

## CONVERTING THE MINDANAO INSTITUTE OF TECHNOLOGY INTO THE UNIVERSITY OF SOUTHERN MINDANAO.

*PRESIDENTIAL DECREE NO. 1312, March 13, 1978*

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WHEREAS, the constitution of the Philippines directs the State to establish and maintain a complete, adequate and integrated system of education relevant to the goals of national development, and further prescribes that all educational institutions shall aim, among other things, to develop scientific, technological and vocational efficiency;

WHEREAS, under Presidential Decree No. 6-A, promulgated in September 29, 1972, it has been declared a policy of the Government to orient the educational system towards an accelerated national economic growth;

WHEREAS, the southern part of Mindanao needs a state diversity to help in accelerating the socio-economic development of the region;

WHEREAS, the Mindanao Institute of Technology, established under Republic Act Numbered Seven Hundred Sixty Three as amended by Republic Act Numbered Four Thousand One Hundred Twenty Seven, situated in the Municipality of Kabacan, Province of North Cotabato, has achieved a high degree of development that it is now capable of rendering greater service to the people of Mindanao;

WHEREAS, the Institute is strategically located, being situated at the intersection of the highways connecting the cities of Cotabato, Davao and Cagayan de Oro and, therefore, very accessible to students from the different Parts of Mindanao;

WHEREAS, the conversion of the Mindanao Institute of Technology into a University which broadens its curricular offerings, would permit the enrollment of more students in afferent higher education courses, thus hastening the integration of Christians, Muslims, and other cultural communities in Southern Mindanao;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested the Constitution, and pursuant to Proclamation No. 1081 dated September 21, 1972, as amended, do hereby order and decree to be part of the laws of the land the following:

SECTION 1. The present Mindanao Institute of Technology, located in the Municipality of Kabacan, Province of North Cotabato, is hereby converted into the University of Southern Mindanao (USM).

SECTION 2. The University shall have the following major functions:

- Provide programs of instruction and professional training primarily in the fields of science and technology, specially in agriculture and industrial fields;
- Promote advance studies, research and extension services and progressive leadership in all fields of agriculture, including agribusiness, foods and nutrition, fishery, forestry, animal and veterinary sciences, engineering, industrial education, and other courses needed in the socio-economic development of Mindanao;
- Develop courses at the graduate level along its fields of specialization to respond to the needs of development

workers in the academic community in the region;

- Provide non-formal education and undertake vigorous extension and research programs in food production, nutrition, health and sports development; and
- Offer scholarships and/or part-time job opportunities to deserving students from low-income families.

SECTION 3. The University of Southern Mindanao shall have the general powers of a corporation set forth in the Corporation Law, and the administration of such University and the exercise of its corporate powers are vested exclusively in the Board of Regents and in the President of the University insofar as authorized by said Board.

SECTION 4. The head of the University shall be known as the President of the University of Southern Mindanao. He shall be appointed by the Board of Regents for a term of six years with, a contingent appointment of University Professor in his discipline and a compensation to be fixed by the said Boards. The powers and duties of the President of the University, in addition to those specifically provided for in this decree shall be those usually pertaining to the Office of the President of the University.

SECTION 5. The governing body of the University shall be the Board of Regents of the University of Southern Mindanao.

- The Board of Regents shall take appropriate steps to ensure that the establishment of the University of Southern Mindanao shall aim at the speedy realization of the goals above indicated;

- To facilitate this objective, there shall be a Board of Regents of eight members composed of:

1. Secretary, Department of Education  
and Culture - Chairman
2. University President - Vice-Chairman
3. Director for Regional Planning,  
National Economic & Development  
Authority (NEDA) - Member
4. President of the USM Alumni  
Association - Member
5. One prominent Muslim of the  
Region to be appointed by the  
President of the Philippines  
upon recommendation of the  
Secretary of Education and  
Culture - Member
6. Secretary, Department of  
Agriculture - Member
7. Chairman, National Science

Development Board - Member

8. A representative of the USM Student

Body - Member

- Members of the Board shall serve without compensation in any form whatsoever, whether as salary, honorarium, allowances or other emoluments; Provided, however, that actual and necessary expenses incurred either in attendance upon meeting of the Board or upon other official business duly authorized by the Board may be reimbursed by the Members.

