

[BATAS PAMBANSA BLG. 401, June 10, 1983]

AN ACT ESTABLISHING THE CENTRAL VISAYAS POLYTECHNIC COLLEGE, DEFINING ITS POWERS, FUNCTIONS AND DUTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. *Establishment.*—There is hereby established in the Province of Negros Oriental, with a central site and administration office at Dumaguete City, a college which shall be known as the Central Visayas Polytechnic College, hereinafter referred to in this Act as College.

SEC. 2. *Conversion.*—The East Visayan School of Arts and Trades in Dumaguete City, the Guihulñgan Vocational High School in Guihulñgan, and the Bais School of Fisheries at Okiot, Bais City, all national schools, are hereby merged into one college to be known as the Central Visayas Polytechnic College. The Board of Trustees of the College is hereby authorized to effect its organization.

SEC. 3. *Purpose.*—The College shall primarily give professional and technical training in science and technology, and shall provide advanced and specialized instruction in literature, philosophy, arts and sciences, besides providing for the promotion of scientific and technological researches.

SEC. 4. *Powers of the College.*—The following are the powers of the College:

(a) It shall have the general powers as set forth in Section Thirty-six of Batas Pambansa Blg. 68. The exercise of its corporate powers is hereby vested exclusively in the Board of Trustees and in the President of the College insofar as authorized by the Board;

(b) It shall have the power to acquire public lands for its expansion and/or beneficial use; and to purchase equipment, laboratory and library facilities which are required to carry out its educational objectives. It shall offer undergraduate courses in liberal arts, engineering, fisheries, agriculture, and short-term vocational courses for development of middle level skills within the first five years from the approval of this Act; and may, at the discretion of the Board, offer graduate courses thereafter;

(c) It shall be authorized to undertake the construction of its buildings and other permanent improvements from such sums as may be necessary for the purpose, and included in the annual General Appropriations Act in the name of the East Visayan School of Arts and Trades, the Guihulñgan Vocational High School, and the Bais School of Fisheries: *Provided, That* the construction of its buildings and other

permanent improvements, as authorized in the Public Works Act of the Government, shall be undertaken by the College as herein provided, any provision of existing laws to the contrary notwithstanding.

SEC. 5. *The Governing Board; Manner of Appointment.*—(a) *Composition*—The governing body of the College is vested in a Board of Trustees which shall be composed of nine members, five of whom are regular members and four are *ex officio* members. The regular members must be Filipino citizens and residents of the Philippines, two of whom shall be well known educators in the Region, two shall be successful businessmen or professionals of the Region who have shown and are showing interest in the cause of education in the Region, and one shall be a successful alumnus of any of the schools to be incorporated with and integrated into the College, upon recommendation of its alumni association, and who will be replaced in due time, when available, by a successful alumnus of the College and upon recommendation of its alumni association when this shall have been organized. The four *ex officio* members shall be the Minister of Education, Culture and Sports who shall be the *ex officio* Chairman of the Board, the Regional Director of the Ministry of Education, Culture and Sports, Region VII, the Director, Bureau of Higher Education, Ministry of Education, Culture and Sports, and the President of the College.

The regular members of the Board of Trustees, who shall serve a term of four years, shall be appointed by the President of the Philippines. Of the five regular members of the Board to be first appointed as above provided, the President of the Philippines shall designate two to serve for two years, two to serve for three years, and one to serve for four years.

In the absence or inability of the Minister of Education, Culture and Sports the other Members of the Board shall elect from among themselves a temporary chairman who shall act as Chairman. In case of a vacancy in the regular membership of the Board, the President of the Philippines shall appoint a new member to serve for the unexpired term only.

No person in the employ of the College or any other educational institution in the Region, except the President of the College shall be eligible for membership in the Board.

The regular members of the Board shall each receive, for every board meeting attended, a per diem of one hundred pesos: *Provided*, That in no case shall the total amount received by each exceed the sum of three hundred pesos for any one month. Besides the per diem, they and the *ex officio* members, shall be reimbursed for actual and necessary expenses incurred in attendance upon meetings of the Board or upon performing other official business authorized by resolution of the Board, subject to existing budget laws on honoraria and allowances.

(b) *Quorum*—A quorum of the Board shall consist of a majority of all the members holding office at the time the meeting of the Board is called. All processes against the Board of Trustees shall be served on the chairman or secretary thereof.

(c) *Powers and Duties of the Board.*—The Board of Trustees shall have the folio-wing powers and duties in addition to its general powers of administration and the exercise of the powers of the corporation:

(1) To determine and fix the dates and time of their regular meetings, as well as special meetings as the need for the same may arise: *Provided*, That such meetings shall not be more than three times in any one month, nor less than one time in any one quarter;

(2) To recommend to the President of the Philippines candidates for the Presidency of the College who shall serve for a term of six years and who may be reappointed for another term not exceeding six years;

(3) To fix the compensation of the President of the College;

(4) To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the College;

(5) To receive in trust legacies, gifts, and donations of real and personal property of all kinds and to administer the same for the benefit of the College or of a department thereof, or for aid to any student or students in accordance with the desire of the donor, and/or in default thereof, in such manner as the Board may in its discretion determine; all such donations shall be exempt from the income tax of the donors; to import duty-free commodities for educational purposes as an exception to existing laws;

(6) To appoint, upon the recommendation of the President of the College, vice presidents, directors, deans, secretary of the College, treasurer, professors, lecturers, instructors, registrar, department heads, division chiefs, and other employees of the College from among the qualified personnel of the merged schools at the time this Act is approved. Only when there are no qualified personnel shall the Board recruit from the outside to fill vacancies;

(7) To fix the compensation and term of service of all personnel and such other duties and conditions as it may deem proper, subject to Presidential Decree No. 985 and other pertinent budget and compensation laws, rules and regulations;

(8) To approve the courses of study and rules of discipline drawn up by the College and fix the required tuition fees, matriculation fees, fees for laboratory courses, diploma fees, and all special and other fees; and to utilize the income derived therefrom for the maintenance of the College, together with the annual appropriation provided for in Section seventeen hereof;