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MINUTES OF THE 58th BOR MEETING

13 July 2012

LNU Conference Room

Leyte Normal University

Tacloban City, Leyte

M - Alan
S - Tony
5 working days

6 **Regents Present:**

7 **Hon. Nenalyn P. Defensor** ✓ Chairperson-Designate
8 Commissioner, Commission of Higher Education

9 **Hon. Jose L. Bacusmo** ✓ Vice Chairman
10 President, Visayas State University

11 **Hon. Juan Edgardo "Sonny" Angara, Jr.** Member
12 Chairman, House Committee on Higher and Technical Education
13 House of Representatives

14 *Represented by Mr. Joseph L. Emnas* ✓

15 **Regent Bonifacio G. Uy** ✓ Member
16 Regional Executive Director
17 NEDA Regional Office VIII

18 **Regent Edgardo E. Tulin** ✓ Member
19 President, VSU Federated Alumni Association

20 **Regent Alan L. Presbitero** ✓ Member
21 President, VSU Federated Faculty Association

22 **Regent Wilfred P. Alfeche** ✓ Member
23 President, Federated University Supreme Student Council

24 **Regent Edwin C. Codilla** ✓ Member
25 Private Sector Representative

26 **Not Present:**

27 **Hon. Edgardo J. Angara** Member
28 Chairman, House Committee on Higher and Technical Education
29 House of Representatives

30 *Represented by Ms. Carmen L. Cari* ✓

31 **Regent Antonio G. Gerundio** ✓ Member
32 Regional Executive Director
33 Department of Agriculture Regional Office VIII

34 **Others Present:**

35 **Mr. Daniel M. Tudtud, Jr.** Board Secretary
36 Board Secretary V

37 **Mr. Ruel Capanzana** Executive Assistant
38 Executive Assistant
39 Office of Commissioner Nenalyn P. Defensor

40 **Ms. Vivian V. Balbarino** Information Officer
41 Information Officer II
42 Office of the Board Secretary

43 **Dr. Lilia P. Garcia** Regular Invitee
44 Regional Director
45 CHED Regional Office 8

1 I. ROLL CALL

2 The Hon. Chairperson of the VSU Board of Regents, Dr. Nenalyn P.
3 Defensor, inquired from the Board Secretary if there was already a quorum of
4 members present for the 58th VSU Board of Regents' Meeting.

5 The Board Secretary informed the Honorable Chairperson that there was
6 already a quorum of members present for the 58th BOR Meeting. Two (2) Regents
7 were not present for the meeting.

8 II. CALL TO ORDER

9 Chairperson Nenalyn P. Defensor declared a quorum and called the meeting to
10 order at 8:25 AM.

11 Chairperson Defensor led the Board to a short prayer to start the meeting.

12 After the short prayer, the Hon. Chair requested the Board to go over and
13 approve the Agenda for the 58th BOR Meeting.

14 **III. APPROVAL OF THE AGENDA**

15 Chairperson Defensor inquired from the President whether there were Other
16 Matters that he would like to include.

17 The Hon. Chair then requested for a motion to approve the Agenda for the 58th
18 BOR Meeting, as modified.

19 Dr. Alan L. Presbitero moved for the approval of the Agenda, as presented.

20 Regent Edgardo E. Tulin seconded the motion. No objections were raised.

21 The Chair declared the Agenda for the 58th BOR Meeting, adopted.

22 **58th BOR Meeting**
23 **CALENDAR OF BUSINESS**

24 I. PRELIMINARIES

25 **A. Call to Order**26 **B. Roll Call and Determination of Quorum**

27 **C. Approval of the Agenda for the 58th BOR Meeting**

28 **D. Reading and Approval of the Minutes of the Previous Meetings**

29 D1. 57th BOR Meeting (30 May 2012)

1 **E. Matters Arising from the Approved Minutes**

- 2 a) Matrix of Actions/Resolutions

3 **F. Chair's Privilege**

4 **G. President's Report**

5 **II. Calendar of Business**

6 **A. Unfinished Business**

- 7 1. University Professor Nominees/Applicants
- 8 2. Secondment Application of Dr. Nestor O. Gregorio to the University of
- 9 Queensland
- 10 3. Establishment of a Regional Climate Change R & D Center at VSU

11 **B. New Business**

12 1. **Matters for Approval by the Board**

- 13 a. Authority to Hire Private Geodetic Engineers for the Relocation
- 14 Survey of Lots Acquired by VSU
- 15 b. Request for Funds for the Attendance of Two Faculty Members to the
- 16 International Summer School at Hiroshima University
- 17 c. Request for Supplemental Budget Charged to Current Income for the
- 18 Year of the VSU Alangalang Campus for the Procurement of Various
- 19 Equipment and Fixtures to be Used in the AACCUP Accreditation in
- 20 the Amount of P200,000.00
- 21 d. Proposal to Increase the Registration Fee for Summer Recreation
- 22 Activities from P500.00 to P1,200.00 per Student/Clientele
- 23 e. Proposed University Library Handbook
- 24 f. Proposed Guidelines for the Production and Publication of Courseware
- 25 for the VSU Open University

26 2. **Matters for Confirmation by the Board**

- 27 a. Appointment of Some VSU Personnel to Some Designated
- 28 Administrative Positions

29 **C. Adjournment**

1 IV. READING AND APPROVAL OF THE MINUTES OF THE PREVIOUS
2 MEETING

Chairperson Nenalyn P. Defensor inquired if the Board would like to go through with the Reading of the Minutes or dispense with the reading, on account of the number of items to be taken up.

6 Regent Alan L. Presbitero moved for dispensing the reading of the Minutes of
7 the 57th BOR Meeting and moved for the approval of the same, *Subject to* corrections
8 *(including clerical errors)* and/or revisions and amendments submitted by the
9 members of the Board of Regents directly to the Office of the Board Secretary within
10 the next five (5) working days.

