

AN ACT CONVERTING THE MALITA MUNICIPAL HIGH SCHOOL IN THE MUNICIPALITY OF MALITA, PROVINCE OF DAVAO DEL SUR, INTO AN AGRI-BUSINESS, MARINE AND AQUATIC SCHOOL OF TECHNOLOGY, AND ...

BATAS PAMBANSA BLG. 148, February 08, 1982

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Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. The Malita Municipal High School, in the Municipality of Malita, Province of Davao del Sur, is hereby converted into an agri-business and aquatic school of technology, to be known as Malita Agri-Business and Marine and Aquatic School of Technology, hereinafter called School of Technology, which shall offer courses leading to the degrees of Bachelor of Science in Agri-Business Education and Bachelor of Science in Aquatic and Marine Education.

SEC. 2. The School of Technology shall primarily provide higher technological and vocational instruction and training in science, agricultural and industrial fields, as well as short term technical or vocational courses. It shall promote research, advance studies and progressive leadership in its areas of specialization.

SEC. 3. In addition to its present secondary curricular offering, the School of Technology shall offer undergraduate and graduate courses in the fields of marine and aquatic science, agriculture and industry as the Board of Trustees may deem necessary.

SEC. 4. No student shall be denied admission to the School of Technology by reason of sex, ethnic considerations or religious belief or affiliation.

SEC. 5. The head of the School of Technology shall be known as the President of the Malita Agri-Business and Marine and Aquatic School of Technology. He shall be appointed by the President of the Philippines upon recommendation of the Board of Trustees. His salary shall be fixed by the Board of Trustees subject to Presidential Decree No. 985 and other budget and compensation laws.

The powers and duties of the President of the School of Technology, in addition to those specifically provided for in this Act, shall be those usually pertaining to the office of the president of a college or university.

SEC. 6. The governing body of the School of Technology shall be the Board of Trustees of the Malita Agri-Business and Marine and Aquatic School of Technology. It shall be composed of the Minister of Education and Culture as Chairman, the Regional Director of the National Economic and Development Authority, the President of the Malita Agri-Business and Marine and Aquatic School of Technology, and four (4) prominent citizens of Region XI to be appointed by the President of the Philippines as members.

Of the four appointed members one shall be a representative for science, one for agriculture, one for business and one for marine and aquatic science: Provided, That at least one of the four appointed members shall be an alumnus of the former Malita Municipal High School. Of the first group appointed, the President of the Philippines shall designate one to serve for one year; one to serve for two years; one to serve for three years; and

one to serve for four years. Thereafter, persons appointed to succeed such members shall hold office for a term of four years and until their successors who should be experts in the same field shall have been appointed and qualified. In case of permanent vacancy, the position shall be filled by appointment by the President of the Philippines. Such appointee shall hold office for the unexpired term only.

When the Minister of Education and Culture is unable to perform his duties as Chairman of the Board due to illness, absence or other cause, or in case of a vacancy in the office the Deputy Minister of Education and Culture shall temporarily perform the functions of the Chairman of the said Board. The Chairman may assign qualified officials to represent him with full authority in the Board.

SEC 7. A quorum of the Board of Trustees shall consist of a majority of all the members holding office at the time a meeting is called. All processes against the Board of Trustees shall be served on the President or Secretary thereof.

SEC. 8. The members of the Board of Trustees shall be entitled to an allowance of one hundred pesos per meeting actually attended but not more than three hundred pesos a month: Provided, That they shall be reimbursed for actual and necessary expenses incurred either in attendance upon meetings of the Board or upon other official business authorized by resolution of the Board, subject to existing budget laws on honoraria and allowances.

SEC. 9. The Board of Trustees shall have the following powers and duties in addition to its general powers of administration, and the exercise of all the powers of a corporation as provided in Section Thirty-six of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines .

