

AN ACT ESTABLISHING THE SULTAN KUDARAT POLYTECHNIC STATE COLLEGE, DEFINING ITS POWERS, FUNCTIONS AND DUTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

REPUBLIC ACT NO. 6973, December 05, 1990

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

SECTION 1. Establishment. - There is hereby established in the Province of Sultan Kudarat, with a central site and administration office in the Municipality of Tacurong (Sultan Kudarat Capital Site Extension), a college which shall be known as the Sultan Kudarat Polytechnic State College, hereinafter referred to as the College.

SEC. 2. Conversion. - The Tacurong Municipal High School in Tacurong, the Lutayan National Agricultural High School in Lutayan, the Sultan Kudarat National High School in Isulan, the Kalamansig Municipal High School in Kalamansig and the Palimbang Municipal High School in Palimbang are hereby merged into one college to be known as the Sultan Kudarat Polytechnic State College. The Board of Trustees of the College is hereby authorized to effect its organization.

SEC. 3. Purpose. - The College shall primarily give professional and technical training in science and technology, and shall provide advanced and specialized instruction in literature, philosophy, arts and sciences, besides providing for the promotion of scientific and technological researches.

SEC. 4. Powers of the College. - The following are the powers of the College:

- It shall have the general powers as set forth in Section Thirty-six of Batas Pambansa Blg. 68. The exercise of its corporate powers is hereby vested exclusively in the Board of Trustees and in the President of the College insofar as authorized by the Board;
- It shall have the power to acquire public lands for its expansion and/or beneficial use; and to purchase the equipment, laboratory and library facilities which are required to carry out its educational objectives. It shall offer undergraduate courses in liberal arts, engineering, fisheries, agriculture and short-term vocational courses for the development of middle-level skills within the first five (5) years from the approval of this Act; and may, at the discretion of the Board, offer graduate courses thereafter;
- It shall be authorized to undertake the construction of its buildings and other permanent improvements from such sums as may be necessary for the purpose and included in the annual General Appropriations Act in the name of the Tacurong Municipal High School, the Lutayan National Agricultural High School, the Sultan Kudarat National High School, the Kalamansig Municipal High School and the Palimbang Municipal High School: Provided. That the construction of its buildings and other permanent improvements, as authorized in the Public Works Act of the Government, shall be undertaken by the College as herein provided, any provision of existing laws to the contrary notwithstanding.

SEC. 5. The Governing Board; Manner of Appointment. -

- Composition - The governing body of the College is hereby vested in a Board of Trustees which shall be

composed of the following:

Secretary of Education, Culture and Sports, Chairman;
President of the College, Vice-Chairman;
Chairman of the Committee on Education of the Senate, member;
Chairman of the Committee on Education of the House of Representatives, member;
Representative of the National Economic and Development Authority (NEDA), member;
Representative of the Faculty Association of the College, member;
Representative of the Supreme Student Council of the College, member;
Representative of the Alumni Association of the College, member;
Representative of the Employee Association of the College,
member; and

Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the College chosen from among those qualified in the city or province where the school is located, members: Provided, That the representatives of the Alumni Association and the Employee Association as well as the two (2) prominent citizens shall be elected by the Board when deemed necessary who shall have the same powers, authority and privileges as the regular members of the Board: Provided, further, That the DECS Secretary, the President of the College, the Education Committee Chairmen of the Senate and the House, and the NEDA representative shall have an ex officio term of office, while the representatives of the Faculty Association, Supreme Student Council and when deemed necessary the representatives of the Alumni Association and the Employee Association shall serve for one (1) year, and when likewise necessary the two (2) prominent citizens shall serve for four (4) years and two (2) years, respectively.

No person in the employ of the College or any other educational institution in the province, except the President of the College, shall be eligible for membership in the Board.

The regular members of the Board shall each receive, for every Board meeting attended, a per diem of One hundred pesos (P100.00): Provided, That in no case shall the total amount received by each exceed the sum of Three hundred pesos (P300.00) for any one month. Besides the per diem, they and the ex officio members shall be reimbursed for actual and necessary expenses incurred upon attendance in meetings of the Board or upon performing other official business authorized by resolution of the Board, subject to existing budget laws on honoraria and allowances.