11 Regent Joseph L. Emnas seconded the motion.

12 There were no objections raised.

Chairperson Nenalyn P. Defensor declared the Minutes of the 57th BOR Meeting **APPROVED**, *pending* corrections/amendments submitted to the Board Secretary within the next five (5) working days.

16 The Board passed

17 **BOR RESOLUTION NO. 45, s. 2012**

18 Approving the Minutes of the 57th Board of Regents Meeting held at Patricio
19 Victoria, San Jose, Tacloban City last 30 May 2012 from 11:35 A.M. to 3:15
20 P.M., *Subject to* any corrections/ amendments to be submitted to the Board
21 Secretary within the next five (5) working days.

22 **V. MATTERS ARISING FROM THE APPROVED MINUTES**

23 1. University Professor Position (Page 5)

24 Regent Alan L. Presbitero inquired from the Vice-Chair of the Board of
25 Regents, President Jose L. Bacusmo, whether he is now occupying the position of
26 University Professor *in lieu* of the position of University President.

27 President Jose L. Bacusmo replied that he is now working on the papers
28 for University Professor so that he can use this position in lieu of University
29 President (level 4).

1 Chairperson Defensor inquired from President Bacusmo how old he was at
2 present.

3 The President replied that he is just 55 years old.

4 Chairperson Defensor commented that since the President will not yet
5 reach 65 years of age, which is the age of mandatory retirement, at the end of his
6 term. He then gets that professorial rank when he returns to the academe.
7 Chairperson Defensor mentioned that under President Bacusmo's stewardship of
8 the University, VSU is doing very well.

9 Regent Presbitero clarified that as of the moment, the President is still not
10 using the University Professor rank but rather the University President position.

11 2. Building Design of the New University Library (Page 6)

12 Regent Presbitero informed the Board that the University is facing an
13 acute lack of classrooms and yet, the construction of the new University Library
14 has been stalled. There is a need to fast-track the construction of this new library.

15 President Bacusmo replied that awarding of the building design was
16 completed, the University's Bids and Awards Committee failed to publish
17 national(ly) so the BAC had to reschedule this until after next week (*3rd week of*
18 *July 2012*).

19 Regent Presbitero mentioned that the faculty now have to work after 5PM
20 and some even up to 7PM because of the shortage of classrooms which is also a
21 consequence of having a lot of program offerings.

22 Chairperson Defensor instructed the President to get all these requirements
23 in order so that the construction of the new VSU Library can start. The Hon. Chair
24 also expressed her hope to visit the campus for the blessing of the new University
25 Library.

26 3. Complaint Lodged by the 3rd Year and 4th Year Vet Med Students

27 Regent Presbitero informed the Board that he does not know the nature of
28 the complaint lodged by the Vet Med students as he has not been given a copy of
29 the complaint.

1 The President suggested that he get a copy of the complaint from Dr.
2 Rolando H. Arpilleda since all the documents relative to the complain have been
3 passed on to the Committee headed by Dr. Arpilleda.

4 Regent Presbitero likewise commented that on a number of occasions
5 when he was in need of important documents, the Office of the University/Board
6 Secretary was unable to provide him the requested documents. The Faculty
7 Regent indicated that he was puzzled by this because many people in the
8 University expect the Office of the University/Board Secretary to be in possession
9 of these documents.

10 Chairperson Defensor indicated that to be fair (*to all*) important documents
11 must not be held by only one party.

12 The President suggested to the Faculty Regent that he make a formal
13 request for a copy of the complaint lodged by the Vet Med students from the
14 University Ombudsman who is handling the investigation.

15 The Hon. Chair suggested to the Faculty Regent that he write a short letter
16 request indicating that this was already agreed upon in the BOR meeting.

17 The Faculty Regent indicated that he would do this.

18 4. Policy/Procedure on Regularization/Promotion of Administrative Staff

19 Regent Presbitero requested information on how administrative personnel
20 get to become permanent employees and appealed that Administration conduct a
21 comprehensive review of the employment status particularly of those
22 administrative personnel who have been with the University for so long.

23 President Bacusmo replied that when the Promotion Policy was discussed
24 in the Board, Regent Go-Soco pointed out that seniority is not an integral part of
25 the promotion process and should not be included in the criteria.

26 The Faculty Regent mentioned the case of Mr. Pedro Alkuino, once
27 awarded as Most Outstanding Employee, but still a causal employee of the
28 PRCRTC even after so many years in service. So, in terms of performance, he is
29 alright.

1 The President replied that the University has guidelines related to
2 regularization and promotion of administrative employees and the guidelines have
3 to be followed. There are no exceptions.

4 The President also indicated that he will present in the next BOR meeting
5 the existing policies/guidelines governing regularization and promotion of
6 administrative employees.

7 Chairperson Defensor suggested that said policies/guidelines be coursed
8 through and approved by the Administrative Council before it is presented in the
9 Board.

10 President Bacusmo replied that these policies/guidelines are following the
11 prescribed CSC rules and regulations.

12 Regent Edwin C. Codilla inquired about the reason(s) why this person was
13 not given a regular position in the past administration.

14 The Board Secretary replied that one of the most common reason why
15 casual employees could not get regular positions was that they lacked the required
16 CSC eligibility required for the regular position.

17 Chairperson Defensor suggested that in fairness to all the casual
18 employees of the University, a list be prepared containing all the casual
19 employees and opposite their names, indicate whether or not they possess the
20 required eligibility. This list will be presented in the next BOR meeting.

21 5. Purchase of the Moro Lot

22 Chairperson Defensor read the comment, which read: "*The President was*
23 *advised to present a Matrix showing the benefits that would accrue to the*
24 *University and how the P5 million fund will be utilized*".

25 The Hon. Chair inquired whether the University Legal Counsel was
26 present so that he can explain the legal issues in this item.

27 The President replied that the University Legal Counsel, Atty. Rysan
28 Guinocor is present and willing to discuss the matter.

