

REPUBLIC ACT NO. 7879

AN ACT CONVERTING THE DAVAO REGIONAL INSTITUTE OF FISHERIES TECHNOLOGY IN THE MUNICIPALITY OF PANABO, PROVINCE OF DAVAO, INTO A STATE COLLEGE, TO BE KNOWN AS THE DAVAO DEL NORTE STATE COLLEGE, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. The Davao Regional Institute of Fisheries Technology in the Municipality of Panabo, Province of Davao, is hereby converted into a State college, to be known as the Davao del Norte State College, hereinafter referred to as the College.

SEC. 2. The College shall primarily provide higher professional, technical, and special instructions for special purposes and promote research and extension services, advanced studies and progressive leadership in education, engineering, arts, sciences, fisheries, and other fields as may be relevant.

SEC. 3. The College shall offer undergraduate and graduate courses in the fields of education, engineering, arts and sciences, agro-fisheries, other allied fisheries technology courses, and degree courses as the Board of Trustees may deem necessary to carry out its objectives. It shall also offer opportunity in short-term technical or vocational courses within its area of specialization to meet the needs of the nation.

SEC. 4. The existing secondary and technical-vocational education schools shall be transferred to the jurisdiction and supervision of the Commission of Higher Education: *Provided*, That this high school shall be allowed to remain and operate within the campus of the College until it shall have been transferred to another location, or until its students shall have

been accommodated in other high schools, public or private: *Provided, further,* That the College may operate a reasonably-sized laboratory school for the education courses and the existing technical-vocational school with its facilities and equipment shall serve and be used as the laboratory for any relevant courses specified in Section 2 and Section 3 of this Act.

SEC. 5. 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 and the president of the College insofar as authorized by the Board.

SEC. 6. The governing body of the College shall be the Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

(a) The chairperson of the Commission on Higher Education, chairman;

(b) The president of the College, vice-chairman;

(c) The chairman of the Committee on Education of the Senate or a member of said committee having the power to vote as his representative, member;

(d) The chairman of the Committee on Education of the House of Representatives or a member of said committee having the power to vote as his representative, member;

(e) The representative of the National Economic and Development Authority, member;

(f) The president of the supreme student council of the College, member.

In addition, the Board may appoint the following, as members, when deemed necessary:

The president of the alumni association of the College; and

Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization in the College and who are to be chosen from among those qualified in the Province of Davao.

The president of the alumni association, as well as the two (2) prominent citizens so appointed by the Board, shall have the same powers, authority and privileges as the regular members of the Board.

The chairperson of the Commission on Higher Education, the president of the College, the chairpersons of the education committees of the Senate and the House, and the representative of the National Economic and Development Authority shall serve in an *ex officio* capacity. The president of the supreme student council and, when deemed necessary, the president of the alumni association shall serve for one (1) year, and for the two (2) appointed prominent citizens, one shall serve for four (4) years, and the other for two (2) years.

For the purpose of this section, the alumni association and the student councils in each campus of the College shall organize their respective federations.

SEC. 7. The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports.

SEC. 8. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under existing laws:

(a) To enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the College;

(b) To receive and use all sums as may be provided for the support of the College in the manner it may, in its discretion, determine to carry out the purposes and functions of the College;

(c) To import duty-free essential commodities, materials and equipment for educational or technological programs as an exception to existing laws, provided such commodities, materials and equipment are not available locally;

(d) 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 all taxes and shall be considered as deductible items from the income tax of the donor;

(e) 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;

Fees and charges, including government subsidies and other income generated by the College, shall constitute as special trust funds and shall be deposited in any authorized government depository bank, and all interest that shall accrue therefrom shall form part of the same funds for the use of the College.

The income generated by the College may at their discretion be disbursed for the professional growth and development, health, welfare, and other similar benefits of the faculty members and personnel, for extension and student welfare expenses so that the flexibility on use of income shall be focused on faculty, personnel improvement and student welfare activities, and for expenses necessary for the attainment of its purposes under this Act.

(f) To authorize the construction and repair of its buildings, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the College, through the Board, shall be exempt from all taxes and duties;

(g) To confirm appointments of vice-presidents, deans, directors, heads of departments, faculty members, and other officials and employees of the College made by the president 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;

(i) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;

(j) To confer degrees upon successful candidates for graduation, to award honorary degrees upon persons in recognition of outstanding contribution in the fields of education, public service, arts, sciences and technology or in any field of specialization, and to authorize the award of certificates for completion of non-degree and nontraditional courses;

(k) To establish branches within the Province of Davao if and when it becomes essential and necessary where there is no existing school offering similar programs or courses to promote and carry out legal access to education opportunities as mandated by the Constitution; and

(l) To establish chairs in the College and to provide fellowships for qualified faculty members and scholarships to deserving students.

