

[REPUBLIC ACT NO. 7371, April 10, 1992]

AN ACT CONVERTING THE AKLAN AGRICULTURAL COLLEGE IN THE MUNICIPALITY OF BANGA, PROVINCE OF AKLAN, INTO A STATE COLLEGE TO BE KNOWN AS THE AKLAN STATE COLLEGE OF AGRICULTURE, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. The Aklan Agricultural College located in the Municipality of Banga, Province of Aklan, is hereby converted into a state college to be known as the Aklan State College of Agriculture, hereinafter referred to as the College.

SEC. 2. The College shall primarily offer higher professional, technical and special instructions for special purposes and promote research and extension services, advanced studies, and progressive leadership in agriculture and other fields as may be relevant.

SEC. 3. The College shall offer undergraduate and graduate courses in the field of agriculture and in other allied 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 areas of specialization to meet the needs of the nation.

SEC. 4. The College shall have the general powers of a corporation set forth in the Corporation Law. The administration of the College and the exercise of its corporate 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:

Secretary of Education, Culture and Sports, chairman;

President of the College, vice-chairman;

Chairman of the Committee on Education of the Senate, member;

Chairman of the Committee on Education of the House of Representatives, member;

Representative of the National Economic and Development Authority, member;

President of the Faculty Association of the College, member; and

President of the Supreme Student Council of the College, member.

In addition, the Board may elect as members the following when deemed necessary:

President of the Alumni Association of the College;

President of the Employees Association of the College; and

Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the College chosen from among those qualified in the Province of Aklan.

The presidents of the alumni association and of the employees association as well as the two (2) prominent citizens elected by the Board shall have the same powers, authority and privileges as the regular members of the Board.

The Secretary of Education, Culture and Sports, the President of the College, the Education Committee chairmen of the Senate and the House of Representatives, and the representative of the National Economic and Development Authority shall have *ex officio* terms of office, while the presidents of the faculty association and of the supreme student council and, when deemed necessary, the presidents of the alumni association and of the employees association shall serve for one (1) year and, when likewise necessary, the two (2) prominent citizens shall serve for four (4) years and two (2) years, respectively.

SEC. 6. The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Philippine Constitution on education, science and technology, arts, culture and sports.

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 existing laws:

- 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, in its discretion, determine to carry out the purposes and functions of the College;
- c. To import duty-free essential commodities, materials and equipment for educational or technological programs as an exception to existing laws, provided such commodities, materials and equipment are not available locally;
- d. To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose of the same when necessary for the benefit of the College and subject to the 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;
- e. To fix 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. Income generated by the College shall constitute special trust funds and shall be deposited in any authorized government depository bank. Any 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 to the contrary notwithstanding, income generated by the College may, at the discretion of the board, be disbursed for the professional growth and development, health, welfare and other similar benefits of the faculty members and personnel; for the acquisition, construction, maintenance and repair of urgently needed instructional and auxiliary facilities, equipment, buildings and other infrastructure and for expenses necessary for the attainment of its purposes under this Act. If for any reason the College shall not be able to pursue any project for which funds have been appropriated for reasons beyond its control 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;

- 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 confirm appointments of vice-presidents, deans, directors, heads of departments, faculty members and other officials and employees of the College made by the President of the College;
- h. To fix and adjust salaries of the faculty members and administrative officials and employees;
- i. To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- j. To confer degrees upon successful candidates for graduation, to award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, or in any field of specialization; and to authorize the award of certificates for completion of non-degree and nontraditional courses;
- k. To establish branches in the Province of Aklan, if and when it becomes essential and necessary, where there is no existing school offering similar programs or courses, to promote and carry out equal access to educational opportunities as mandated by the Constitution; and
- l. To establish chairs in the College and to provide fellowships for qualified faculty members and scholarships to deserving students.

SEC. 8. A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: Provided, however, That among those present is the Secretary of Education, Culture and Sports who shall be the Chairman of the Board, or the President of the College who shall act as presiding officer in the former's absence. The Board shall convene regularly once every two (2) months. The Chairman of the Board may call a special meeting whenever necessary.

The members of the Board shall not receive any salary but shall be entitled to reimbursement for actual and necessary expenses incurred either in attendance at meetings of the Board or of other official business authorized by a resolution of the Board subject to existing laws on honoraria and allowances.

SEC. 9. The College shall be headed by a President to be elected by the Board and shall hold office for a term of six (6) years without reappointment unless he reaches the age of retirement or earlier removed for cause or becomes incapacitated to discharge the duties of the office.