1 The Hon. Chair indicated that the Board will request for his presence in
2 due time. In the meantime, Chairperson Defensor inquired whether the investment
3 of said funds to long-term notes transpired during the President's current
4 administration.

5 President Bacusmo replied in the affirmative.

6 Chairperson Defensor continued reading the report of the Resident COA
7 Auditor that *"this is in violation of EO 338 and EO 431 and that the COA Auditor*
8 *is recommending that Management make the necessary representations with the*
9 *LBP to negotiate the pre-termination of the long-term investment considering that*
10 *this note is redeemable only after 10 years from date of placement. It is further*
11 *recommended that the utilization of this one should be done the soonest possible*
12 *time in compliance with the purpose for which this fund had been received;*
13 *otherwise, the same should be transferred to the National Treasury in adherence*
14 *to the mandates of EO 338 and EO 431"*.

15 The Hon. Chair inquired from the President whether the University has
16 made the necessary representations with the LBP? If it has done so already, what
17 was the response of the LBP.

18 The President replied that the University has already negotiated for the
19 pre-termination of the long-term note and the LBP will just wait for the final
20 action of the Board of Regents on this matter.

21 The President informed the Board that the P5.0 million is deposited in the
22 Land Bank of the Philippines (LBP) and is intended for land acquisition as
23 provided for in PD 1107. The Commission on Audit (COA) has advised
24 Management to utilize the money or return it to the National Treasury.

25 President Bacusmo explained that rather than return said funds to the
26 National Treasury, said funds will be utilized as follows:

- 1 P2.50 million - - for the purchase of new lot;
- 2 P0.50 million - for titling of the newly acquired lot as well as payment of
- 3 Capital Gains Tax (*BIR*), estate taxes on the lots that were
- 4 acquired in the past, and documentary stamps;
- 5 P1.15 million - for the relocation survey of VSU acquired lots;
- 6 P0.35 million - for the acquisition of materials needed for the relocation
- 7 survey like new monument markers; and
- 8 P0.50 million - for fencing of the acquired property.

9 Chairperson Defensor commented that after the explanation of the

10 President that the LBP is amenable to the pre-termination of the long-term funds

11 the Board now has to decide how the money will be spent given the restrictions

12 mentioned in the COA Auditor's recommendation.

13 The Faculty Regent pointed out that a very important phrase "*in*

14 *compliance for the purpose for which this fund had been received*" indicated in

15 the Auditor's recommendation should serve as guide to the Board in making its

16 decision. Those are the key words.

17 Regent Codilla suggested that maybe the COA should again be consulted

18 before the Board makes a decision on this.

19 President Bacusmo replied that the COA will not issue any comment

20 before the transaction is completed. It will only comment, whether there was a

21 mistake committed, after the fact.

22 Chairperson Defensor clarified that the President has already come up with

23 a plan on how to utilize this fund. What is not known, at this point, is whether it

24 will be passed in audit or disallowed by the COA. If any of the proposed

25 transactions is/are disallowed by the COA, the Board may be dragged into the

26 picture.

27 President Bacusmo mentioned that during the establishment of the

28 PRCRTC the national government provided some funds partly for land

1 acquisition, expansion in order to establish experiment stations for the new
2 Center.

3 Regent Codilla pointed out that the fund is intended for "land acquisition".

4 Regent Benjamin Uy suggested that the Board formally authorize the
5 University President to pre-terminate the funds deposited in the LBP. Regent Uy
6 further suggested that if the COA Auditor's recommendation does not have a
7 definite timeframe, maybe the money can be deposited in a Trust account in the
8 name of the University.

9 Regent Uy further suggested that Administration identify possible options
10 regarding the use of the said funds including the reason(s) and legal bases for such
11 have course of action (option) based on PD 1107 and finally make a
12 recommendation to the Board of Regents.

13 Chairperson Defensor was amenable to the suggestion of Regent Uy and
14 requested the President to come up with three (3) possible options on how to
15 spend the said funds and if possible, to consult with the COA Resident Auditor on
16 the best possible option. This is to assure that the money will be spend in
17 accordance with the prescriptions of PD 1107.

18 Regent Uy suggested that the report should contain all the necessary
19 information for each of the options. For example, the report should indicate the
20 area, the average costs, purchase price (if it will be purchased), and so on. Thus,
21 on the part of Administration, we are assured that there is documentary proof or
22 evidence that the recommendations underwent thorough evaluation so that the
23 Board of Regents will be able to come up with an intelligent decision.

24 Chairperson Defensor summarized what had to be done for presentation in
25 the next BOR meeting, as follows:

- 26 a. *that*, there must be papers showing that the long-term fund had been pre-terminated;
- 27 b. *that*, after the pre-termination, the said funds were "deposited" in a VSU Trust Fund;
- 28 c. *that*, the University Legal Counsel should prepare the (3) options which will conform
29 with the prescriptions of PD 1107.

1 6. Donation of Land (to the DepEd) in the External Campuses

2 Chairperson Defensor inquired what this was all about.

3 President Bacusmo requested the Legal Counsels of VSU (*Atty. Rysan C.*
4 *Guinocor*) and of the DepEd (*Atty. Rhoan L. Orebia*) to make the presentation.

5 Atty. Orebia explained to the Board that Dr. Paciencia P. Milan, then
6 President of VSU, and the DepEd Regional Office 8 signed a MOA “regarding the
7 transfer of the high school department of the VSU Isabel Campus to the DepEd
8 pursuant to the CHED law and on the General Appropriations Act (*GAA*)
9 integrating CHED Supervised Institutions (*CSIs*) with State Universities and
10 Colleges (*SUCs*)”.