SEC. 9. 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 chairperson of the Commission on Higher Education, who is chairman of the Board, or the president of the College who acts as presiding officer in the former's absence. The Board shall convene regularly once every two (2) months. The chairman of the Board may call a special meeting whenever necessary.

The members of the Board shall not receive salary but shall be entitled to reimbursement for actual and necessary expenses incurred either in attendance in meetings of the Board or in other official business authorized by resolution of the Board subject to existing laws on honoraria and allowances.

SEC. 10. The College shall be headed by a president to be appointed by the President of the Philippines upon recommendation of the Board and shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or is earlier removed for cause or incapacitated to discharge the duties of the office.

In case of vacancy in the office of the president by reason of death, resignation, incapacity of the president to perform the functions of his office, or removal for cause, the Board shall have the authority to designate an officer-in-charge of the College pending the appointment of a successor. The new president shall hold office for the unexpired term but in no case shall his term be more than six (6) years subject to the provision of the preceding paragraph.

In order not to disrupt the operation of the College and to insure the smooth transition from institute to state college, the incumbent vocational school administrator of the Davao Regional Institute of Fisheries Technology (DRIFT) shall serve as the president of the Davao del Norte State College until his successor shall have been appointed.

The powers and duties of the president of the College, in addition to those specifically provided in this Act, shall be those usually pertaining to the office of the president of a college.

The salary of the president of the College shall be fixed by the Board and shall be comparable to that being received by the president of similar educational institutions of like enrollment and standing subject to the provisions of the Revised Compensation and Position Classification System.

SEC. 11. There shall be an administrative council consisting of the president of the College as chairman and the vice-president(s), deans, directors and other officials of equal rank as members, whose duty is to implement the policies concerning the administration, management and development planning of the College as approved by the Board.

SEC. 12. There shall be an academic council with the president of the College as chairman and all members of the instructional staff with the rank of not lower than assistant professor as members. The academic council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for admission to the College as well as for graduation and the conferment of degrees subject to review and/or approval by the Board through the president of the College. It shall exercise disciplinary power over the students through the president within the limits prescribed by the rules of discipline approved by the Board.

SEC. 13. There shall be a secretary of the College who shall be appointed by the Board upon recommendation of the president of the College. He shall likewise act as the secretary of the Board and shall keep such records of the College as may be determined by the Board.

SEC. 14. The Treasurer of the Philippines shall be the *ex officio* treasurer of the College.

SEC. 15. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty of the College: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 16. No student shall be denied admission to the College by reason of sex, nationality, religion, or political affiliation.

SEC. 17. The College shall enjoy academic freedom.

SEC. 18. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board shall file with the Office of the President of the Philippines, through the chairperson of the Commission on Higher Education and to both Houses of Congress, a detailed report on the progress, conditions, and needs of the College.

SEC. 19. All the assets, fixed and movable, personnel and records of the Davao Regional Institute of Fisheries Technology, as well as its liabilities or obligations, are hereby transferred to

the College: *Provided, however,* That the positions, rights, and security of tenure of personnel employed therein under existing laws prior to absorption by the College are not impaired: *Provided, further,* That the incumbent holders of the various positions therein shall retain their status until otherwise provided for by the Board.

All parcels of land belonging to the government occupied by the Davao Regional Institute of Fisheries Technology are hereby declared to be the property of the Davao del Norte State College and shall be titled under the name of the College: *Provided,* That should the College cease to exist or be abolished or should such parcels of aforementioned lands be no longer needed by the College, the same shall revert to the Province of Davao.

SEC. 20. All accounts and expenses of the College shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 21. 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, equipment or supplies as may be needed by the College 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. The employees so detailed shall perform such duties as required of them by the President of the College, and the time so employed shall be counted as part of their official service.

SEC. 22. It shall be a continuing policy of the College to accept the affiliation and/or integration within its operation of any existing national schools whose programs can contribute largely and effectively to the attainment of its objectives: *Provided, however,* That in case of integration, the Commission on Higher Education is hereby authorized to determine and approve the specific existing national schools that are to be integrated as part of the College. All funds, properties, and other assets as well as obligations of the integrated schools shall then be transferred to the College.

SEC. 23. The amount needed to carry out the provisions of this Act shall be charged against the current year's appropriations of the Davao Regional Institute of Fisheries Technology. Thereafter, such sums as may be necessary for the operation and maintenance of the College shall be included in the annual General Appropriations Act.

SEC. 24. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 25. This Act shall take effect upon its approval.

Approved, February 14, 1995.