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MINUTES OF THE 17th BOR MEETING
25 June 2004
Leyte Normal University Conference Room
Tacloban City, Leyte

Present:

- Hon. Carlito S. Puno** Chairman
Acting Chairperson, CHED
- Hon. Paciencia P. Milan** Vice Chairman
President, Leyte State University
- Hon. Juan L. Flavier** Member
Represented by Regent Rodolfo T. Lloren
Chairman, Senate Committee on Education, Arts & Culture
Senate of the Philippines
- Regent Leo P. Cañeda** Member
Regional Executive Director
Department of Agriculture Regional Office VIII
- Regent Buenaventura C. Go-Soco Jr.** Member
Regional Executive Director
NEDA Regional Office VIII
- Regent Buenaventura B. Dargantes** Member
Represented by Hon. Rolando H. Arpilleda
President, LSU Faculty Association
- Regent Guindolino R. Gerona** Member
Represented by Hon. Efren B. Saz
President, ViSCA Alumni Association
- Hon. Rolando Pabio** Member
Student Representative and
Vice-President, University Supreme Student Council
- Regent Jose V. Mazo** Member
Private Sector Representative
- Regent Rebecca V. Barbusa** Member
Private Sector Representative
- Prof. Daniel M. Tudtud, Jr.** Board Secretary
Board Secretary

Not Present:

- Hon. Harlin Cast. Abayon** Member
Represented by Regent Rolet M. Palacio
Chairman, House Committee on Higher and Technical Education
House of Representatives

1 **I. ROLL CALL**

2 The Chairman of the LSU Board of Regents, Dr. Carlito S. Puno requested
3 Prof. Daniel M. Tudtud, Jr., the Board Secretary, to make a roll call of members of
4 the LSU Board of Regents present in the meeting.

5 The Board Secretary then called the roll of members. Dr. Rolet M. Palacio,
6 the official representative of Cong. Harlin Cast. Abayon, Chairman of the House
7 Committee on Higher and Technical Education, was not in attendance. All the
8 other members of the LSU Board of Regents were present for the 17th Board of
9 Regents meeting.

10 **II. CALL TO ORDER**

11 Commissioner Carlito S. Puno, Chairman of the Leyte State University
12 (LSU) Board of Regents, declared a quorum and called the meeting to order at
13 10:00 a.m.

14 **III. APPROVAL OF THE AGENDA**

15 Chairman Puno directed the members of the Board to look at the Agenda
16 for this Board of Regents meeting and inquired if there were any other items that
17 need to be calendared.

18 President Paciencia P. Milan requested that the following items be included
19 under Other Matters, in this BOR Meeting: (1) Request of Dr. Roberto C. Guarte
20 to go on Sabbatical Leave effective 01 July 2004; (2) Change in the date of the
21 Academic Convocation; and (c) Announcements for the upcoming LSU
22 Anniversary in August.

23

Calendar of Business

A. Unfinished Business

1. Reply of LSU Administration to COA for the Notice of Disallowance
2. Request of Dr. Palaña for Change of Records with the CSC Central Office
3. Formal Charge Against Dr. Palaña
4. Guidelines Governing the Availing of Tuition Fee Exemption Privilege by
LSU Faculty and Staff
5. NSTP Fee: A Review

B. New Business

1. Academic Matters

a. Candidates for Graduation, Summer 2004

1) Main Campus

2) Alang-alang Campus

b. Proposal to Revise the Three Major Courses in the BS Education major in Physical Education, Health, Music and Arts (PHEMA) Curriculum

c. Proposal to Offer BS Industrial Engineering (BSIE) at the Isabel Campus

2. Administrative Matters

a. Appointment of Some LSU Personnel to Designated Positions

b. Change of Employment Status of Ms. Rufina F. Capuno from Lumpsum to Regular Plantilla Item

c. Use of Income

1) Main Campus

2) Alang-alang Campus

d. Request of LSU-Isabel Campus Dean for Authority to Continue Collection of Computerization Fee of P1,200.00 per Student/Semester

e. Request of PIDS for Extension of Secondment of Dr. Eliseo R. Ponce

f. Letter of USec. Charito R. Elegir on the Request of Rev. Edgar dela Torre for use of LSU Facilities

