

[REPUBLIC ACT NO. 11284, April 12, 2019]

AN ACT CONVERTING THE NORTHERN BUKIDNON COMMUNITY COLLEGE IN THE MUNICIPALITY OF MANOLO FORTICH, PROVINCE OF BUKIDNON, INTO A STATE COLLEGE TO BE KNOWN AS THE NORTHERN BUKIDNON 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 Northern Bukidnon Community College in the Municipality of Manolo Fortich, Province of Bukidnon, is hereby converted into a state college to be known as the Northern Bukidnon State College, and hereinafter referred to as the College. Its main campus shall be in the Municipality of Manolo Fortich.

SEC. 2. *General Mandate.* - The College shall primarily provide advance studies and research, higher professional and technical instructions and training in science and technology, and other related fields. It shall also undertake research and extension services, and provide progressive leadership in its areas of specialization in the Province of Bukidnon and in Region X.

SEC. 3. *Curricular Offerings.* - The College shall offer undergraduate, graduate and short-term technical courses within its areas of competence and specialization, as the Board of Trustees may deem necessary to carry out its objectives, and for the human resource development needs of the Province of Bukidnon and Region X.

The College, if it has a College of Education, may adopt public elementary and secondary schools in the Province of Bukidnon to serve as pilot centers for innovative teaching and learning strategies and approaches.

SEC. 4. *Administration.* - The College shall have the general powers of a corporation set forth in Batas Parabansa Big. 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 in the President of the College, insofar as authorized by the Board.

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, and 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 Science and Technology (DOST);
- (e) Regional Director of the Department of Agriculture (DA);
- (f) President of the faculty associations of the College ;
- (g) President of the student councils of the College;
- (h) President of the alumni associations of the College;
- (i) Two (2) prominent citizens from the private sector who have distinguished themselves in their professions or fields of specialization.

The two (2) prominent citizens shall be chosen from the list of at least five (5) qualified persons in the Province of Bukidnon, as recommended by the search committee constituted by the College President, and 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 two (2) prominent citizens shall serve for a term of two (2) years from the date of appointment.

Membership in the governing board 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 terms of office as provided under their respective terms of office as set forth in their respective constitutions and bylaws.

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".

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) Promulgate rules and regulations as may be necessary to carry out the purposes and functions of the College;
- (b) Approve the curricula, instructional programs, and rules of discipline drawn by the Administrative and the Academic Councils herein provided;
- (c) 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;
- (d) 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; 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 remove them for cause in accordance with the requirements of due process of law;
- (e) 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 concerned

sectors. The fees and charges, including government subsidies and other income generated by the College, shall constitute its special trust funds, and shall be deposited in any authorized government depository bank, 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 services or other programs and 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;

(f) 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";

(g) Establish professorial chairs in the College and provide fellowships for qualified faculty members, and scholarships to deserving students;

(h) 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;

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

(j) 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 authorize the awarding of certificates of completion of nondegree and nontraditional courses;

(k) Establish research and extension centers to promote the development of the College;

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

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

(n) Collaborate with the governing boards of the state universities and colleges (SUCs) within the Province of Bukidnon and in Region X, 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;

(o) Absorb non-chartered tertiary institutions within the Province of Bukidnon and in Region X as branches and extension/external centers, in coordination with the CHED, and in consultation with the DBM, and offer therein programs or courses to promote and carry out equal access to educational opportunities, as mandated by the Constitution;

(p) 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 institute reforms, including academic and

structural changes, on the basis of the audit results and recommendations;

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

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

(s) 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 College;

(t) 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;

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

(v) 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 unanimous recommendation has been decided by the search committee;

(w) 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;

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

(y) 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

(z) 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 once every quarter. The Chairperson of the Board may, however, upon three (3) days' prior written notice, call a maximum of two (2) special meetings whenever necessary within the year.

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 the Chairperson of the Board or the President of the College is among those present in the meeting.

In the absence of the Chairperson of the CHED, 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*, That during this meeting, the President of the College, as Vice Chairperson, shall be the presiding officer: *Provided, further*. That this *proviso* 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.