

[REPUBLIC ACT NO. 9138, June 08, 2001]

**AN ACT ESTABLISHING THE GUIMARAS STATE COLLEGE BY
INTEGRATING THE GUIMARAS POLYTECHNIC COLLEGE IN THE
MUNICIPALITY OF BUENA VISTA AND THE WESTERN VISAYAS
COLLEGE OF SCIENCE AND TECHNOLOGY - GUIMARAS
EXTENSION IN THE MUNICIPALITY OF JORDAN,
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. There is hereby established a state college in the Province of Guimaras to be known as the Guimaras State College, herein referred to as the College, by integrating the Guimaras Polytechnic College in the Municipality of Buenavista, Guimaras and the Western Visayas College of Science and Technology - Guimaras Extension in the Municipality of Jordan, Guimaras. The Guimaras Polytechnic College campus in the Municipality of Buenavista shall become the main campus of the College.

SEC. 2. The College shall offer undergraduate and graduate courses in technology education, agriculture, fishery, engineering, arts and sciences, forestry, business, health, computer, criminology, nautical and short-term vocational-technical and other continuing courses that may be found to be needed and relevant. It shall also promote research, advanced studies, extension work and progressive leadership in each area of specialization. It shall also provide primary consideration through the integration of research/studies for the development of the Province of Guimaras.

SEC. 3. The College shall offer undergraduate and graduate courses as well as short technical courses within its areas of specialization and according to its capabilities, as the Board of Trustees may deem necessary to carry out its objectives, particularly in order to meet the needs of the province and the region.

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education: *Provided*, That the high school shall be allowed to remain and operate within the campus of the College until the students shall have completed their high school education: *Provided, further*, That the College may operate a reasonably-sized laboratory school for its department of education.

SEC. 4. The College shall have the general powers of a corporation as set forth in the Corporation Law. The administration of the College and the exercise of its 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 Chairman of the Commission on Higher Education (CHED), chairman;
- b. The President of the College, vice chairman;
- c. The Chairman of the Committee on Education, Arts and Culture of the Senate, member;
- d. The Chairman of the Committee on Higher and Technical Education of the House of Representatives or any Member of the House of Representatives designated by the Chairman of the said Committee, member;
- e. The Regional Director of the National Economic and Development Authority (NEDA), member;
- f. The Regional Director of the Department of Science and Technology (DOST), member;
- g. The president of the federation of the faculty associations of the College, member;
- h. The president of the federation of student councils of the College, member;
- i. The president of the federation of alumni associations of the College, member; and
- j. Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the College, chosen from among a list of at least five (5) qualified persons in the Province of Guimaras, as recommended by the search committee constituted by the College President, in consultation with the Chairman of the CHED, based on the normal standards and qualifications of the position, members.

The term of office of the president of the federation of faculty associations, the president of the federation of student councils, and the president of the federation of alumni associations shall be coterminous with their respective terms of office.

The two (2) prominent citizens shall serve for a term of 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 Constitution on education, agriculture, science and technology, 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 Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines:

- 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 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 and to administer and dispose the same when necessary for the benefit of the College, subject to 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; and
- d. To fix the tuition fees and other necessary school fees and charges, such as, but not limited to, matriculation fees, graduation fees and laboratory fees, as it may deem proper and reasonable to impose after due consultations with the

involved sectors.

Such fees and charges, including government subsidies and other income generated by the 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 funds for the use of the College.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the College from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the College, and may be disbursed by the Board for instruction, research, extension, or other programs/projects of the 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 College shall not be able to pursue any project for which funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the College;

- e. To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;
- 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 appoint, upon recommendation of the President of the College, vice presidents, deans, directors and heads of departments, faculty members and other officials and employees 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 and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- i. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- j. To set policies on admission and graduation of students;
- k. To award honorary degrees upon persons in recognition of outstanding contribution in the field of education, public service, arts, science and technology or in any field of specialization within the academic competence of the College; and to authorize the award of certificates of completion for non-degree and non-traditional courses;
- l. To establish and absorb non-chartered tertiary institutions within the Province of Guimaras as branches, centers, stations, etc., in coordination with the CHED and in consultation with the Department of Budget and Management (DBM),