

**[ REPUBLIC ACT NO. 9289, April 14, 2004 ]**

**AN ACT CONVERTING THE MARIKINA INSTITUTE OF SCIENCE AND TECHNOLOGY (MIST) INTO THE MARIKINA POLYTECHNIC COLLEGE (MPC), 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. *Conversion.* — The present Marikina Institute of Science and Technology (MIST) in Marikina City, Metro Manila is hereby converted into the Marikina Polytechnic College (MPC), hereinafter referred to as the Polytechnic College.

SEC. 2. *Purpose.* — The Polytechnic College shall primarily offer higher professional and technical instructions and training to prospective teachers and instructors in technical education and skills development (TESD) institutions. The Polytechnic College will be equivalent to other teacher education institutions (TEIs) in the country with the aim of producing a cadre of professional teachers and instructors qualified to teach in the nationwide network of public and private technical schools and training centers.

It shall serve as the center for development on shoe and leathercraft industry and shall provide technological, professional and occupational training on the utilization and development of appropriate technologies on community-based enterprises.

It shall also undertake research and extension services and provide progressive leadership in its areas of specialization.

SEC. 3. *Powers of the Polytechnic College.* — The Polytechnic College will have the structure and powers of a higher education institution, specifically that of a teacher education institution, geared towards the development of technical education and skills development goals of the country, particularly in supplying the technical schools and training centers with professional, competent teachers and instructors.

The Polytechnic College shall have the general powers of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise known as the "Corporation Code of the Philippines." The administration of the Polytechnic College and the exercise of its corporate powers shall be vested exclusively in the Board of Trustees. The Board shall promulgate and implement policies in accordance with the policies, standards and thrusts of the Technical Education and Skills Development Authority (TESDA), the designated government authority in technical education and skills development.

SEC. 4. *The Governing Body.* — The governing body of the Polytechnic College shall

be the Board of Trustees, hereinafter referred to as the Board, composed of the following:

- a. The Chairperson of the Commission on Higher Education (CHED), chairperson;
- b. The Director-General of the Technical Education and Skills Development Authority (TESDA), co-chairperson;
- c. The President of the Polytechnic College, vice-chairperson;
- d. The Chairperson of the Committee on Education, Arts and Culture of the Senate or his/her representative, member;
- e. The Chairperson of the Committee on Higher and Technical Education of the House of Representatives or his/her representative, member;
- f. The Director-General of the National Economic and Development Authority (NEDA) or his/her representative, member;
- g. The Regional Director of the Department of Science and Technology (DOST) or his/her representative, member;
- h. The President of the faculty association of the Polytechnic College, member;
- i. The President of the student council of the Polytechnic College, member;
- j. The President of the alumni association of the Polytechnic College, member;
- k. Two (2) prominent citizens representing the industry; and
- l. A prominent citizen representing the association of private post-secondary technical schools.

The two (2) industry representatives shall be chosen from a list of five (5) qualified persons, as recommended by the search committee constituted by the Board. The five (5) qualified persons shall be selected from three (3) names submitted each by the Federation of Philippine Industries, Employers Confederation of the Philippines and the City Government of Marikina.

The prominent citizen representing the private post-secondary technical schools shall be chosen from a list of three (3) qualified persons, as recommended by the search committee constituted by the Board. The three (3) names shall be selected from names submitted by the Philippine Association of Private Technical Schools and other related organizations.

The term of office of the president of the faculty association, student council, and alumni association shall be co-terminous with their term of office. The three (3) prominent citizens shall serve for a term of two (2) years.

The Chairperson shall supervise degree programs while the Co-Chair shall supervise non-degree programs. The Chairperson shall be the presiding officer of the Board of Trustees. However, in the absence of the Chairperson, or upon the request and permission of the Chairperson, the Co-Chairperson shall serve as the presiding officer. Further, the Co-Chairperson shall provide inputs on matters pertaining to technical-vocational programs. If and when the Chairperson and Co-Chairperson are not available, the Vice-Chairperson shall serve as the presiding officer.

*SEC. 5. Powers and Duties of the Board.* — The Board shall have the following specific powers and duties, in addition to its general powers of administration and the exercise of all powers granted to the Board of Directors of a corporation under existing laws:

- a. To promulgate rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the Polytechnic College;

- b. To receive and appropriate all sums as may be provided for the support of the Polytechnic College in the manner it may determine, in its discretion, to carry out the purposes and functions of the College;
- c. To receive in trust legacies, gifts and donations of real and personal properties of all kinds, to administer and dispose of the same when necessary for the benefit of the Polytechnic College, subject to limitations, directions and instructions of the donor.
- d. Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code (NIRC), as amended: Provided, That such donations shall not be disposed, transferred or sold;
- e. To coordinate with CHED, TESDA and other governing boards of educational institutions in the country in the restructuring of the Polytechnic College to become more efficient, relevant, productive and competitive in producing professionals, technologists and technicians;
- f. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided; and to establish applied research and extension programs that will further support the goals and objectives of the Polytechnic College;
- g. To develop and implement a system of equivalency (E) and credit transfer (CT) within the Polytechnic College to encourage students to enroll in the Marikina Polytechnic College; that includes the recognition of prior learning (RPL) in the E&CT program to encourage competent people working in the industry to share their knowledge by becoming qualified to teach in the Polytechnic College and other educational institutions;
- h. To set-up the adoption of modern and innovative modes of delivering training such as the use of information technology, the dual system, open learning, community laboratory, competency-based training, etc., for the promotion of greater access to professional and technological education and skills development;
- i. To set policies on admission, graduation and certification of students;
- j. To fix tuition fees and other necessary school fees and charges such as, but not limited to, matriculation fees, graduation fees and laboratory fees as the Board may deem proper to impose after due consultations with the involved sectors.

Such fees and charges, including government subsidies and other incomes generated by the Polytechnic College, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same fund for the use of the Polytechnic College.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the Polytechnic College from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the Polytechnic College, and may be disbursed by the Board for instruction, research, extension, or other programs/projects of the Polytechnic College: Provided, That all fiduciary fees shall be disbursed for the specific purposes for which they are collected.

If for reasons beyond its control, the Polytechnic College shall not be able to pursue any project for which funds have been appropriated and allocated