

[REPUBLIC ACT No. 10594, June 04, 2013]

**AN ACT ESTABLISHING A STATE COLLEGE IN THE CITY OF
TALISAY, PROVINCE OF CEBU TO BE KNOWN AS THE TALISAY
CITY STATE COLLEGE AND APPROPRIATING FUNDS THEREFOR**

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

SECTION I. *Establishment.* - There is hereby established a state college in the City of Talisay, Province of Cebu to be known as the Talisay City State College, hereinafter referred to as the College.

SEC. 2. *General Mandate.* - The College shall primarily provide advanced education, higher technological, professional instruction and training in science, education, agriculture, fishery and industrial fields and other relevant areas of study. It shall also undertake research and extension services and programs in food production, nutrition, health and sports development, and provide progressive leadership in its areas of specialization.

SEC. 3. *Academic Freedom and Institutional Autonomy.* - The College shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of the Philippines.

SEC. 4. *Curricular Offerings.* - The College shall offer undergraduate and graduate studies in the fields of science, education, agriculture, fishery and industrial fields and other degrees/courses within its areas of specialization and according to its capabilities, as the Board of Trustees may deem necessary to carry out its objectives in order to meet the needs of the Province of Cebu and Region VII.

The College may operate a reasonably-sized laboratory school, if it has an Institute of Education.

SEC. 5. *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 in the Board of Trustees and the President of the College.

SEC. 6. *The Governing Board.* - The governing board of the College shall be the Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

- (a) The Chairperson of the Commission on Higher Education (CHED), Chairperson:
- (b) The President of the College, Vice Chairperson;

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

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

The term of office of the President of the faculty association, the President of the student council and the President of the alumni association shall be coterminous with their respective terms of office, as set forth in their respective constitutions and by laws.

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

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) To promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Philippine 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";
- (b) To promulgate rules and regulations not contrary to law as may be necessary to carry out the purposes and function of the College;
- (c) To 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;
- (d) To import economic, technical and cultural books and/or publications;
- (e) To receive in trust legacies, gifts and donations of real 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;

(f) To fix the 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 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 laws, rules and 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.

If, for reason beyond its control, the College shall not be able to pursue any project for which 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;

(g) To adopt and implement a socialized scheme of tuition and other school fees for greater access to poor but deserving students;

(h) To authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment;

(i) To appoint, upon recommendation of the President of the College, Vice Presidents, deans, directors, heads of departments, faculty members and other officials and employees of the College;

(j) To fix and adjust salaries of faculty members and 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 laws to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;

(k) To approve the curricula, instructional programs and rules of discipline drawn by the Administrative and Academic Councils as herein provided;

(1) To set policies on admission and graduation of students;

(m) To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of agriculture, public service, arts, science and technology, education or in any field of specialization within the academic competence of the College; and to authorize the awarding of certificates of completion of non degree and nontraditional courses;

(n) To establish and absorb nonchartered tertiary institutions within the Province of Cebu as branches and extension centers in coordination with the CHED, and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses to promote and carry out equal and greater access to educational opportunities as mandated by the Constitution;

(o) To establish research and extension centers of the College where such will promote the development of the latter;

(p) To establish professorial chairs in the College and to provide fellowships for qualified faculty members and scholarships to deserving students;

(q) To delegate any of its powers and duties provided for hereinabove to the President or Officer-in-Charge and/or other officials of the College as it may deem appropriate, so as to, expedite the administration of the affairs of the College;

(r) To 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;

(s) To collaborate with other governing boards of state universities and colleges within the Province of Cebu or Region VII, under the supervision of the CHED and in consultation with the DBM, and work towards the restructuring of the College to become more efficient, relevant, productive and competitive;

(t) To enter into joint ventures 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 same;

(u) To develop consortia and other forms of linkages with local government units (LGUs), institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the College;

(v) To develop academic arrangements for institutional capability building with appropriate institutions and agencies, public and private, local and foreign, and to appoint experts/specialists as consultants, part-time or visiting or exchange professors, scholars or researchers, as the case may be;

(w) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual learning system open learning or distance education and community laboratory for the promotion of greater access to higher education and graduate studies, as the case may be;

(x) To establish policy guidelines and procedures for participative decision-making and transparency within the College;

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

(z) To extend the term of the President of the College beyond the age of retirement, but not beyond the age of seventy (70), whose performance has been unanimously rated by the Board as outstanding, based on the guidelines, qualifications and/or