

REPUBLIC ACT NO. 7945

AN ACT CONVERTING THE DR. EMILIO B. ESPINOSA, SR. MEMORIAL AGRICULTURAL COLLEGE INTO THE DR. EMILIO B. ESPINOSA, SR. MEMORIAL STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY, DEFINING ITS POWERS, FUNCTIONS, AND DUTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES, AMENDING REPUBLIC ACT NO. 4717

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

SECTION 1. *Conversion.* – The Dr. Emilio B. Espinosa, Sr. Memorial Agricultural College is hereby converted into the Dr. Emilio B. Espinosa, Sr. Memorial State College of Agriculture and Technology. The Board of Trustees may reorganize it as provided for in Sections 4 and 7(e) hereof.

SEC. 2. *Purpose.* – The Dr. Emilio B. Espinosa, Sr. Memorial State College of Agriculture and Technology shall primarily give professional and technical training and provide advanced and specialized instruction in order to ensure adequate supply of well-trained, capable and highly skilled professionals, technicians, and skilled workers that would effectively meet and satisfy the agricultural and technological manpower needs of the Province of Masbate.

The College shall offer undergraduate and graduate courses in the fields of agriculture, forestry, engineering, arts and sciences, and non-degree technical/industrial technologies and other 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 areas of specialization to meet the needs of the nation.

SEC. 3. *Supervision of High School.* – Supervision over the existing high school shall be transferred to the Department of Education, Culture and Sports: *Provided*, That the existing 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 accommodated in other high schools, public or private: *Provided, further*, That the College may operate a reasonably-sized laboratory high school if it offers a teacher training program.

SEC. 4. *Powers of the State College.* – The State College shall have the general powers set forth in Section 36 of Batas Pambansa Blg. 68, as amended, and the exercise of its corporate powers shall be exercised exclusively by a Board of Trustees.

SEC. 5. *Governing Board.* – 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: Chairman of the Commission on Higher Education, chairman; president of the College, vice chairman; the chairman of the Committee on Education and Culture of the Senate or his representative, member; the chairman of the Committee on Education and Culture of the House of Representatives, member; the representative of the National Economic and Development Authority preferably the regional director where the College is located, member; the representative of the alumni association of the College, member; and the president of the student council, member.

In addition, the Board may appoint as members, the following when deemed necessary: two (2) prominent citizens who have distinguished themselves in their profession or fields of specialization of the College chosen from among those qualified in the Province of Masbate.

The representatives of the Senate and House Education Committee chairpersons and 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 chairman, Commission on Higher Education, the president of the College, the Education Committee chairpersons 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 for the two (2) prominent citizens one shall serve for four (4) years and the other for two (2) years.

All non *ex officio* members of the Board shall be appointed by the Board of Trustees upon recommendation of the chairman of the Commission on Higher Education for a term of six (6) years.

In the absence of the chairman, Commission on Higher Education, any of the other commissioners shall represent him in the governing board and shall act as chairman in his absence.

No person in the employ of the College or any other educational institution in the province in any capacity whatsoever, whether as professor, instructor, lecturer or otherwise, 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 thousand pesos (P1,000): *Provided*, That in no case shall the total amount received by each exceed the sum of Two thousand pesos (P2,000) for any one month. Besides the *per diem*, the members, together with the *ex officio* members shall be reimbursed for actual and necessary expenses incurred in attending the meetings of the Board or when performing other official business authorized by resolution of the Board.

SEC. 6. The College shall be headed by a president to be appointed by the President of the Republic 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 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 and 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.

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.

