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DATE : 04/10/92

TITLE : 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

TEXT :

H. No. 33909

Republic of the Philippines  
Congress of the Philippines  
Metro Manila

Fifth Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second  
day of July, nineteen hundred and ninety-one.

[REPUBLIC ACT. NO. 7371]

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 nondegree 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 specialmeeting 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.

In case of vacancy in the office of the President by reason of death, resignation, incapacity of the President to perform the functions of his office, or removal for cause, the Board shall have the authority to designate an officer-in-charge of the College pending the appointment of a successor. The new President shall hold office for the unexpired term but in no case shall his term be more than six (6) years subject to the provisions of the preceding paragraph.

The powers and duties of the President of the College, in addition to those specifically provided for in this Act, shall be those usually pertaining to the office of the president of similar colleges.

The salary of the President of the College shall be fixed by the Board and shall be comparable to that being received by presidents of similar educational institutions of like enrollment and standing.

SEC. 10. There shall be an Administrative Council consisting of the President of the College, as Chairman, the vice-president(s), deans, directors and other officials of equal rank whose duty is to implement the policies governing the administration, management and development planning of the College, as approved by the Board.

SEC. 11. There shall be an Academic Council with the President of the College, as Chairman, and all the members of the instructional staff with the rank of not lower than assistant professor, as members. The Academic Council shall have the power to prescribe curricular offerings subject to the approval of the Board. It shall fix the requirements for admission to the College, as well as for graduation and the

conferring of degrees, subject to review and/or approval by the Board through the President of the College. It shall also have disciplinary powers over the students through the President within the limits prescribed by the rules of discipline, as approved by the Board.

SEC. 12. There shall be a Secretary of the College who shall be appointed by the Board upon recommendation of the President of the College. He shall also be the Secretary of the Board and shall keep such records of the College as may be determined by the Board.

SEC. 13. The Treasurer of the Philippines shall be the ex officio Treasurer of the College.

SEC. 14. The members of the faculty of the College shall be exempt from any Civil Service examination or regulation as a requisite for appointment. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the College: Provided, however, That no member of the faculty shall teach for or against any particular church or religious sect.

SEC. 15. No student shall be denied admission to the College by reason of sex, nationality, religion, or political affiliation.

SEC. 16. The College shall enjoy academic freedom.

SEC. 17. The incumbent president of the Aklan Agricultural College if qualified under the rules and regulations of the Department of Education, Culture and Sports shall be the officer-in-charge of the College pending the appointment of the President.

SEC. 18. On or before the fifteenth day of the second month after the opening of regular classes each year, the Board shall file with the Office of the President of the Philippines through the Secretary of Education, Culture and Sports, and to both Houses of Congress, a detailed report on the progress, conditions and needs of the College.

SEC. 19. All the assets, fixed and movable, personnel and records of the Aklan Agricultural College, as well as its liabilities or obligations, are hereby transferred to the College: Provided, however, That the positions, rights, and security of tenure of personnel therein employed under existing laws Prior to absorption by the College are not impaired: Provided, further, That the incumbents of the positions shall remain in the same status until otherwise provided for by the Board. All parcels of land belonging to the Government occupied by the Aklan Agricultural College are hereby declared as the property of the Aklan State College of Agriculture and shall be titled under that name: Provided,

That, should the College cease to exist or be abolished or such parcels of land aforementioned be no longer needed by the College, the same shall revert to the Province of Aklan.

SEC. 20. All accounts and expenses of the College shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 21. The heads of bureaus and offices of the National Government are hereby authorized to loan or transfer, upon request of the President of the College, such apparatus, equipment or supplies as may be needed by the College, and to detail employees for duty therein when, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. Employees so detailed shall perform such duties as required of them by the President of the College, and the time so employed shall be counted as part of their regular services.

SEC. 22. It shall be a continuing policy of the College to accept the affiliation and/or integration within its operation of any existing national school whose programs can contribute largely and effectively to the attainment of its objectives: Provided, However, That, in case of integration, the Secretary of Education, Culture and Sports is hereby authorized to determine and approve the affiliation and/or integration of the specific existing national school. In such case, all funds, properties, and other assets, as well as obligations of the integrated school shall be transferred to the College.

SEC. 23. In addition to the current appropriations of the Aklan Agricultural College, the amount needed to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 24. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 25. This Act shall take effect upon its approval.

Approved,

MITRA

NEPTALI A. GONZALES  
President of the Senate

RAMON V.  
Speaker of the

House

of Representatives

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on May 16, 1991 and January 27, 1992, respectively.

ANACLETO D. BADOY, JR.  
Secretary of the Senate

CAMILO L. SABIO  
Secretary General  
House of Representatives

Approved: APR 10 1992

CORAZON C. AQUINO  
President of the Philippines