- To receive and appropriate for the purpose specified by law such sums as may be provided for the support of the School of Technology ;
- To confer degrees upon successful candidates for graduation of the School of Technology . It may also confer honorary degrees upon persons in recognition of learning, statesmanship, or eminence in any of the fields of specialization of the School of Technology, or in recognition of public service: Provided, That such degrees shall not be conferred in consideration of or to reciprocate some personal favor;
- To authorize the President of the School of Technology to award proficiency certificates or diplomas to students who have completed non-degree courses;
- To appoint, on recommendation of the President of the School of Technology, a vice president, deans, directors, secretary of the School of Technology, registrar, heads of departments, professors, instructors, lecturers, and other officials and employees of the School of Technology, to fix their compensations, subject to Presidential Decree No. 985 and other pertinent budget and compensation laws, hours of service, and such other duties and conditions as it may deem proper, to grant to them at its discretion, leave of absence under such regulations as it may promulgate, any provision of existing law to the contrary notwithstanding; to remove them for cause after an investigation and hearing; to establish Chairs in the School, and to provide for the maintenance or endowment of such Chairs as may be necessary;
- To approve the curricula and rules of discipline drawn by the School Council as hereinafter provided;
- To provide fellowships for qualified faculty members and scholarships to deserving students;
- To prescribe rules for its own government and to enact for the government of the School such rules and regulations, not contrary to law, as may be necessary to carry out the purposes and functions of the School;
- To receive in trust legacies, gifts, and donations of real and personal property of all kinds, to administer the same for the benefit of the School, or the departments thereof, or for aid to any student or students, in accordance with

the directions and instructions of the donor, and in default thereof, in such manner as the Board of Trustees may in its discretion determine. All such donations shall be exempt from all taxes and to be considered as deductible items from the income tax of the donors; and

- To authorize the establishment of other branches of the School of Technology and to designate as such other schools of secondary level within the Province of Davao del Sur: Provided, That the funds for the purpose shall come from its appropriation.

SEC. 10. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board of Trustees shall file with the Office of the President of the Philippines a detailed report, setting forth the progress, conditions, and needs of the School.

SEC. 11. There shall be a School Council consisting of the President of the School and all members of the faculty with the rank of professors. The Council shall have the power to prescribe the curricula and rules of discipline, subject to the approval of the Board of Trustees. It shall fix the requirements for admission to the School, as well as for graduation and the conferring of degrees subject to review by the Board of Trustees. The Council alone shall have the power to recommend students or others to be recipients of degrees. Through the President of the School or its duly authorized committee, the Council shall have disciplinary power over the students within the limits prescribed by the rules of discipline.

SEC. 12. The body of instructors and professors of the School shall constitute the faculty of the School.

SEC. 13. No member of the faculty of the School shall attempt directly or indirectly, under penalty of dismissal by the Board of Trustees, to influence students or any person in the School towards any ideology, political or otherwise, which preaches the overthrow of the government through violence or subversion.

SEC. 14. There shall be a Secretary of the School who shall be appointed by the Board of Trustees upon recommendation of the President of the School. He shall also be the Secretary of the Board and shall keep such records of the School as may be determined by the Board of Trustees.

SEC. 15. The Treasurer of the Philippines shall be ex-officio treasurer of the School and all accounts and expenses therefor shall be audited by the Commission on Audit or its duly authorized representatives.

SEC. 16. Heads of bureaus and offices of the National Government are hereby authorized to loan or transfer, upon request of the President of the School, such apparatus, equipment, supplies, or the services of such employees as can be spared without serious detriment to the public service. Employees so detailed shall perform such duty as required under such detail and the time so employed shall be counted as part of their regular official service.

SEC. 17. All assets of the Malita Municipal High School, whether fixed or movable, records and personnel, are hereby transferred to the Malita Agri-Business and Marine and Aquatic School of Technology.

SEC. 18. The amount of two hundred thousand pesos for the operation of the school shall be charged to the appropriations authorized by Batas Pambansa Blg. 80 and Batas Pambansa Blg. 131 for the Ministry of Education and Culture intended for new national schools: Provided, That the local government unit concerned shall continue to provide its share in the cost of operating and maintaining: said school. Starting Calendar Year 1983 such sum as may be necessary for the operation and maintenance of the school shall be provided in the annual General Appropriations Act.

SEC. 19. The Minister of Education and Culture is hereby directed to take such steps as are necessary for the immediate implementation of this Act.

SEC. 20. All laws inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 21. This Act shall take effect upon its approval.

Approved, February 8, 1982 .

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