

[REPUBLIC ACT NO. 8650, June 05, 1998]

AN ACT CONVERTING THE SURIGAO DEL NORTE SCHOOL OF ARTS AND TRADES, AND THE MALIMONO SCHOOL OF FISHERIES INTO A STATE COLLEGE, TO BE KNOWN AS THE SURIGAO STATE COLLEGE OF TECHNOLOGY, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. The Surigao del Norte School of Arts and Trades in Surigao City and the Malimono School of Fisheries in the Municipality of Malimono, Surigao del Norte, are hereby integrated and converted into a chartered college to be known as the Surigao State College of Technology, hereinafter referred to as the State College.

SEC. 2. The State College shall primarily provide higher vocational, professional and technological instruction and training in the fields of agriculture, fisheries, engineering and sciences, as well as short-term technical courses. It shall also provide primary consideration to the integration of research/studies for the development of the Province of Surigao del Norte.

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.

SEC. 3. The State College shall offer undergraduate, graduate and short-term technical courses within its area of specialization as the Board of Trustees may deem necessary to carry out its objectives, particularly, in order to meet the needs of the province.

SEC. 4. The Governing Board; Manner of Appointment. -

a. *Composition* - The governing body is hereby vested in the Board of Trustees which shall be composed of the following:

- i. Chairman of the Commission on Higher Education (CHED), chairman;
- ii. President of the College, vice chairman;
- iii. 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 university or college is located;
- v. Regional Director of the Department of Science and Technology (DOST);
- vi. President of the faculty association;

- vii. 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 College shall schedule one (1) week for the campaign and election of a student representative;
- viii. President of the alumni association of the College; and
- ix. 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 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 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: *Provided*, further, That this proviso notwithstanding, the chairman of the CHED is hereby authorized to designate a CHED commissioner the regular chair to the Board of the College, in which case said CHED commissioner shall act as 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 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, to administer and dispose the same when necessary for the benefit of the 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 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 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 of Trustees 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 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 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 of Trustees shall be exempt from all taxes and duties;
- g. To appoint, upon the recommendation of the president of the 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 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 provision 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;