- Quorum - A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: Provided, however, That among those present is the Secretary of Education, Culture and Sports who is Chairman of the Board, or the President of the College who acts as presiding officer in the former's absence. The Board of Trustees shall convene regularly once every two (2) months. The Chairman of the Board of Trustees may call a special meeting whenever necessary.

- Powers and Duties of the Board - The Board of Trustees shall have the following powers and duties in addition to its general powers of administration and the exercise of the powers of a corporation:

- To determine and fix the dates and time of its regular meetings, as well as special meetings as the need for the same may arise: Provided, That such meetings shall not be more than three (3) times in any one month nor less than one (1) time in any one quarter;

- To appoint the President of the College whose term of office shall be in accordance with Section 6 hereof;

- To fix the compensation of the President of the College;

- To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of

the College;

- To receive in trust legacies, gifts, and donations of real and personal property of all kinds and to administer the same for the benefit of the College, or of a department thereof, or for aid to any student or students in accordance with the desire of the donor, and/or in default thereof, in such manner as the Board may in its discretion determine. All such donations shall be exempt from income tax of the donors; to import duty-free commodities for educational purposes as an exception to existing laws;
- To appoint, upon recommendation of the President of the College, a vice-president, directors, deans, secretary of the College, treasurer, professors, lecturers, instructors, registrar, department heads, division chiefs, and other employees of the College from among the qualified personnel of the merged schools at the time this Act is approved. Only when there are no qualified personnel shall the Board recruit from the outside to fill vacancies;
- To fix the compensation and term of service of all personnel and such other duties and conditions as it may deem proper, subject to the provisions of Presidential Decree No. 985 and other pertinent budget and compensation laws, rules and regulations;
- To approve the courses of study and rules of discipline drawn up by the College and fix the required tuition fees, matriculation fees, fees for laboratory courses, diploma fees, and all special and other fees; and to utilize the income derived therefrom for the maintenance of the College, together with the annual appropriation provided for in Section 17 hereof;
- To provide fellowships to qualified faculty members and scholarships to deserving students;
- To establish chairs in the College and provide for the maintenance and endowment of such chairs;
- To confer honorary degrees upon persons other than graduates of the College in recognition of learning, statesmanship or eminence in education, sciences or arts: Provided, That such degrees shall not be conferred in consideration of the payment of money or other valuable consideration; and
- To submit an annual report to the Secretary of Education, Culture and Sports and to both Houses of Congress within two (2) weeks after the close of each school year about the performance of the College in the school year just ended, its progress, needs and problems.

SEC. 6. The Administration. - The administration of the College shall be vested in the President of the College who shall render full-time service.

The College President shall be appointed by the Board of Trustees. He shall be assisted by a Vice-President for Academic Affairs who shall be appointed by the Board upon recommendation of the College President. His compensation shall be fixed by the Board.

The President shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or earlier removed for cause or incapacitated to discharge the duties of the office.

In case of vacancy by reason of death, resignation, removal for cause or incapacity of the President to perform the functions of his office, the Board shall have the authority to designate an officer-in-charge 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, his successor shall hold office for the unexpired term but in no case shall his term be more than six (6) years.

SEC. 7. Powers of the President. - The powers and duties of the President, in addition to those which are usually exercised by college presidents which are not inconsistent with the provisions of this law, are the following:

- To recommend to the Board of Trustees for appointment, a vice-president, deans, professors, instructors, lecturers, and other employees of the College;
- To promulgate for the government of the College such general ordinances and regulations, not contrary to law, as are consistent with the purposes of the College; and
- To suggest to the Chairman of the Board special meetings of the Board when the need arises.

SEC. 8. The Secretary of the College. - The Board shall appoint a secretary who shall serve as such for both the Board and the College, and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

SEC. 9. The College Council Powers. - There shall be a College Council, under the chairmanship of the President of the College, consisting of faculty members with the rank of dean, professor, associate professor, and assistant professor. Subject to existing laws and orders, the Council shall have the power to prescribe the courses of study and rules of discipline; fix the requirements for admission to the College; serve as advisory council to the President; and through a tribunal of not more than five (5) members elected by the members, the Council shall administer disciplinary measures among the student body and the faculty of the College.

