) months from the date of approval of this Act, the Board shall constitute the Search Committee for the Presidency.

In case of vacancy in the Office of the President by reason of death, compulsory retirement, resignation, removal for cause or incapacity of the President to perform the functions of the office, the Board shall have the authority to designate an OIC of the 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, the successor or the OIC shall serve only for the unexpired portion of the term.