11 Atty. Orebia likewise pointed out that Republic Act 8760 “*mandates that*
12 *all SUCs should effect the complete transfer of their high school departments to*
13 *the DepEd including: all personnel, budgetary allocation for PS and MOOE*
14 *inclusive of the properties.*” It was for this that in the 2008 MOA, there was a
15 provision “*for the transfer of 2 hectares of land to the DepEd for the*
16 *establishment of the high school (as in the case of the Tolosa Campus).*”

17 Chairperson Defensor inquired from the University Legal Counsel whether
18 the Board of Regents allowed the transfer of VSU land to the DepEd? Does the
19 University have, in its possession, a legal document covering the “transfer of land
20 ownership”.

21 Atty. Orebia pointed out that this transfer to the DepEd is “not an ordinary
22 transfer or disposal of property”. The reason for this is that “these properties were
23 acquired before and owned by the DepEd before the creation of TESDA and
24 CHED”.

25 Chairperson Defensor clarified that while there is no doubt that the
26 intention is noble, there is still a need to determine whether a simple document
27 such as like a MOA is sufficient, legally speaking, to effect this transfer.

28 Atty. Orebia indicated that the MOA was made pursuant to DECS Order
29 No. 68, s. 2000 and that the CHED and the DepEd jointly issued guidelines

1 sometime in September 2000 specifying how to implement Special Provision No.
2 9 of the SUCs Budget for FY 2000 as contained in the General Appropriations Act
3 of 2000 (R.A. 8760).

4 Chairperson Defensor inquired from the University Legal Counsel whether
5 the University is amply covered by law to effect this transfer by means of a MOA.
6 Or whether there is/are other legal document(s) that may be needed for this
7 purpose, carefully taking into consideration Paragraph 2 of Section 16 of the VSU
8 Charter which provides, that:

9 *“All parcels of land belonging to the government and occupied by the*
10 *Visayas State College of Agriculture are hereby declared to be the property of*
11 *the University and shall be titled under its name Provided, That should the*
12 *University cease to exist or be abolished or such other parcels of land*
13 *aforementioned be no longer needed by the University, the same shall revert*
14 *to the municipalities or cities where they are located”.*

15 Atty. Rysan C. Guinocor replied that the MOA alone is not enough.
16 Another document, a Deed of Donation, is required for this purpose. However, the
17 Deed of Donation should refer to the existing MOA executed between the DepEd
18 and the VSU.

19 The Hon. Chair suggested that the LGU (municipal/city) where the
20 campuses are located should also be included in the Deed of Donation. This new
21 document should also indicate that the Board of Regents does not object to the
22 transfer.

23 Regent Bonifacio G. Uy clarified the two (2) main issues raised by
24 Chairperson Defensor: (1) whether the University and the Board of Regents
25 authorized to donate or transfer lands; and (2) whether the MOA is sufficient to
26 cover the transfer, whatever the intention.

27 Regent Uy pointed out that a MOA *per se* is not sufficient to effect the
28 transfer of land. The more appropriate instruments that can be used in this case
29 could either be a Deed of Donation or a Usufruct Contract.

1 Regent Uy suggested that both Legal Counsels (DepEd and VSU) come up
2 with separate reports or Memorandum (addressed) to the Board of Regents
3 establishing the argument that the BOR may or may not transfer (said lands). The
4 Board needs to establish the legal bases before it can make a decision on the
5 matter.

6 Chairperson Defensor thanked Regent Uy for summarizing the issues. The
7 Hon. Chair suggested that both legal counsels prepare separate Memoranda as
8 suggested by Regent Uy. Both documents will be discussed in the 4th Quarter
9 BOR Meeting.

10 Atty. Guinocor commented that the present MOAs covering the four (4)
11 external campuses are almost the same, content wise. However, only the Isabel
12 Campus has signed a Deed of Donation for the transfer of land. Atty. Guinocor
13 suggested that an additional stipulation be included in the proposed Deed of
14 Donation, and that would be that "*such transferred land can only be used for*
15 *educational purposes*".

16 Chairperson Defensor directed the University Legal Counsel to prepare the
17 Deed of Donation including other stipulations such as that in the event that the
18 land will not be used for educational purposes it will revert back to VSU (*similar*
19 *to Section 16 of the VSU Charter*). The Hon. Chair requested Atty. Guinocor to
20 help guide the BOR what are the other steps that need to be taken to finally
21 transfer the lands.

22 Regent Codilla suggested that the comments of the Municipality/City be
23 also included.

24 Chairperson Defensor indicated that the suggestion of Regent Codilla be
25 included in the Deed of Donation. The Hon. Chair also requested the Board
26 Secretary to furnish Atty. Guinocor whatever BOR decisions made so that these
27 can also be taken into account. This would include the MOAs entered into by the
28 external campuses as well as the wordings contained therein especially the
29 stipulations indicated in Item No. 5 and Item No. 6.

1 Chairperson - Defensor requested Atty. Guinocor to make a
2 recommendation to the Board in time for the next BOR meeting so that the Office
3 of the Solicitor General (OSG) can send a representative to sit down with the
4 Board and give advice to the Board whether the recommendation is legally sound
5 and will stand scrutiny.

6 Chairperson Defensor took the opportunity to thank Atty. Rhoan L. Orebias
7 of the DepEd and Atty. Rysan C. Guinocor for their attendance in the Board of
8 Regents meeting.

