

[REPUBLIC ACT NO. 9141, July 03, 2001]

AN ACT CONVERTING THE NEGROS OCCIDENTAL AGRICULTURAL COLLEGE (NOAC) IN THE CITY OF KABANKALAN, PROVINCE OF NEGROS OCCIDENTAL INTO A STATE COLLEGE, TO BE KNOWN AS THE NEGROS STATE COLLEGE OF AGRICULTURE (NSCA), AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. The Negros Occidental Agricultural College in the City of Kabankalan, Province of Negros Occidental, is hereby converted into a State college to be known as the "Negros State College of Agriculture," hereinafter referred to as the "State College."

SEC. 2. The Negros State College of Agriculture (NSCA) shall maintain and strengthen or expand the original limited expertise of the Negros Occidental Agricultural College (NOAC) and include as its branches or extension campuses the five (5) new extension colleges, two (2) of which were already opened in Barangay Gil Montilla in the Municipality of Sipalay and in the Municipality of Cauayan and the other three (3) to be opened in Barangay Bocana in Ilog, Barangay Gatuslao in Candoni, and Barangay Pu-ok, Hinoba-an all in the Province of Negros Occidental, respectively.

The Negros State College of Agriculture shall have the existing Negros Occidental Agricultural College in the City of Kabankalan, Negros Occidental, as its main campus.

The NOAC-Sipalay Campus shall expand its programs to trade technical courses and mining science, metallurgy, and other programs that may prove relevant to the locality.

The NOAC-Candoni Campus shall offer technical agriculture, forestry, cooperatives and compact farming systems. The NOAC-Cauayan Campus in the Municipality of Cauayan shall specialize in agro-fishery and marine studies and other programs responsive to the needs of the community and its service areas.

The NOAC-Ilog Campus at Barangay Bocana shall offer fisheries and marine sciences/aquaculture. The Main Campus which is the Negros State College of Agriculture shall continue its present educational programs including graduate courses.

SEC. 3. The State College shall offer undergraduate and graduate degree programs, short-term technical or diploma courses, technological vocational instructions and training in agricultural sciences, and other related and relevant fields to meet the

needs of the province and the region.

SEC. 4. In addition to its present curricular offerings, the State College shall provide advanced instruction and professional training in agriculture, science and technology, education and other relevant fields as the Board of Trustees may deem necessary, within its area of specialization.

It shall promote research, advanced studies, extension and progressive leadership in each area of specialization: *Provided*, That the State College shall retain its original mandate as primarily an agricultural institution: *Provided, further*, That in the case of graduate courses, the State College shall strengthen its masteral and doctorate degree programs in agricultural courses.

The existing high school shall be transferred to the jurisdiction and supervision of the Department of Education, Culture and Sports (DECS): *Provided*, That the high school shall be allowed to remain and operate within the campus of the State College until the students have completed their high school education: *Provided, further*, That the State College may operate a reasonably-sized laboratory school, if it has a Department of Education.

SEC. 5. The administration of the Negros State College of Agriculture (NSCA) shall be vested exclusively in the Board of Trustees as its governing body, hereinafter referred to as the Board, which shall be composed of the following: Chairman of the Commission on Higher Education (CHED) as Board Chairman, President of the State College as vice chairman, the Chairpersons of the Senate Committee on Education, Arts and Culture and the House of Representatives Committee on Higher and Technical Education, Regional Director of National Economic and Development Authority (NEDA), Regional Director of the Department of Science and Technology (DOST), the presidents of the faculty, students and alumni associations, and two (2) prominent citizens of the province as members.

The two (2) prominent citizens in the Board shall come from those who have distinguished themselves in their professions or fields of specialization of the State College, chosen from among a list of at least five (5) persons qualified in the Province of Negros Occidental, as recommended by the search committee constituted by the Board. They shall serve for a term of two (2) years.

As a multi-campus State College, the faculty, students, and alumni shall be represented by the presidents of their federations. Their terms of office in the Board shall be coterminous with their respective terms in the federations.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared State policies on education, the Constitution, Republic Act Nos. 7722 and 8292 and such other laws or promulgations on tertiary education.

SEC. 7. In addition to its general powers of administration and corporate powers set forth in the Corporation Law, the Board shall have the following specific powers and duties:

- a. To enact rules and regulations as may be necessary to carry out the purpose and functions of the State College;

- b. To receive and appropriate all sums as may be provided to carry out the powers and functions of the State College;
- c. To receive in trust legacies, gifts and donations, real and personal properties and to administer and dispose the same for the benefit of the College. Such donations shall be exempt from all taxes and shall be considered as deductible item from the income tax of the donor;
- d. To fix the tuition fees and other necessary school charges, as the Board may deem proper to impose, after due consultations with involved sectors.

Such fees and charges, including government subsidies and other income generated by the State 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 State College.

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

If, for reason beyond its control, the State College shall not be able to pursue any of the projects 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 State 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 State College through the Board shall be exempt from all taxes and duties;
- g. To appoint, upon recommendation of the president of the State College, vice presidents, deans, directors, and heads of departments and the appointments of faculty members and other officials and employees of the State College and its extension campuses or branches;
- 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 laws 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;