

REPUBLIC ACT NO. 7913

AN ACT CONVERTING THE BATAAN COLLEGE OF SCIENCE AND TECHNOLOGY IN DINALUPIHAN AND THE BATAAN NATIONAL AGRICULTURAL SCHOOL IN SAMAL, BOTH IN THE PROVINCE OF BATAAN, INTO A STATE COLLEGE TO BE KNOWN AS THE BATAAN 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 Bataan College of Science and Technology located in the Municipality of Dinalupihan and the Bataan National Agricultural School in the Municipality of Samal, both in the Province of Bataan, are hereby converted into a State college to be known as the Bataan State College, hereinafter referred to as the College.

The main campus of the State College shall be situated in the Bataan College of Science and Technology with the Bataan National Agricultural School in Samal as an extension of the State College.

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

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education, Culture and Sports: *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

their students shall have been accommodated in other public or private high schools: *Provided, further,* That the College may operate a reasonably-sized laboratory school, if it has a college of education.

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

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

SEC. 5. 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 his representative, member;

(d) The chairman of the Committee on Education of the House of Representatives, or his representative, member;

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

(f) The president of the faculty association of the College, member; and

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

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

(1) The president of the alumni association of the College;

(2) The president of the employees association of the College;
and

(3) 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 Province of Bataan.

The presidents of the alumni association and of the employees association as well as the two (2) prominent citizens elected 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 education committee chairmen of the Senate and the House of Representatives, and the representative of the National Economic and Development Authority shall serve in an *ex officio* capacity, while the presidents of the faculty association and of the supreme student council and, when deemed necessary, the presidents of the alumni association and of the employees association shall serve for one (1) year and when likewise necessary, for the two (2) prominent citizens, one shall serve for four (4) years and the other for 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 Philippine Constitution on education, science and technology, arts, culture and sports.

SEC. 7. 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 appropriate 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 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;

(f) To authorize the construction or 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 in accordance with 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 their outstanding contribution in the fields of education, public service, arts, science and technology, or in any field of specialization; and to authorize the award of certificates for completion of nondegree and nontraditional courses;

(k) To establish branches in the Province of Bataan, if and when it become essential and necessary, where there is no existing school offering similar programs or courses, to promote and carry out equal access to educational 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. 8. 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 shall be the chairman of the Board, or the president of the College who shall act 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 any salary but shall be entitled to reimbursement for actual and necessary expenses incurred either in attendance upon meetings of the Board or of other official business authorized by resolution of the Board subject to existing laws on *honoraria* and allowances.

SEC. 9. The College shall be headed by a president to be elected by the Board and 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 becomes 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 provisions of the preceding paragraph.

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 similar colleges.

The salary of the president of the College shall be comparable to that being received by presidents of similar educational institutions of like enrollment and standing.

SEC. 10. There shall be an administrative council consisting of the president of the College, as chairman, the vice-president(s), deans, directors and other officials of equal rank whose duty is to implement the policies governing the administration, management and development planning of the College, as approved by the Board.

SEC. 11. 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 conferring of degrees, subject to review and/or approval by the Board through the president of the College. It shall also have disciplinary powers over the students through the president within the limits prescribed by the rules of discipline, as approved by the Board.

SEC. 12. 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 also be the secretary of the Board and shall keep such records of the College as may be determined by the Board.

SEC. 13. The Treasurer of the Philippines shall be the *ex officio* treasurer of the College.

SEC. 14. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the College: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 15. No student shall be denied admission to the College by reason of sex, nationality, religion, or political affiliation.

SEC. 16. The College shall enjoy academic freedom.

SEC. 17. The incumbent president of the Bataan Teachers College if qualified under the rules and regulations of the Commission on Higher Education shall be the officer-in-charge of the College pending the appointment of the president.

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 Bataan College of Science and Technology and the Bataan National Agricultural School, as well as liabilities or obligations, are hereby transferred to the College: *Provided,* That the positions, rights and security of tenure of personnel therein employed under existing laws prior to absorption by the College are not impaired: *Provided, further,* That the incumbents of the positions shall remain in the same status until otherwise provided for by the Board. All parcels of land belonging to the government occupied by the Bataan College of Science and Technology and the Bataan National Agricultural School are hereby declared as the property of the Bataan State College and shall be titled under that name: *Provided, furthermore,* That, should the College cease to exist or be abolished or such parcels of land aforementioned be no longer needed by the College, the same shall revert to the Province of Bataan.

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. 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 regular services.

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 school whose programs can contribute largely and effectively to the attainment of its objectives: *Provided, however,* That in case of integration, the chairperson of the Commission on Higher Education is hereby authorized to determine and approve the affiliation and/or integration of the specific existing national school. In such case, all funds, properties, and other assets, as well as obligations of the integrated school shall 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 Bataan College of Science and Technology and the Bataan National Agricultural School. Thereafter, such sums as may be necessary for the operation and maintenance of the Bataan State 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 23, 1995.