SEC. 7. *Powers and Duties of the Board of Trustees.* – The Board of Trustees shall have the following powers and duties, in addition to its general powers of administration and exercise of the powers of the corporation:

(a) To determine and fix the dates and time of their regular meetings, as well as special meetings as the need for same may arise: *Provided*, That such meetings shall not be more than two times in any one month, nor less than one time in any one quarter;

(b) To recommend the president of the College for appointment by the President of the Philippines with the consent of the Commission on Appointments, and who shall serve for the period of six (6) years;

(c) To empower the president of the College to sit as an *ex officio* member of the Board with the right to participate in the deliberation but without the right to vote;

(d) To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the College;

(e) To immediately establish and offer the following courses:

(1) Bachelor of Science in Agriculture, majors in animal science, crop science and agroforestry;

(2) Bachelor of Science in Agricultural Education, majors in animal science and crop science;

(3) Bachelor of Science in Agricultural Engineering;

(4) Diploma/Bachelor in Agricultural Technology, majors in crop production, animal production, agroforestry, food processing/postharvest and farm mechanization;

(5) Two-year automotive technology;

(6) Bachelor of Science in Education;

(7) Veterinary medicine;

(8) All engineering courses; and

(9) Applied science-oriented secondary curriculum.

The College shall also be required to possess and maintain a professionally administered library consisting of at least ten thousand bound volumes of collegiate books, laboratory equipment and facilities related to the above-mentioned courses;

(f) 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 the department thereof, or for aid to any student or students in accordance with the directions or instructions 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 tax; to import duty free commodities for educational purposes as an exemption to existing laws;

(g) To appoint, on the recommendation of the president of the College, professors, associate professors, assistant professors, instructors, lecturers and other employees of the College; to fix their compensation subject to the Revised Compensation and Position Classification System, hours of service, and such other duties and conditions as it may deem proper; to grant them in its discretion leave of absence under such regulations as it may

promulgate, any provisions of law to the contrary notwithstanding, and to remove them for cause after an investigation and hearing; and to extend with their consent the tenure of faculty members of the College beyond the age sixty-five (65), any other provision of law to the contrary notwithstanding, upon recommendation of the president of the College, whenever in his opinion their services are officially needed: *Provided, however,* That no extension of service of heads, professors, instructors, lecturers, researchers, and other state employees incorporated or integrated into the College shall be automatically retained consistent with the civil service rules and regulations;

(h) To approve the courses of study and rules of discipline drawn up by the College executive committee as hereinafter provided; to fix the required tuition fees, matriculation fees for laboratory courses, graduation fees and all special and other fees, and to remit the same to the general fund;

(i) To provide fellowships and scholarships and to award the same to students showing special evidence of merit;

(j) To establish chairs in the College herein mentioned and to provide for the maintenance or endowment of such chairs, as well as to provide for such other professors, assistant professors, instructors, tutors and lecturers as the progress of instruction may make necessary, and to fix the compensation pertaining to such positions subject to the Revised Compensation and Position Classification System;

(k) To confer the usual honorary degrees upon persons other than graduates of the College in recognition of learning, statesmanship, or eminence in literature, science or arts: *Provided,* That such degrees shall not be conferred in consideration of the payment of money or other valuable considerations; and

(l) To file with the President of the Philippines and the Congress of the Republic of the Philippines a detailed report, setting forth the progress, conditions and needs of the College on or before the fifteenth day of September of each year.

SEC. 8. *Quorum.* – A quorum of the Board of Trustees shall consist of a majority of all the members holding office at the time the meeting of the Board is called. All processes against the Board of Trustees shall be served on the chairman or secretary thereof.

SEC. 9. *Administration.* – The administration of the College shall be vested in the president of the College who shall render full time service.

The president of the College shall be assisted by four directors: one director for instruction, one director for research, one director for extension and one director for finance and administration, who shall be appointed by the Board of Trustees upon the recommendation of the president of the College and whose compensation shall be fixed by the Board subject to the Revised Compensation and Position Classification System.

SEC. 10. *Powers of the President.* – The powers and duties of the president of the College, in addition to those usually pertaining to the office of the president of the College which are not inconsistent with the provisions of this law, are the following:

(a) To recommend to the Board of Trustees for appointment directors, department chairmen, professors, instructors, lecturers and other employees of the College;

(b) To promulgate for the government of the College such general ordinance and regulations, not contrary to law, as are consistent with the purposes of the College.

SEC. 11. *The Secretary of the College.* – The Board of Trustees shall appoint a secretary who shall serve as such for both the Board and of the College, and shall keep such records of the College as may be designated by the Board and the president of the College.

