

[REPUBLIC ACT NO. 6973, December 05, 1990]

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

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:

- a. 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;
- b. 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;
- c. 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.* -

- a. *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.

- b. *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.

c. *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:

1. 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;
2. To appoint the President of the College whose term of office shall be in accordance with Section 6 hereof;
3. To fix the compensation of the President of the College;
4. To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the College;
5. 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;
6. 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;
7. 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;
8. 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;
9. To provide fellowships to qualified faculty members and scholarships to deserving students;
10. To establish chairs in the College and provide for the maintenance and endowment of such chairs;
11. 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
12. 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.