SECTION 6. In addition to its general powers of administration, the Board of Regents shall have the following powers and duties:

- To appoint, upon the recommendation of the President, the following:
  - The Secretary of the University, and other officers of administration therein;
  - The deans, directors, or heads of colleges, schools, institutes and other principal units of the University, academic or non-academic, which are not supervised by or attached to such units;
  - Faculty members with the rank of associate professor or higher, professional lecturers, visiting or exchange faculty; and other officers and employees whose starting salaries are at least equal to that of associate professor, insofar as the following personnel actions are involved: original appointments; re-appointments/renewal/transfer with change in rank or salaries; and promotion or salary increases.
- To plan and provide for the establishment of schools, colleges, and departments for the professional degrees in agriculture, engineering, home economic, education, industrial education, forestry, fishery, animal and veterinary medicine sciences, architecture and other such schools, colleges, and departments as deemed necessary; and advanced or graduate degrees along the foregoing fields.
- To authorize and appropriate revolving funds for the operation and management of all university income-producing projects and to promulgate rules and regulations for the operation and management of the same and for the accounting and auditing of their funds, income and expenses, any provisions of law to the contrary notwithstanding.
- To admit to the University, public institutions of learning in Southern Mindanao which may desire to affiliate as schools or colleges or branches of the University; Provided, That such institutions are eligible for affiliation and that such affiliation will enhance the purposes of the University.
- To authorize the construction and repair of all university buildings and other permanent improvements under the direct administration and supervision of the university, upon recommendation of the President.
- To promulgate policies, rules and regulations necessary for the effective and efficient governance of the university, to delegate certain authorities and responsibilities to President as deemed appropriate, and rules under the President can enter into contracts without prior approval of the Board of Regents, for the acquisition of properties and services, and purchase of equipment and supplies not exceeding certain cost or value; Provided, that all such contracts shall be reported to the Board of Regents. And purchase of equipment and supplies not exceeding certain cost or value; Provided, that all such contracts shall be reported to the Board of Regents.

SECTION 7. The President shall be the chief executive of the University and shall have the following powers and responsibilities:

- To provide leadership for the University and shall preserve and protect its academic integrity and ensure the observance and implementation of the policies laid down by the Board of Regents.
- To exercise within the framework of University policies primary authority and responsibility over the following areas: development planning and resource allocations-grants, endowments and fund raising; external relations and public affairs; and University policy relating to regional development programs, curricula, and matters affecting the rights, privileges, responsibilities and welfare of the University constituency.
- To formulate integrated and comprehensive plans for the University, including academic, research, extension physical development, and fiscal plans.
- To coordinate the activities and programs of the University with the other component units and institutions, and have under review goals and objectives of the various units and institutions, appraise their performance in relation to goals, and recommend appropriate action by the Board of Regents.
- To appoint officers, faculty members, and other employees in the University, subject to Section 6 of this decree; and to designate officers-in-charge of the units therein for a period not exceeding two months, without prejudice to the authority granted deans and directors designate officers-in-charge in their respective units.
- To appoint officers, transfer or promote personnel of the University as herein below provided; fix their work schedules; grant leaves of absence; and approve their special detail, additional assignments, additional compensation, resignation and retirement in accordance with the policies approved by the Board of Regents.
- To set up machinery for review of all disciplinary appealable to the Office of the President, and for the consideration of positions for redress of grievances.
- To submit to the Board of Regents the courses of study and academic programs, rules of discipline, and awards of degrees and diplomas as recommended by the University Council.
- To award fellowships, assistantships and scholarships to students, faculty members and other personnel, in accordance with the policies prescribed by the Board of Regents.
- To plan, prepare and implement a University program for the training and education of adult citizens and out-of school youths.
- To negotiate and obtain grants for specific projects, gifts and donations of real or personal property of all kinds, subject to the confirmation of the Board of Regents, and to administer the same for the benefit of the University, its units, departments, or students in accordance with the directions and instructions of the donor, and in default thereof, in such manner as the Board of Regents may in its discretion determines.
- To maintain links with other academic and research institutions so as to ensure fruitful academic and technical interchange and maximize the use of human and physical resources.
- To prepare for approval of the Board of Regents the budget of the University.
- To submit to the Board of Regents annual report on the operation of the University, and such other reports as the latter may require.
- To prescribe rules and regulations not contrary to law for the governance of the University consistent with its purposes and the policies laid down by the Board of Regents.
- To exercise such other powers and discharge such other responsibilities as may be delegated to him by the Board of Regents; Provided, that he shall institute or effect an appropriate and efficient exercise or discharge such

powers or responsibilities as may be necessary for the expeditious administration of the University.