1 g. Proposal to Limit the Enrolment of the Civic Welfare Training Service
2 (CWTS)

3 h. Revised Guidelines in Profit Sharing as Defined in Chapter VI of the
4 Manual of Operations for Income Generating Projects of SUCs.

5 C. Other Matters

6 1. Request of Dr. Roberto C. Guarte to go on Sabbatical Leave effective 01
7 July 2004

8 2. Change in the date of the Academic Convocation.

9 3. Announcements for the upcoming LSU Anniversary in August.

10 D. Adjournment

11 Chairman Puno requested for a motion to adopt the Agenda. Regent Leo
12 P. Cañeda moved for the adoption of the Agenda, as modified. Regent Rodolfo T.
13 Lloren seconded the motion.

14 Hearing no objections from the floor, the Chairman declared the Agenda,
15 adopted.

16 **IV. CHAIR'S PRIVILEGE**

17 Chairman Carlito S. Puno informed the Board that the CHED Chairman,
18 Dr. Rolando R. Dizon, left for the United States of America to undergo surgical
19 operation for cancer of the colon. The operation is scheduled on 29 June 2004 and
20 has filed a four (4) month Leave of Absence. In his absence, the Office of the
21 President has appointed him as Acting CHED Chairman and Chairman of the LSU
22 Board of Regents until the 31 September 2004.

23 Chairman Puno informed the body that on 29 June 2004, that the 30 SUCs
24 under his Chairmanship will be signing a Memorandum of Agreement (MOA) with
25 the Management Academy of the Philippines (MAP) for the purpose of making an
26 academe-industry partnership to facilitate private sector investments in viable
27 research outputs of SUCs. One of the main causes for the non-commercialization
28 of research outputs is lack of resources This could be the answer.

1 Chairman Puno cited as an example the ubi research conducted at the Leyte
2 State University. This has to be disseminated since so many farmers and
3 entrepreneurs in Region III are interested to undertake commercial-scale planting
4 of ubi. What we need are the funds for the rapid propagation of ubi planting
5 materials to be able to commercialize on this technology.

6 Chairman Puno also narrated the CLSU-NORMISIST partnership for
7 helping the moribund fishpond industry in Agusan.

8 Chairman Puno emphasized that SUCs “should be in the forefront of
9 providing leadership in our area of specialization”. This will be his main focus of
10 his keynote speech which he will deliver in the coming PASUC Mid-Year
11 Conference in Iloilo.

12 **V. APPROVAL/CONFIRMATION OF THE MINUTES OF THE PREVIOUS**
13 **MEETING**

14 Chairman Carlito S. Puno requested the members of the Board to go over
15 the minutes of the 15th BOR Meeting, dated 16 March 2004. The following
16 corrections were made:

- 17 1. page 10, line 4 - replace “12” with “15”.

18 After making sure that there were no more corrections to the minutes of
19 the 14th Board of Regents’ Meeting, Chairman Puno requested for a motion to
20 approve the said Minutes, as corrected.

21 Regent Leo P. Cañeda moved for the approval of the Minutes, as
22 corrected. Regent Rebecca V. Barbusa seconded the motion and the Board passed

23 **BOR RESOLUTION NO. 42, s. 2004**

24 **Approving the Minutes of the 15th Board of Regents Meeting held at**
25 **the Leyte Normal University Conference Room, Tacloban City, Leyte on 16**
26 **March 2004 from 2:00 p.m. to 5:50 p.m., as corrected.**
27

28 Chairman Carlito S. Puno then requested the members of the Board to go
29 over the minutes of the 16th BOR Meeting, dated 05 May 2004.