9 **VI. CHAIR'S PRIVILEGE**

10 Chairperson Nenilyn P. Defensor shared with the Board the following
11 important developments:

- 12 1. *that*, the CHED now has a new Commissioner in the person of Dr. Maria Cynthia
13 Rose B. Bautista who took Office about a month ago;
- 14 2. *that*, the CHED Chairperson has announced that there will be a reshuffling of
15 assignments of SUCs among the Commissioners;
- 16 3. *that*, in the event that Region VIII will not be assigned to her, that this could be
17 the last meeting she will Chair;
- 18 4. *that*, in relation to this, she would like to thank all the members of the Board of
19 Regents of VSU for the support and for the pleasant conduct during the BOR
20 meetings;
- 21 5. *that*, she is personally very happy to have known and seen the very beautiful
22 campus of VSU;
- 23 6. *that*, VSU has been mentioned as one of the possible venues of a PCIERD
24 sponsored project for the Visayas involving teaching students how to come up
25 with experiments in science;
- 26 7. *that*, she is proud that VSU, despite being located far from highly populated areas,
27 has really made a name for itself;

- 1 8. *that*, VSU is now always on the “*radar screen of the CHED*” meaning that the
- 2 University has “arrived”;
- 3 9. *that*, the DBM informed the CHED of the availability of additional funds for
- 4 Capital Outlay for distribution to SUCs;
- 5 10. *that*, the DBM requested the CHED to come up with criteria for the distribution of
- 6 additional funds under the Disbursement Acceleration Program (DAP) of the
- 7 CHED specifically for capital outlay;
- 8 11. *that*, the CHED ranked all SUCs into two categories: “leading universities” and
- 9 “developing universities”;
- 10 12. *that*, for each of the categories, the SUCs were further classified as belonging to
- 11 either “Tier I” or Tier II”;
- 12 13. *that*, VSU was identified as part of the “leading universities – Tier I” and will be
- 13 receiving P17 million in additional Capital Outlay funds;
- 14 14. *that*, she would like to see the new University Library built and completed in the
- 15 soonest possible time as this would immeasurably improve the quality of
- 16 instruction in the University; and
- 17 15. *that*, she would like for VSU to put more effort to be included in the Asian
- 18 Ranking of Higher Education Institutions and mentioned the case of the
- 19 University of South-Eastern Philippines (USEP).

20 **VII. PRESIDENT’S REPORT**

21 President Jose L. Bacusmo informed the Board that instead of presenting a
22 Report, this time he would just like to present a few important developments as well
23 as the Schedule of Activities for the upcoming VSU Anniversary in August.

24 The highlights included:

- 25 1. the University received P35 million for research (*from PHERNET*);
- 26 2. the holding of a “Jackfruit F.I.E.S.T.A” (Farm and Industry Encounters through
- 27 Science and Technology Agenda) during the Anniversary; and

1 3. the holding of the 11th Visayas Coconut Festival with farmers and industry
2 representatives coming from Regions 6, 7 and 8 joining.

3 The President also commented that in the case of the USEP, they paid
4 US\$12,000 for the Qualifying Standards (QS) so that the USEP will be included in
5 the World and Asian Rankings. At present P/US\$ exchange rate, this amounts to
6 about P500,000.00.

7 The President took the opportunity to invite all the members of the Board to
8 come and join in the University Anniversary activities.

9 **VIII. UNFINISHED BUSINESS**

10 1. University Professor Nominees/Applicants

11 The Hon. Chair requested the University President to make a short
12 presentation regarding this matter.

13 President Bacusmo explained to the Board that there were two (2) faculty
14 members who have qualified and got accredited for the position of University
15 Professor as of 2012: Dr. Antonio Acedo and Dr. Edgardo E. Tulin.

16 The President indicated that the Academic Personnel Board (APB)
17 evaluated the applicants' documents and made a recommendation on this matter.
18 The APB recommendation was then presented to the University Administrative
19 Council (UADCO) and the UADCO approved the recommendation of the APB.

20 Regent Alan L. Presbitero requested that Regent Edgardo E. Tulin be
21 excused from the proceedings because he is one of the applicants for the said
22 position.

23 Regent Tulin took the opportunity to inform the Board that on account of
24 the fact that he would not be able to fully explain himself during the discussion,
25 that he like to present his *Curriculum Vitae* (CV) which is self explanatory.

26 Chairperson Defensor inquired if there was any objections.

1 Hearing none, the Hon. Chair requested Alumni Regent, Dr. Edgardo E.
2 Tulin to proceed to the other room until after the Board hears what the Faculty
3 Regent has to say on this issue.

4 Regent Presbitero informed the Board of Regents that he had in his
5 possession, some documents prepared by Dr. Antonio Acedo which should have
6 been distributed to all the members of the Board ahead of time.

7 Regent Presbitero indicated that in view of the issues raised by Dr. Acedo
8 in his position paper, *"he would like to register his objection on how the selection*
9 *was made conducted by the Academic Personnel Board (APB)"*.

10 The VSU Board of Regents, through Chairperson Defensor, pointed out to
11 the following important issues and tasks to be done:

- 12 a) *that*, the Board of Regents is not a Screening Committee;
- 13 b) *that*, the Board assumes that all the necessary steps have been undertaken prior
14 to its inclusion in the Agenda for this BOR meeting;
- 15 c) *that*, it should not be the Board of Regents that will look at the documents (*of*
16 *Dr. Acedo and Regent Tulin*) as well as the scoring (*of points*) as this is not the
17 job of the BOR but of the Academic Personnel Board (APB);
- 18 d) *that*, since the recommendation comes from the APB, the job of the Board is
19 to decide whether to approve the recommendation or not;
- 20 e) *that*, insofar as the letter of Dr. Acedo is concerned, the Faculty Regent is
21 directed to immediately bring this to the attention of the APB so that the APB
22 can provide an explanation *vis-à-vis* the contents of the documents;
- 23 f) *that*, the APB should provide a reply to the parties concerned regarding the
24 issue that have been raised and provide the Board of Regents a copy of their
25 explanation; and
- 26 g) *that*, Regent Tulin be likewise furnished a copy of the letter and documents
27 made by Dr. Acedo.

28 Chairperson Nenalyn P. Defensor directed President Bacusmo to see to it
29 that all these are complied with before the next BOR Meeting.

1 2. Secondment Application of Dr. Nestor O. Gregorio

2 The Hon. Chair requested the University President to make a short
3 presentation.

4 President Bacusmo explained that Dr. Gregorio will be implementing a big
5 project funded by the ACIAR involving VSU and the University of Queensland
6 (UQ). The Academic Personnel Board (APB) has recommended that Dr. Gregorio
7 be given the opportunity to be seconded to the UQ, even though such a
8 recommendation will violate two provisions of the Secondment Guidelines of the
9 University which was approved by the Board, namely:

- 10 a) Faculty/staff going on secondment should have a permanent appointment; and
11 b) Upon return from studies, should serve the University for at least one year.