SEC. 10. College Centers. - The President shall organize the following centers whose staff shall be selected from among the members of existing faculty whose heads shall be known as Director of the Center:

- Research and Planning Center. - The Research and Planning Center is charged with the responsibility of coordinating all researchers of the College and planning for its expansion and development in line with the philosophy of the College and the national goals of the Republic of the Philippines.
- Guidance and Counseling Center. - It shall be the duty of this center to provide counseling and guidance programs for the faculty, students and employees of the College.
- Student Service Center. - It shall be the duty of this center to look after the interests of the student body, provide them with facilities for development and organize them into social action groups to help in countryside development.

SEC. 11. The Officers of the Administration. - The officers of the Administration of the College are the President, the Vice-President for Academic Affairs, the Deans of the different colleges, the Secretary of the College, Center Directors, and the College Treasurer.

SEC. 12. The Faculty and Other Personnel of the College. - The body of professors and instructors of each college shall constitute its faculty. They shall be appointed by the Board of Trustees upon recommendation of the President of the College. In the recruitment of professors, instructors, and other personnel of the College, no religious test shall be required nor shall their religious opinion or affiliation be made a matter of examination or inquiry: Provided, however, That no professor or instructor or any of its personnel shall inculcate sectarian tenets in any of his teachings.

SEC. 13. Civil Service Requirements. - Except the President and the Vice-President for Academic Affairs, all employees of the College shall be subject to the rules of the civil service. Highly technical positions may be exempt from the civil service eligibility upon approval of the Board as recommended by the President: Provided, however, That all shall be entitled to the privileges and rights of security of tenure, promotion in positions and salaries for meritorious service, leaves and retirement benefits, as in the government service as now provided for by law.

SEC. 14. The Auditor of the College. - The Commissioner of Audit of the Philippines shall be ex officio auditor of the College and shall designate his representative who must hold regular office therein to be able to perform his duties efficiently and satisfactorily as a regular official thereof. The designated representative shall be at least a certified public accountant with the rank of chief of a division in the Commission on Audit whose salary shall vary and whose benefits shall be paid by the College.

SEC. 15. Loans or Transfer of Apparatus or Supplies; Detail of Employees for Duty in the College. - The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the President of the College, such apparatus or supplies as may be needed by the College and to detail employees for duty therein when in the judgment of the bureau or office such supplies or employees can be spared without serious detriment to the public service. Employees so detailed shall perform such duties as are required under such detail, and the time so employed shall be counted as part of their regular service.

SEC. 16. The Board of Visitors. - The President of the Philippines, the Members of the Cabinet, and the Speaker of the House of Representatives or their designated representatives shall constitute a Board of Visitors of the College whose duty shall be to attend commencement exercises, to make visits at such other time as it may deem proper, to examine the property, courses of study, discipline, and state of finances of the College, to inspect all books and accounts of the institution, and to make reports to the President of the Philippines upon the same with such recommendation as it may favor.

SEC. 17. Appropriations. - In addition to the current fiscal appropriations of the Lutayan National Agricultural High School, Sultan Kudarat National High School, Kalamansig Municipal High School, Palimbang Municipal High School, and the Tacurong Municipal High School, such amount as may be necessary for the implementation of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year following its enactment into law.

SEC. 18. Abolition and Transfer. - The Tacurong Municipal High School, the Lutayan National Agricultural High School, the Sultan Kudarat National High School, the Kalamansig Municipal High School and the Palimbang Municipal High School are hereby abolished and all their personnel, unexpended appropriations, and all their assets, fixed and movable, are hereby transferred to the Sultan Kudarat Polytechnic State College.

SEC. 19. General Provisions. - The Secretary of Education, Culture and Sports is hereby directed to take such steps as are necessary for the immediate implementation of this Act.

All laws inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 20. Effectivity. - This Act shall take effect upon its approval.

Approved,

(Sgd.) JOVITO R. SALONGA (Sgd.) RAMON V. MITRA

President of the Senate Speaker of the House of Representatives

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on November 27, 1989 and August 30, 1990, respectively.

(Sgd.) EDWIN P. ACOBA

(Sgd.) QUIRINO D. ABAD SANTOS, JR.

Secretary of the Senate Secretary of the House of Representatives

Approved: (Lapsed into law on December 5, 1990 without the President's signature in accordance with Article VI,

Sec. 27(1), of the Constitution.)

CORAZON C. AQUINO

President of the Philippines

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