

[REPUBLIC ACT NO. 8628, April 23, 1998]

AN ACT CONVERTING THE SURIGAO DEL SUR POLYTECHNIC COLLEGE (SSPC) TOGETHER WITH ITS FOUR BRANCH SCHOOLS INTO A CHARTERED COLLEGE TO BE KNOWN AS THE SURIGAO DEL SUR POLYTECHNIC STATE COLLEGE (SSPSC), EXPANDING ITS JURISDICTION AND CURRICULAR PROGRAMS

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

SECTION 1. The present Surigao del Sur Polytechnic College located in Tandag, Surigao del Sur, with its four branch schools, namely: SSPC Tarvia at San Miguel, SSPC Cagwait, SSPC Lianga, and SSPC Tagbina, Surigao del Sur, is hereby converted into a chartered college to be known as the Surigao del Sur Polytechnic State College (SSPSC), hereinafter referred to as the State College, with Tandag as the State College proper.

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 their students shall have been accommodated in other public or private high schools: *Provided, further*, That the State College may operate a reasonably-sized laboratory school if it has a college of education.

SEC. 2. The purpose of the said State College shall be to provide effective technical-vocational instruction and training in industries, agriculture and fishery, in cooperation with the Technical Education and Skills Development Authority (TESDA) required for immediate entry into occupations consistent with the manpower requirements of the region. It shall also provide opportunities for higher education in the fields of technology, teacher education, physical and natural sciences, agriculture, fishery, engineering, forestry, marine sciences and special programs to support research, extension services and income generating activities.

SEC. 3. The State College shall offer undergraduate and graduate courses in the fields of education, engineering, arts and sciences, and other degree courses as the Board of Trustees may deem necessary to carry out its objectives. It shall also offer short-term technical or vocational courses within its area of specialization to meet the needs of the province.

SEC. 4. *The Governing Boards; Manner of Appointment.* - (a) *Composition* - The governing body of the State College shall be vested in the Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following:

- i. The Chairman of the Commission on Higher Education (CHED), chairman;

- ii. The President of the State College, vice chairman;
- iii. The Chairmen of the Congressional Committees on Education and Culture;
- iv. Regional Director of the National Economic and Development Authority (NEDA) where the main campus of the State College is located;
- v. The President of the faculty association;
- vi. The President of the supreme student council or the student representative elected by the student council: *Provided*, That in the absence of a student council president or student representative elected by the student council, the State College shall schedule one (1) week for the campaign and election of a student representative;
- vii. The President of the alumni association of the State College, and
- viii. Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization chosen from among a list of at least five (5) persons qualified in the city or the province where the school is located, as recommended by the search committee constituted by the President in consultation with the Chairman of the CHED based on the normal standards and qualifications for the position.

The faculty and the student council shall be represented by the president of their respective federations in case of multi-campus associations.

The private sector representatives shall be appointed by the Board of Trustees upon recommendation of a duly constituted search committee.

(b) *Term of Office* - The presidents of the faculty and alumni associations and the student regent or trustee shall sit in the Board until the expiration of their term of office in such capacities.

The prominent citizens shall serve for a term of two (2) years.

(c) *Meetings; Quorum* - The Board of Trustees shall regularly convene at least once every quarter. The Chairman of the Board of Trustees may call a special meeting whenever necessary: *Provided*, that members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: *Provided*, that the Chairman of the CHED who is the Chairman of the Board or the president of the State 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: *Provided, however*, that in the said meeting, the president of the college as vice chairman shall be the presiding officer.

The members shall serve without compensation, but they shall be reimbursed for necessary expenses incurred in their attendance of meetings of the Board or in connection with their official business authorized by resolution of the Board.

SEC. 5. *Powers and Duties of Governing Board.* - The governing 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 State College;
- b. to receive and appropriate all sums as may be provided, for the support of the State College in the manner it may determine, in its discretion , to carry out the purposes and functions of the State College;
- c. to receive in trust legacies, gifts and donations of real and personal properties of all kinds, to administer and dispose the same when necessary for the benefit of the State College, subject to limitations, directions and instructions of the donors, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;
- d. to fix the 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 after due consultations with the 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 there from shall form part of the same fund 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 of Trustees for instruction, research, extension, or other programs/projects of the State 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 State 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 of Trustees 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 of Trustees shall be exempt from all taxes and duties;
- g. to appoint, upon the recommendation of the president of the State College, vice presidents, deans, directors, heads of departments, faculty members and other officials and employees;
- h. to fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and 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