12 The President stressed that the APB decided that the case of Dr. Gregorio
13 be treated as an exception to the rule primarily on the strength of the big research
14 project that he is handling right now. This is the balancing act now presented
15 before the Board as it makes a decision on the matter.

16 Chairperson Defensor inquired whether the invitation made by the
17 University of Queensland was on his personal capacity or was it extended to
18 VSU?

19 The President replied that the invitation was made directly to Dr. Gregorio
20 in his personal capacity.

21 The Hon. Chair indicated that the Board is not prohibiting Dr. Gregorio
22 from this undertaking as it may stall his professional advancement. However, on
23 account of the violations to existing Guidelines, which may later on affect many
24 others, the Board disapproves the request of Dr. Nestor O. Gregorio for
25 Secondment to the University of Queensland. It may be best that Dr. Gregorio be
26 hired by the University of Queensland but not on Secondment basis.

27 Chairperson Defensor inquired if there were any objections on this matter.

28 There were no objections raised.

1 3. Establishment of a Regional Climate Change R & D Center at VSU

2 The Hon. Chair requested deferment of this item as this is still under study
3 by the CHED Central Office.

4 IX. NEW BUSINESS

5 A. Matters for Approval by the Board

6 1. Authority to Hire Private Geodetic Engineers for the Relocation Survey of
7 Lots Acquired by VSU

8 Chairperson Defensor requested the President to make a short
9 presentation on this matter.

10 President Bacusmo informed the Board that the University would like
11 to identify and consolidate its land holdings and the first step in this direction
12 would require a relocation survey of the lots that the University has acquired
13 over the years since it was established. To be able to do this, the University
14 intends to hire a private geodetic engineer to undertake the relocation survey.
15 Funds for this purpose can be sourced from the P5 million fund for acquisition
16 of lots under PD 1107 or from University income.

17 President Bacusmo then requested authority from the Board of Regents
18 to hire private geodetic engineers to conduct the relocation survey of VSU
19 acquired lots.

20 Chairperson Nenalyn P. Defensor indicated that this should be subject
21 to RA 9184 and its IRR and inquired if there were any questions and/or
22 objections to the request of the President. Hearing none, the Hon. Chair
23 requested for a motion to approve.

24 President Jose L. Bacusmo moved for the approval of the request and
25 give the University President the authority to hire private geodetic engineers to
26 conduct the relocation survey of VSU acquired lots.

27 Regent Edwin C. Codilla seconded the motion.

28 The Board passed

BOR RESOLUTION NO. 46, s. 2012

A Resolution granting authority to the University President to hire private geodetic engineers to conduct the relocation survey of VSU acquired lots *Provided, That it should conform to the requirements set in RA 9184 and its IRR.*

2. *Request for Funds for the Attendance of Two Faculty Members to the International Summer School at Hiroshima University*

The Hon. Chairperson requested the President to make a quick presentation.

The President informed the Board that two faculty members have been selected to attend the International Summer School at Hiroshima University (HU). HU will take care of their board and lodging while they are attending the International Summer School. VSU, however, has to pay for the local and international travel to Hiroshima University.

Chairperson Defensor inquired whether this is part of the faculty development program of VSU and if the University has money for this purpose.

President Bacusmo replied that this is still part of faculty development even if though this is non-degree and that the University has some funds to defray the travel cost of the two faculty to Hiroshima, Japan and back.

The Hon. Chair inquired if there were any questions or objections.

There were no objections raised.

Regent Alan L. Presbitero moved for the approval of the request for funds to cover the attendance of two faculty members to the International Summer School at Hiroshima University Japan, as presented.

President Jose L. Bacusmo seconded the motion.

Chairperson Nenealyn P. Defensor suggested that the following colatilla be included: "*Provided, That it conforms to the usual COA Rules and Regulations as well as DBM Rules and Executive Orders on Foreign Travel*".

The Board passed

BOR RESOLUTION NO. 47, s. 2012

A Resolution approving the request for funds to cover the attendance of two faculty members to the International Summer School at Hiroshima University Japan, as presented *Provided*, That it conforms to the existing Executive Order governing Foreign Travel and the usual COA and DBM Rules and Regulations.

3. Proposal to Increase the Registration Fee for Summer Recreation Activities from P500.00 to P1,200.00 per Student/Clientele

Chairperson Defensor requested the President to make a short presentation.

The President informed the Board that the University's Institute of Human Kinetics (IHK) has been offering varied summer recreational activities to the general public over the past two decades and this is not part of the academic program of the University. This was done mainly to cater to the clamor by parents (who are also VSU employees) for the offering of some summer activities for their children.

Regent Presbitero inquired the fee increase is more than 100%.

The President replied that the pay of the instructors handling the different summer activities have to be increased to conform to present day standards. Further, the IHK has proposed a sharing scheme of 60:20:20 meaning that 60% goes to the instructor, 20% goes to the IHK Trust Fund and 20% goes to VSU.

Chairperson Defensor suggested that maybe for the moment, the increase be lowered to P1,000.00 instead of the proposed P1,200.00.

The President indicated that he was amenable to the suggestion.

Hon. Nenalyn P. Defensor inquired if there were any questions or objections. There were no objections raised.

President Jose L. Bacusmo moved for the approval of the new Registration Fee – P1,000 for 24 hours of activity - for Summer Recreation Activities offered by the Institute of Human Kinetics, effective Summer 2013.

Regent Edgardo E. Tulin seconded the motion.