After ascertaining that there were no corrections to the minutes of the 16th Board of Regents' Meeting, Chairman Puno requested for a motion to approve the Minutes, as presented.

Regent Leo P. Cañeda moved for the approval of the Minutes, as corrected. Regent Rebecca V. Barbusa seconded the motion and the Board passed

BOR RESOLUTION NO. 43, s. 2004

Approving the Minutes of the 16th Board of Regents Meeting held at the Leyte Normal University Conference Room, Tacloban City, Leyte on 16 March 2004 from 10:15 a.m. to 11:10 a.m., as presented.

VI. PRESIDENT'S REPORT

President Paciencia P. Milan took the opportunity to introduce to the body the University's Legal Counsel in the person of Atty. Gloriosa Cayunda-Guinocor who was in attendance in this Special Board Meeting.

President Milan informed the body of the highlights of events in the last two months. First, that Chairman Carlito S. Puno visited the University last April.

Second, that the International Center for Research in Agro-Forestry (ICRAF) has reestablished linkage with the University with the revitalization of their office.

Third, the University was host to National Conference of the Environmental Education Network of the Philippines (EENP) last April which resulted to the formation of the Regional Environmental Education Network among SUCs in the Regions.

Lastly, the Vice-President of Daimler-Chrysler and the German Ambassador to the Philippines visited the University to follow-up on the German funded project with the University on the Use of Abaca Fibers in the Automotive Industry and the transmitter donated by the Deutsche Welle Radio Training Center to DYAC.

1 VII. CALENDAR OF BUSINESS

2 A. UNFINISHED BUSINESS

3 1. Reply of LSU Administration to the Commission on Audit for Notice
4 of Disallowance
5

6 President Milan presented to the Board the reply of the LSU
7 Administration to the COA on the issue of Disallowance for the additional
8 honoraria given to the BOR members in 2002.

9 Chairman Carlito S. Puno inquired if this has already been filed with
10 the COA?

11 President Milan replied that this is for the information of the Board.
12 If the Board does not have anything to add, then this will be filed
13 immediately with the COA Regional Office.

14 2. Request of Dr. Celedonia De Asis Palaña for Change of Records with
15 the Civil Service Commission, Central Office
16

17 President Milan informed the Board that the Civil Service
18 Commission has already denied with finality the request of Dr. Palaña for a
19 change in her date of birth with the issuance of CSC Resolution No.
20 040621 dated 01 June 2004. Because of this, Dr. Palaña retired from
21 government service effective March 5, 2004.

22 3. Formal Charge Against Dr. Celedonia De Asis Palaña
23

24 President Milan requested guidance from the Board relative to the
25 Formal Charges already filed against Dr. Palaña considering that Dr. Palaña
26 has already retired for government service on account of the adverse CSC
27 decision on her request for a change in her date of birth.

28 Regent Buenaventura Go-Soco, Jr. commented that inasmuch as
29 Dr. Palaña has already retired from government service, maybe it would be
30 possible for the case to "die a natural death."

1 President Milan inquired if the Board and the administration would
2 not be liable for negligence.

3 Chairman Puno requested an opinion from the University's Legal
4 Counsel on the matter.

5 Atty. Gloriosa Cayunda-Guinocor commented that because Dr.
6 Palaña has already been served the Formal Charge, then the University has
7 no choice but to continue litigating it until all the "facts" in each of the five
8 (5) cases already filed are found to be true or untrue.

9 **4. Guidelines Governing the Availing of Tuition Fee Exemption Privilege**
10 **by LSU Faculty and Staff**

Probi - 2 make a study & proposal for next mtg.