SEC. 12. *Powers of the College Executive Committee.* – There shall be a college executive committee, consisting of the president of the College and of all the members of the faculty of the College holding the ranks of professors, associate professors, and assistant professors. Subject to existing laws, the executive

committee shall have the power to prescribe the courses of study and rules of discipline, provided these matters are first approved by the Board of Trustees. Subject to the same limitations, it shall fix the requirements for admission to any courses of the College as well as for graduation and the conferment of degrees. The executive committee alone has the power to recommend students or others for recipient of degrees. Through the president of the committee, it shall have disciplinary powers over the students within the limits prescribed by the rules of discipline approved by the Board of Trustees.

SEC. 13. *The Faculty of the College.* – The body of professors and instructors of each College shall constitute its faculty, and as presiding officer of each faculty there shall be a director of instruction elected by the Board of Trustees on nomination by the president of the College. In appointment of professors, instructors and other personnel of the College, no religious, political opinions or affiliations shall be made a matter of examination or inquiry: *Provided, however,* That no professor or instructor or any other personnel in the College shall inculcate sectarian tenets in any of the teachings, nor attempt either directly or indirectly, under penalty of dismissal by the Board of Trustees to influence students or attendants at the College for or against any particular church or religious sector for and against any political party during any political campaign.

SEC. 14. *Civil Service Requirements.* – The president, directors, professors, other regular instructors and employees of the College shall be entitled to the privilege and rights of security of tenure, promotion in position and salaries for meritorious service, levels and retirement benefits as in the government service as now provided for by law.

SEC. 15. *The Comptroller of the College.* – There shall be a comptroller of the College who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments. The comptroller shall have the civil service qualification and rank of a provincial treasurer. Subject to the last provision of Section 7(g) hereof, he shall have the power to appoint his subordinates who must be civil service eligibles. The size of the comptroller's staff and the compensations of the same



including that of the comptroller shall be determined and fixed by the Board of Trustees subject to the Revised Compensation and Position Classification System.

SEC. 16. *The Auditor of the College.* – The Chairman, Commission on Audit shall be the *ex officio* auditor of the College and shall designate his representative who must hold regular office in the College to be able to perform his duties efficiently and satisfactorily as a regular official of the College. The designated representative shall have the civil service qualification and rank of a provincial auditor and shall have the power to appoint his subordinates, subject to the last provision of Section 7(g) hereof, who must be civil service eligibles. The compensation of the auditor's representative and his staff shall be in accordance with the Revised Compensation and Position Classification System.

SEC. 17. *Loans or Transfer of Apparatus or Supplies; Details of Employees for Duty in the College.* – The heads of the bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the president of the College, such apparatus or supplies as maybe needed by the College and to detail employees for duty therein when, in the judgment of the bureau or office, such supplies or employees can be spared without serious detriment to the public. The employees so detailed shall perform such duties as are required under such detail, and the time so employed shall count as part of their regular service.

SEC. 18. *Board of Visitors of the College.* – The President of the Philippines, the President of the Senate and the Speaker of the House of Representatives, and the senators and congressmen from the Bicol region shall be entitled to attend commencement exercises of the College, to make visits as such other time as it may deem proper, to examine the property, course of study, discipline, the state of finances of the College, to inspect all books and accounts of the institution, and to make reports to the President of the Philippines upon the same, with such recommendations as it may deem proper.

SEC. 19. *Abolition and Transfer.* – The Dr. Emilio B. Espinosa, Sr. Memorial Agricultural College is hereby abolished

and all their personnel, unexpended appropriations, and all their assets, fixed and movable are transferred to the Dr. Emilio B. Espinosa, Sr. Memorial State College of Agriculture and Technology.

SEC. 20. *Appropriations.* – The amount needed to carry out the provisions of this Act shall be charged against the current year's appropriations of the Dr. Emilio B. Espinosa, Sr. Memorial Agricultural College. Thereafter, such sums as may be necessary for the operation and maintenance of the Dr. Emilio B. Espinosa, Sr. Memorial State College of Agriculture and Technology shall be included in the annual General Appropriations Act.

SEC. 21. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in Filipino and English in at least two (2) newspapers of general circulation.

Approved, March 3, 1995.