1 The Board passed

2 **BOR RESOLUTION NO. 48, s. 2012**

3 **A Resolution approving the proposal to increase the Registration**
4 **Fee for Summer Recreational activities offered by the Institute of Human**
5 **Kinetics (IHK) to P1,000.00 per student/client, effective Summer 2013**
6 **Subject to the 60:20:20 sharing arrangement.**

7 4. Proposed University Library Handbook

8 The Hon. Chairperson inquired if there were any questions or
9 objections on the proposed University Library Handbook.

10 Regent Presbitero inquired whether the statement: "The Handbook also
11 includes general information and other services available to you as you use the
12 library", which is found in the Foreword, was grammatically correct. Regent
13 Presbitero suggested that instead of writing: "you as you use the library", that
14 this be changed to: "users" such that the phrase now reads: "*The Handbook*
15 *also includes general information and other services available to Users*".

16 Chairperson Defensor was amenable to the suggestion of Regent
17 Presbitero.

18 There were no other suggestions, questions or objections raised.

19 President Jose L. Bacusmo moved for the approval of the proposed
20 University Library Handbook, as corrected.

21 Regent Alan L. Presbitero seconded the motion.

22 The Board passed

23 **BOR RESOLUTION NO. 49, s. 2012**

24 **A Resolution approving the proposed University Library**
25 **Handbook, as corrected.**

26 5. Proposed Guidelines for the Production and Publication of Courseware for the
27 VSU Open University

28 The Hon. Chairperson inquired if there were any questions or
29 objections on the proposed Guidelines.

30 There were no objections raised.

1 President Jose L. Bacusmo moved for the approval of the proposed
2 Guidelines on the Production and Publication of Courseware for the VSU
3 Open University, as proposed.

4 Regent Alan L. Presbitero seconded the motion.

5 The Board passed

6 **BOR RESOLUTION NO. 50, s. 2012**

7 **A Resolution approving the Guidelines on the Production and**
8 **Publication of Courseware for the VSU Open University, as presented.**

9 ***B. Matters for Confirmation by the Board***

10 1. Appointment of Some VSU Personnel to Designated Administrative Positions

11 Chairperson Defensor inquired if there were any questions or
12 objections on the appointments.

13 Regent Presbitero commented that prior to such designations, the
14 workload of the faculty should be taken into account so as not to jeopardize
15 the services rendered to their respective departments/units.

16 No other objections were raised.

17 President Jose L. Bacusmo moved for the confirmation of the
18 appointments of some VSU personnel to designated administrative positions,
19 as presented.

20 Regent Alan L. Presbitero seconded the motion.

21 The Board passed

22 **BOR RESOLUTION NO. 51, s. 2012**

23 **A Resolution approving the appointments of some VSU personnel**
24 **to designated administrative positions, as presented.**

25 **X. ADJOURNMENT**

26 After all items were discussed, Chairperson Nenalyn P. Defensor thanked
27 everybody for their presence and requested for a motion to adjourn.

28 President Jose L. Bacusmo moved for the adjournment of the 58th Board of
29 Regents meeting of the Visayas State University.

1 Regent Bonifacio G. Uy seconded the motion.

2 The 58th Board of Regents (BOR) Meeting of the Visayas State University was
3 adjourned at 11:09 A.M.

4 Certified True and Correct

5 
6 **DANIEL M. TUDTUD, JR.**
Board Secretary

7 Attested:

8 **NENALYN P. DEFENSOR**
9 *Chairperson*



VISAYAS STATE UNIVERSITY
Visca, City of Baybay, Leyte

58th BOR Meeting
13 July 2012
LNU, Tacloban City

MATRIX OF ACTIONS

Issue/Item Deliberated	Board Discussion	Assignment/Board Action
Matters Arising from the Approved 57th BOR Minutes of Meeting, dated 30 May 2012		
Complaint Letter Lodged by 2 nd Year and 4 th Year Vet Med Students	<ul style="list-style-type: none">• The Faculty Regent requested that he be furnished a copy of the complaint lodged by the students so that the faculty association can also investigate the complaint.• President Bacusmo informed the Board that the documents were already forwarded to the Ombudsman for the Visayas.	<ul style="list-style-type: none">• The Faculty Regent was advised to write a letter to the Office of the President requesting a copy of the complaint lodged by the VetMed Students.
Issues Related to Renewal of Casual and Contractual Employees	<ul style="list-style-type: none">• The Faculty Regent requested the VSU Administration to conduct a comprehensive review of the employment status of casual and contractual employees who have been in the service.	<ul style="list-style-type: none">• The President was advised to prepare a list of all Casual and Contractual Workers including VSU's existing hiring policy and present these in the next Board Meeting.

Issue/Item Deliberated	Board Discussion	Assignment/Board Action
<p>Purchase of Moro Lot:</p> <p><u>The 5 Million for Land Acquisition Based on PD 1107</u></p>	<ul style="list-style-type: none"> Pres. Bacusmo presented to the Board on how the 5 million fund will be utilized. <ul style="list-style-type: none"> 2.5 M - for the purchase of new lot 0.5 M - for titling and BIR Capital gain taxes, state taxes of the lands that the university have acquired in the past, tax and documentary stamp 1.150M - Relocation survey of VSU lots 350,000 - Fencing of acquired property Pres. Bacusmo informed the Board about COA Auditor's recommendation: <i>To make representations with Land Bank of the Philippines to negotiate for the Pre-Termination of the Long Term Investment considering that this note is redeemable only after 10 years from date of placement.</i> 	<ul style="list-style-type: none"> The President was requested to provide the Board a copy of PD 1107 The Board authorizes the President to pre-terminate the contract with LandBank. The Board requested Pres. Bacusmo and the University Legal Counsel to identify at least three possible options on the usage of the funds and recommendations based on PD 1107. The Board suggested that the report should contain all the necessary information to select the particular options. Papers about the Pre-termination of the Contract with the Landbank will be presented in the next BOR Meeting.
<p>Donation of Lands in the External Campuses</p>	<ul style="list-style-type: none"> The two Legal Counsels from VSU and DEPED were asked if VSU and the Board are authorize to donate or transfer to DEPED government land. Is the MOA executed between VSU and DEPED Regional Office sufficient to cover the transfer of ownership. <ul style="list-style-type: none"> If the intention of VSU and DEPED is to transfer, it should be covered with appropriate instrument. And that could be a Contract for the Agreement on Usufructuary or a Deed of Donation. <u>Usufruct</u> is used if the intent is "transfer of administration over the area"; while <u>Deed of Donation</u> is used if the intent is "transfer ownership". In MOA under <i>Obligation of the Second Party</i>, Provision No. 2, numbers 5 and 6 are conflicting. Because number 5 uses the word <u>CONTRACT OF USUFRUCT</u>. While in number 6 is <u>WITHIN THE DONATED LAND</u>. 	<ul style="list-style-type: none"> The two Legal Counsels were directed to: <ul style="list-style-type: none"> study the MOA signed by VSU & DEPED Regional Office and make recommendations for the Board to consider. come up with appropriate documents to be signed by CHED, DEPED and the Board. suggest/come up with the steps to be taken for the transfer of ownership. Office of Commissioner Defensor will request the Office of the Solicitor General to sit down with the VSU Board in the next Board meeting.