11 President Milan informed the Board that during the incumbency of
12 Dr. Ester A. Garcia as BOR Chairperson, the Board provisionally approved
13 the new guidelines. The BOR, at that time, also required a refinement of
14 the courses that will be exempted under the new guidelines. However,
15 during the 14th BOR Meeting on 02 December 2003 at the CHED Central
16 Office, the BOR deferred final action on the guidelines pending a legal
17 opinion by the University's Legal Counsel of the legal issues involved
18 including possible morale problems that may affect the University's
19 employees.
20

21 Chairman Puno then requested the university Legal Counsel to
22 present the results of her study.

23 Atty. Guinocor enumerated four (4) critical issues in her legal brief,
24 as follows:

- 25 1. *Whether or not the new guidelines will remove a benefit already*
26 *enjoyed by LSU faculty and employees;*
27 2. *Whether or not the benefit of "free-tuition" on any course was*
28 *promised to LSU faculty and employees when they were recruited and*
29 *what about those who were not recruited;*

- 1 3. *Whether or not the new guidelines will cause any legal problems to the*
2 *University; and*
3 4. *Whether or not the new guidelines will cause morale problems among*
4 *faculty and staff of the University.*

5 On the first issue, Atty. Guinocor opined that there is no removal of
6 benefit. What is being done is simply a modification or clarification of the
7 benefit of what is covered by the tuition fee exemption.

8 On the second issue, Atty. Guinocor surmised that those who were
9 recruited in the early days of ViSCA may have been given some assurance
10 to this effect. However, majority of the faculty and staff were not recruited
11 since most have actually applied for employment with ViSCA then and
12 LSU now. In the ViSCA Code, Section 224 specifically mentions Student
13 Privileges of employees, to wit: "Members of the academic and non-
14 academic staff shall have the privilege of enrolling at the college for not
15 more than six (6) units a semester with exemption from payment for
16 registration, tuition, and laboratory fees." This privilege covers only
17 ViSCA employees but not their dependents. Thus, the subsequent Board
18 Resolutions exempting the spouses and dependents of ViSCA (LSU)
19 employees are not based on the ViSCA Code and therefore, there is no
20 possibility of breach of promise in this regard.

21 On the third issue, let it be clarified that there is no elimination or
22 diminution of benefits as provided for in Article 100 of the Labor Code of
23 the Philippines which states *"Nothing in this Book shall be construed to*
24 *eliminate, or in any way diminish supplements, or other employee benefits*
25 *being enjoyed at the time of the promulgation of this Code."* What is
26 actually being done here is the regulation of the benefit. In line with
27 existing jurisprudence, this benefit being extended to University employees
28 can be equated as a form of bonus which is over and above the salaries and

1 allowances. It is a gratuity or an act of the giver and thus, in line with
2 existing jurisprudence, the granting of bonus is basically a management
3 prerogative. It should also be pointed out that State Universities and
4 Colleges were created by law with their own individual charters and as
5 government institutions are not covered by the Labor Code of the
6 Philippines since we are governed by Civil Service Laws.

7 Finally, on the last issue, Atty. Guinocor emphasized that the
8 proposed modification of the resolution is justified since all SUCs are
9 expected to generate more income on account of the declining direct
10 government support for MOOE. This last issue should be decided based on
11 the interest for the greater good rather than for the privileged few.

12 Chairman Puno thanked the University Legal Counsel for the
13 thorough legal appraisal and inquired from the members of the Board
14 whether any questions on the issue at hand.

15 Hon. Rolando H. Arpilleda commented that the withdrawal of the
16 tuition fee privilege may cause morale problems among the faculty of the
17 University especially now on account of the tough economic times.

18 President Milan reminded Hon. Arpilleda that there is no
19 withdrawal of privilege as explained by the University Legal Counsel. What
20 is actually being done is more of a clarification or modification of the
21 privilege in order to focus the tuition fee privilege only on the agriculture-
22 related courses which the University has long been known for. The newly
23 instituted courses should no longer be included in this privilege considering
24 that these are expensive courses. Foremost among these are the BS
25 Computer Science (BSCS), BS Geodetic and Geomatics Engineering
26 (BSGGE), Doctor in Veterinary Medicine (DVM), BS Biology, Bachelor
27 of Elementary Education (BEE), Bachelor of Secondary Education (BSE),

1 Bachelor of Science in Chemistry (BS Chem) and the other courses that the
2 University will offer in the years to come.