SECTION 8. A quorum of the Board of Regents shall consists of a majority of all the members holding office at the time the meeting is called. All processes against the Board of Regents shall be served on the President or secretary thereof.

SECTION 9. There shall be a secretary of the University, who shall serve concurrently as the Secretary of the Board of Regents.

SECTION 10. There shall be a University Council consisting of the President, Vice-President/s, Deans, Heads of Academic Departments, Assistant Professors, Associate Professors, and Professors. The President shall be the chairman of the Council.

Subject to the approval of the Board of Regents, upon the recommendation of the President in accordance with the policies and standards established by the Board, the Universtiy Council shall:

- Prescribed the course of study, curricula and rules of discipline of students;
- Fix the requirements for admission to any College or unit of the University and for graduation and the awarding of degrees;
- Recommend recipients of degrees or diplomas;
- Exercise disciplinary powers over the students through the President or its appropriate Committees pursuant to the rules of discipline prescribed by the Board of Regents; and
- Create Committees as it may deem necessary for the performance of its functions.

SECTION 11. The instructors and professors of each college shall constitute its faculty to be presided by a Dean who shall be selected from among the members of such faculty for a term fixed by the University Council and confirmed by the Board of Regents, upon recommendation of the President of the University.

SECTION 12. In the appointment of instructors or processors to the University, religious opinions or affiliations shall not be made a matter of inquiry or explanation; Provided, however, that not instructor or professor shall inculcate sectarian tenets in any of his teaching nor attempt directly or indirectly, under or dismissal by the Board of Regents, to influence or attendance of the University for or against any particular church, denomination or religious sect; Provided, further, that no member of the faculty of the University shall attempt directly or indirectly, under penalty of dismissal by the Board of Regents, to influence students or attendants of the University towards any ideology, political or otherwise, which preaches the overthrow of the Government through violence or subversion.

SECTION 13. Professors or instructors seeking appointments in the University shall be exempt from Civil Service Examinations or regulations; Provided, however, that copies of their appointment shall be furnished to the Civil Service Commission for notation and record purposes.

SECTION 14. A student shall not be denied admission to the University by reason of sex, ethnic consideration, religious belief or affiliation.

SECTION 15. On or before the fifteenth day of January of each calendar year, the Board of Regents shall file with the President of the Philippines a detailed report setting forth the progress, condition and needs of the University.

SECTION 16. Heads of Bureaus and Offices of the National Government are hereby authorized to loan or transfer, upon request of the President of the University, such apparatus, equipment or supplies as may be needed

by the University and to detail employees for duty therein, when in the judgment of the head of the Bureau or Office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. Employees so detailed shall perform such duties as required under such detail, and the time so employed shall be counted as part of their official service.

SECTION 17. The College President and all the personnel of the Mindanao Institute of Technology, as well as its unexpended appropriations, and all its assets and liabilities are hereby automatically absorbed by the University of Southern Mindanao. The position of College President of the Mindanao Institute of Technology is hereby converted into University President without the necessity of issuance of new appointment; Provided, that the six year term starts upon the approval of this decree.

SECTION 18. In addition to the amount already appropriated for the Mindanao Institute of Technology, there is hereby authorized to be appropriated the sum of Twenty (P20) Million pesos for purposes of carrying out immediately the provisions of this decree. Hereafter, the sum of Ten (P10) Million Pesos, in addition to existing budget, shall be appropriated annually the include in the General Appropriation Act to carry out the provisions of this Decree.

SECTION 19. All acts, parts of acts, executive orders, ordinances, rules and regulations which are inconsistent with the provisions of this decree are hereby repealed, amended or modified accordingly.

SECTION 20. This Decree shall take effect immediately.

Done in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS  
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE  
Presidential Executive Assistant

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