Issue/Item Deliberated	Board Discussion	Assignment/Board Action
New Business		
University Professor Nominees/Applicants	<ul style="list-style-type: none"> • The Faculty Regent informed the Board that there were two qualified faculty for the said position: Dr. Antonio Acedo and Dr. Edgardo Tulin. • The Faculty Regent questioned the steps in which the screening committee or the Academic Personnel Board (APB) did during the selection process. • He further explained that for judicious decision making the Board's decision should be based on documents. • Chairperson Defensor commented that it is not the job of the Board who will be looking at these documents, putting in the scores, the points, etc. 	<ul style="list-style-type: none"> • The Board directed the Faculty Regent to do the following: <ul style="list-style-type: none"> - Bring the letter of Dr. Acedo to the screening committee or the APB. And let the APB answer it. - to put in writing that he is opposing on the APB's recommendation, recommending Dr. Tulin for the University Professor position. • The Academic Personnel Board should restudy the position papers prepared by the two applicants and come up with a decision for the Board of Regents to decide upon. • And the position papers should be furnished to all sides.
Secondment Application of Dr. Nestor Gregorio	<ul style="list-style-type: none"> • President Bacusmo explained the following to the Board: <ul style="list-style-type: none"> - the Academic Personnel Board (APB) recommended that Dr. Gregorio be granted the secondment. - That two provisions of the University's Secondment Guidelines will be violated: <i>1. Those who will be allowed to be seconded should have permanent appointment; 2. Upon his return from study – he should serve at least one year...</i> 	<ul style="list-style-type: none"> • The Board directed Dr. Bacusmo to inform Dr. Gregorio that the Board has no objection to his request for leave but it cannot be secondment because it violates some provisions of the university's secondment guidelines.
Establishment of Climate Change Center	<ul style="list-style-type: none"> • The Chairperson Defensor a deferment on this matter since Dr. Jean Tayag has started reviewing the proposal. 	



VISAYAS STATE UNIVERSITY
Visca, City of Baybay, Leyte

58th BOR Meeting
13 July 2012
LNU, Tacloban City

MATRIX OF BOARD RESOLUTIONS

Issue/Item Deliberated	Board Discussion	Board Resolution No.
Authority to Hire Private Geodetic Engineers for the Relocation Survey of VSU Main Campus Acquired Lots	<ul style="list-style-type: none"> The Board had no objection on this issue. 	<ul style="list-style-type: none"> The Board passed BOR Resolution No. 46, s. 2012 <i>Approving the Request to Hire Private Geodetic Engineers for the Relocation Survey of VSU Main Campus Acquired lots subject to existing rules, regulations and guidelines on this matter.</i>
Proposal to Send Two (2) faculty to attend the 5th International Summer School at Hiroshima University, Japan	<ul style="list-style-type: none"> The Board had no objection on this issue. 	<ul style="list-style-type: none"> The Board passed BOR Resolution No. 47, s. 2012 <i>Approving the Proposal to send two (2) VSU faculty to attend the 5th International Summer School at Hiroshima University, Japan scheduled on 22-27 August 2012 including attendant costs of travel in the amount of not more than P60,000.00 per person sourced from faculty development funds subject to existing rules, regulations and guidelines on foreign travel by government personnel.</i>

Issue/Item Deliberated	Board Discussion	Board Resolution No.
Proposal to Increase the registration Fee for Summer Recreational Activities Offered by IHK, VSU Main Campus	<ul style="list-style-type: none"> The Board had no objection on this issue. 	<ul style="list-style-type: none"> The Board passed BOR Resolution No. 48, s. 2012 <i>Approving the proposal to increase the registration fee for Summer recreational Activities offered by IHK, VSU Main Campus subject to existing rules, regulations and guidelines on this matter.</i>
Proposed Handbook of the University Library, VSU Main Campus	<ul style="list-style-type: none"> The Board had no objection on this issue. 	<ul style="list-style-type: none"> The Board passed BOR Resolution No. 49, s. 2012 <i>Approving the Proposed Handbook of the University Library, VSU Main Campus.</i>
Proposed Guidelines for the Preparation, Production and Publication (PPP) of Courseware for the VSU Open University	<ul style="list-style-type: none"> The Board had no objection on this issue. 	<ul style="list-style-type: none"> The Board passed BOR Resolution No. 50, s. 2012 <i>Approving the Proposed Guidelines for the Preparation, Production and Publication (PPP) of Courseware for the VSU Open University.</i>
Appointment of Some VSU Personnel to Some Designated Administrative Positions	<ul style="list-style-type: none"> The Board had no objection on this issue. 	<ul style="list-style-type: none"> The Board passed BOR Resolution No. 51, s. 2012 <i>Approving the Appointment of Some VSU Personnel to Some Designated Administrative Positions.</i>