

REPUBLIC ACT NO. 8651

AN ACT CONVERTING THE ADIONG MEMORIAL POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF DITSAAN-RAMAIN, PROVINCE OF LANA DEL SUR, INTO A STATE COLLEGE TO BE KNOWN AS THE ADIONG MEMORIAL POLYTECHNIC STATE COLLEGE, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Republic Act No. 7935 is hereby amended to read as follows:

"SECTION 1. The Adiong Memorial Polytechnic College in the Municipality of Ditsaan-Ramain, Province of Lanao del Sur, is hereby converted into a State college to be known as the Adiong Memorial Polytechnic State College, hereinafter referred to as the State College.

"SEC. 2. The State College shall primarily provide higher professional, technical and special instructions for special purposes and promote research and extension services and advanced studies in agriculture, forestry, ecology, and other allied courses 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 State College until it shall have been transferred to another location, or until its students shall have been accommodated in other public or private high schools.

"SEC. 3. The State College shall also offer short-term technical and vocational non-degree courses within its area of specialization, as the Board of Trustees may deem necessary to carry out its objectives and to meet the needs of the nation.

"SEC. 4. The State College shall have the general powers of a corporation as set forth in the Corporation Law. The administration of the State College and the exercise of its corporate powers shall be vested exclusively in the Board of Trustees and the President of the State College insofar as authorized by 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) Chairman of the Commission on Higher Education (CHED), chairman;

"(b) President of the State College, vice chairman;

"(c) Chairman of the Committee on Education and Culture of the Senate, member;

"(d) Chairman of the Committee on Education and Culture of the House of Representatives, member;

"(e) Director-General of the National Economic and Development Authority (NEDA), member;

"(f) President of the faculty association of the State College, member;

"(g) President of the student council of the State College, member;

"(h) President of the alumni association of the State College, member; and

"(i) At least two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization chosen from among the list of at least five (5) persons qualified in the city or the province where the school is located, as recommended by a search committee constituted by the school president in consultation with the Chairman of the CHED based on the normal standards and qualifications for the position, members.

"The Chairman of the Commission on Higher Education, the president of the State College, the education committee chairmen of the Senate and the House, and the Director-General of the National Economic and Development Authority shall have an *ex officio* term of office.

"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 term/terms of office.

"The two (2) prominent citizens shall serve for a term of four (4) and two (2) years, respectively.

"SEC. 6. The Board shall promulgate and implement policies in accordance with the declared policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports, 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 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 State College;

"(b) To receive and allocate all sums as may be provided for the support of the State of College in the manner it may, in its

discretion, determine to carry out the purposes and functions of the State 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 at a comparable price;

"(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 State 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.

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

"(h) To fix and adjust the 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 contributions in the fields of education, public

service, arts, science and technology, or in any field of specialization of the State of College; and to authorize the awarding of certificates for completion of nondegree and nontraditional courses;

"(k) To establish branches in the Province of Lanao del Sur, if and when it becomes 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;

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

"(m) To accept the integration of other public schools within the province that will eventually offer tertiary courses in the future.

"SEC. 8. The Board of Trustees shall convene regularly at least once every two (2) months. However, the chairman of the Board of Trustees may, upon three (3) days prior written notice, call a special meeting whenever necessary.

"A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: *Provided, however,* That the chairman of the CHED, who is the chairman of the Board or the President of the State of College is among those present in the meeting

"In the absence of the Chairman of the CHED, a commissioner of the CHED, duly designated by him, shall represent him in the meeting with all the rights and responsibilities of a regular member and of a presiding officer.

"A senator, preferably coming from the region or province where the school is located, shall automatically represent the Chairman of the Senate Committee on Education and Culture, when he is unable to attend, with all the rights, privileges and responsibilities of a regular member.

"The representative of the House coming from the district where the school is located shall automatically represent the Chairman of the House Committee on Education and Culture, when he is unable to attend, with all the rights, privileges and responsibilities of a regular member: *Provided*, That in the case of a multi-campus school located in a multi-district province, any of the representatives where the campus is located may represent the chairman.

"In the absence of the Director-General of the NEDA, the regional director where the school is located shall represent him.

"SEC. 9. The State College shall be headed by a president to be appointed by the Board of Trustees subject to a selection process, and shall hold office for a term of three (3) years renewable for another three (3) years.

"In case of vacancy in the office of the president by reason of death, resignation, or incapacity of the president to perform the functions of his office, or removal for a cause, the Board shall have the authority to designate an officer-in-charge of the State 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 State 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 State College shall be subject to the Revised Compensation and Position Classification System and shall be comparable to that being received by the presidents of similar educational institutions of like enrollment and standing.

"SEC. 10. There shall be an administrative council consisting of the president of the State 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 State College, as approved by the Board.

"SEC. 11. There shall be an academic council with the president of the State College, as chairman, and all member of the instructional staff with a 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 the admission to the State 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 State 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 State College who shall be appointed by the Board upon recommendation of the president of the State College. He shall also be the secretary of the Board and shall keep such records of the State College as may be determined by the Board.

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

"SEC. 14. No religious opinion or affiliation shall be the matter of inquiry in the appointment of faculty members of the State 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 State College by reason of sex, nationality, religion or political affiliation.

"SEC. 16. No member of the faculty of the State College shall attempt directly or indirectly, under penalty of dismissal by the Board of Trustees, to influence students or any person in the State College towards any ideology, political or otherwise, which agitates the overthrow of the duly constituted government.

"SEC. 17. The appointment of the officer-in-charge of the State College pending the appointment of the president by the Board upon its composition shall be made by the CHED.

"SEC. 18. On or before the fifteenth (15th) day of the second month after the opening of the regular classes each year, the Board shall file with the Office of the President of the Philippines, through the chairperson of the CHED and to both Houses of Congress, a detailed report on the progress, conditions and needs of the State College.

"SEC. 19. All the assets, fixed and movable, personnel records and facilities of the Adiong Memorial Polytechnic College as well as liabilities or obligations, are hereby transferred to the State College: *Provided, however,* That the positions, rights and security of tenure of personnel therein employed under existing laws prior to absorption by the State 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 in accordance with civil service rules and regulations, and other pertinent provisions of law. All parcels of land belonging to the government occupied by the Adiong Memorial Polytechnic College are hereby declared the property of the Adiong Memorial Polytechnic State College and shall be titled under that name: *Provided, furthermore,* That should the State College cease to exist or be abolished or such parcels of land aforementioned be no longer needed by the State College, the same shall revert to the Province of Lanao del Sur.

"SEC. 20. All accounts and expenses of the State 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 State College, such apparatus, equipment or supplies as may be needed by the State College and to detail employees for duty therein when in the judgment 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 State College, and the time so employed shall be counted as part of their regular services.

"SEC. 22. It shall be the continuing policy of the State 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 CHED 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 State College.

"SEC. 23. The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the Adiong Memorial Polytechnic College. Thereafter, such amount as may be necessary for the continued operation and maintenance of the Adiong Memorial Polytechnic 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, June 10, 1998.