

[REPUBLIC ACT NO. 9142, July 20, 2001]

AN ACT CONVERTING THE ZAMBOANGA CITY POLYTECHNIC COLLEGE INTO A STATE COLLEGE TO BE KNOWN AS THE ZAMBOANGA CITY STATE POLYTECHNIC COLLEGE AND FOR OTHER PURPOSES

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

SECTION 1. The Zamboanga City Polytechnic College in the City of Zamboanga is hereby converted into a State college to be known as the Zamboanga City State Polytechnic College, hereinafter referred to as the College.

SEC. 2. The College shall primarily provide advanced instruction and professional training in science and technology, and other related fields, undertake research and extension services, and provide progressive leadership in these areas.

SEC. 3. The College shall offer undergraduate, graduate and short-term technical courses within its areas of specialization and according to its capabilities, as the Board of Trustees may deem necessary to carry out its objectives, particularly in order to meet the needs of the province and the region.

SEC. 4. 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.

SEC. 5. The governing body of the State College shall be the Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

- a. The chairman of the Commission on Higher Education (CHED), chairman;
- b. The president of the College, vice chairman;
- c. The chairman of the Committee on Education, Arts and Culture of the Senate, member;
- d. The chairman of the Committee on Higher and Technical Education of the House of Representatives, member;
- e. The regional director of the National Economic and Development Authority (NEDA), member;
- f. The regional director of the Department of Science and Technology (DOST), member;
- g. The president of the faculty association of the College, member;
- h. The president of the student council of the College, member;
- i. The president of the alumni association of the College, member; and
- j. Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the College chosen from among a list of at least five (5) qualified persons in the City of Zamboanga or the Province

of Zamboanga del Sur; as recommended by the search committee constituted by the College president, in consultation with the chairman of the CHED, based on the normal standards and qualifications for the position, members.

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. The two (2) prominent citizens shall serve for a term of two (2) years.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Constitution on education, agriculture, science and technology, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

SEC. 7. The Board shall have the following specific powers and duties in addition to its general powers granted to the board of directors of a corporation under existing law:

- a. To enact rules and regulations not contrary to law as may be necessary to carry out the purpose 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 powers and functions of the College;
- c. To receive in trust legacies, gifts and donations of real and personal properties of all kinds 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, as amended: *Provided*, That such donation shall not be disposed, transferred or sold;
- d. To fix the tuition fees and other necessary school charges, such as but not limited to, matriculation fees, graduation fees and laboratory fees, as the Board may deem proper to impose, after due consultations with the involved sectors;

Such fees and charges, including government subsidies and other income generated by the College, shall constitute 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 purpose for which they are collected.

If, for reason beyond its control, the College shall not be able to pursue any

project for which 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;

- e. To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- f. 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 necessary supplies and materials and equipment. Purchases and other transactions entered into by the College through the Board Trustees shall be exempt from all taxes and duties;
- g. To appoint, upon recommendation of the president of the College, vice presidents, deans, directors, heads of departments and faculty members and other officials and employees of the College;
- h. To fix and adjust 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 as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing laws to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- i. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- j. To set policies on admission and graduation of students;
- k. To award honorary degrees upon persons in recognition of outstanding contribution in the field of education, science and technology or any field of specialization within the academic competence of the College and to authorize the award certificate of completion of non-degree and non-traditional courses;
- l. To establish, within the City of Zamboanga, branches, centers, stations, etc., 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 mandated by the Constitution;
- m. To establish, within the City of Zamboanga, research and extension centers of the College where such will promote the development of the latter;
- n. To establish chairs in the College and to provide fellowships for qualified faculty members and scholarships to deserving students;
- o. To delegate any of its powers and duties provided for hereinabove to the president and/or other officials of the College as it may deem appropriate, so as to expedite the administration of the affairs of the College;
- p. To authorize an external management audit of the institution, to be financed by the CHED and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;
- q. To 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 same;
- r. To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purpose and objectives of the College;