

[REPUBLIC ACT NO. 11282, April 12, 2019]

AN ACT CONVERTING THE OROQUIETA AGRO-INDUSTRIAL SCHOOL (OAIS) IN THE CITY OF OROQUIETA, PROVINCE OF MISAMIS OCCIDENTAL, INTO A STATE COLLEGE TO BE KNOWN AS THE MISAMIS OCCIDENTAL STATE COLLEGE (MOSC), REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 4941, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Conversion.* — The Oroquieta Agro-Industrial School (OAIS) in Barangay Villaflor, Oroquieta City, Province of Misamis Occidental, is hereby converted into a state college to be known as the Misamis Occidental State College (MOSC), hereinafter referred to as the College. Its main campus shall be in Oroquieta City.

SEC. 2. *General Mandate.* — The College shall primarily provide advance studies and research, higher professional and technical instructions for special purposes, short-term technical-vocational, and other continuing courses as may be relevant. It shall also undertake extension and development programs, and provide the necessary instructional and research leadership in education, agriculture, fishery, engineering, arts and sciences in the Province of Misamis Occidental and in Region X.

SEC. 3. *Curricular Offerings.* - The College shall offer undergraduate, graduate and short-term technical-vocational courses, and other degree and nondegree courses within its areas of specialization, according to its capacity, and as the Board of Trustees may deem necessary to carry out its objectives and to meet the needs of the Province of Misamis Occidental and Region X.

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

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education: *Provided*, That the College may operate a reasonably-sized laboratory high school if it has a College of Education.

SEC. 4. *Administration,-* — The College shall have the general powers of a corporation set forth in the corporation law. The administration of the College and the exercise of its corporate powers shall be vested exclusively in the Board of Trustees, and in the President of the College, insofar as authorized by the Board.

SEC. 5. *The Governing Board.* The governing body 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 Basic Education and Culture of the House of Representatives, member;
- (e) The Regional Director of the National Economic and Development Authority (NEDA), Region X, member;
- (f) The Regional Director of the TESDA, member;
- (g) The Regional Director of the Department of Science and Technology (DOST), member;
- (h) The Regional Director of the Department of Agriculture (DA), member;
- (i) The president of the faculty association of the College, member;
- (j) The president of the student council of the College, member;
- (k) The president of the alumni association of the College, member: and
- (l) Two (2) prominent citizens who have distinguished themselves in their profession or fields of specialization of the College, members.

The two (2) prominent citizens shall be chosen from among the list of at least five (5) qualified persons in the Province of Misamis Occidental, 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 constitution and bylaws.

The two (2) prominent citizens shall serve 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 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" and the TESDA under Republic Act No. 7796, otherwise known as the "TESDA Act of 1994".

SEC. 7. Powers and Duties of the Board of Trustees. - In addition to its general powers of administration and the exercise of all powers granted to the board of directors of a corporation under existing laws, the Board shall have the following specific powers and duties:

- (a) To promulgate rules and regulations not contrary to laws as may be necessary to carry out the purposes and functions of the College;
- (b) 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 to carry out the purposes and functions of the College;

(c) To import duty-free economic, technical and cultural books and/or publications upon verifications by the CHED that such imported books and/or publications are for economic, technical, vocational, scientific, philosophical, historical or cultural purposes in accordance with the provisions of the Tariff and Customs Code, as amended;

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

Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code (NIRC), as amended: *Provided*, That such donation shall not be disposed of, transferred or sold;

(e) To 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. Such fees and charges, including government subsidies and other income generated by the College, shall constitute the 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 were 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 the 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;

(f) To adopt and implement a socialized scheme of tuition and school fees for greater access to education of poor but deserving students in accordance with the provisions of Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act";

(g) 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 the necessary supplies, materials and equipment;

(h) To appoint, upon the recommendation of the President of the College, the vice presidents, deans, directors and heads of departments, faculty members, and other officials and employees of the College;

(i) To fix, and adjust the 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 law to the contrary notwithstanding, and to remove them for cause in accordance with the requirements of due process of law;

(j) To approve the curricula, instructional programs, and rules of discipline drawn by the administrative and academic councils herein provided;

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

(l) To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture or in 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;

(m) To establish and absorb nonchartered tertiary institutions within the Province of Misamis Occidental as branches and 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 access to educational opportunities, as mandated by the Constitution;

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

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

(p) To delegate any of its powers and duties provided herein to the President or other officials of the College as it may deem appropriate, so as to expedite the administration of the affairs of the College:

(q) 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;

(r) To collaborate with other governing boards of other state universities and colleges (SUCs) within the Province of Misamis Occidental and Region X, under the supervision of the CHED and in consultation with the DBM, and work for the restructuring of the College, to become more efficient, relevant, productive and competitive;

(s) To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the College, the proceeds of which shall be used for the development and strengthening of the College;

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

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

(v) To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, dual training system, open distance learning, and community laboratory, for the promotion of greater access to education;

(w) To establish policy guidelines and procedures to promote participative decision-making and transparency within the College:

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

(y) To extend the term of the President of the College beyond the age of retirement, whose performance has been unanimously rated by the governing board as outstanding, after unanimous recommendation by the search committee, but not beyond the age of seventy (70).

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