3 Chairman Puno commented that indeed there is no withdrawal of
4 the privilege. The Board has yet to come up with a policy on the issue of
5 the courses that will be covered by the new guidelines.

6 Chairman Puno inquired from President Milan on two important
7 issues: (1) if there is a grade requirement attendant to the enjoyment of said
8 tuition fee privilege; and (2) cost per student studying at LSU.

9 On the first issue, President Milan replied that for this specific
10 privilege, the only grade requirements indicated in the Student Code are
11 followed. On the second issue, the estimated cost per student per year of
12 study at LSU is around P16,000.00.

13 Chairman Puno commented that ^ethat a grade requirement should be
14 clearly indicated in the proposal so that the grantees are made aware of
15 their responsibilities. On the second reply, Chairman Puno indicated that
16 this is quite a heavy burden for the University and definitely there is a need
17 to clearly define the parameters for the enjoyment of this privilege.

18 Regent Rodolfo T. Lloren commented that in view of the lack of
19 data indicating the number of students covered by this privilege, BOR
20 decision on the matter be put on-hold until the next Board meeting. In the
21 meantime, Regent Lloren indicated that more staff work needs to be done
22 so that a better presentation is made.

23 Regent Buenaventura C. Go-Soco, Jr. made the same comment and
24 indicated that the following data should be included: financial estimates,
25 number of employees affected, total cost of the privilege to the University,
26 and how many students are involved by degree program (old and new).

27 In the meantime, Chairman Puno declared that the *status quo* or
28 what is being currently practiced, be followed.

1 **5. NSTP Fee: A Review**

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3 President Milan informed the Board that the original proposal filed
4 in 2002 with the Board on the collection of the NSTP Fee was under
5 Miscellaneous Fee. In that proposal, a series of graduated increases in
6 tuition and miscellaneous fees was approved by the Board until SY 2005-
7 2006. The BOR approved NSTP Fee was P200 (*SY 2003-04*), P220 (*SY*
8 *2004-2005*), and P250 (*SY 2005-2006*). However, we have been provided
9 a copy of the Republic Act governing the levy of NSTP Fees and we have
10 found that the amounts collected have been in excess of what has been
11 explicitly authorized by law. Thus, this NSTP Fee has to be revised by the
12 Board in consonance of the requirements of the law.

13 Atty. Guinocor explained that based on Section 8 of Republic Act
14 9163, "Higher and technical-vocational institutions shall not collect any fee
15 for any of the NSTP components *except* basic tuition fees, which shall not
16 be more than fifty percent (50%) of what is being currently charged by
17 schools per unit."

18 President Milan then suggested to the Board to reduce the NSTP
19 Fee to only 50% of the per unit rate so as not to be in violation of the law.

20 Chairman Puno inquired from the University Legal Counsel if the
21 "Board had the authority to fix this rate even if it will be above the 50%
22 tuition?"

23 Atty. Guinocor replied in the negative to the inquiry of the
24 Honorable Chairman.

25 President Milan then suggested that the students be reimbursed the
26 amount overpaid since SY 2002-03 until the present.

27 Chairman Puno clarified that there are two issues here: (1) reduce
28 the collection of the NSTP Fee to only 50% in accordance with RA 9163
29 effective SY 2002-2003; and (2) pass an additional levy, as proposed by

1 Engr. Manolo Loreto, since the amount collected is not going to be enough
2 to pay for the expenses to be incurred in the conduct of the CWTS and the
3 ROTC..

4 Honorable Rolando Pabio, the Vice-President of the University
5 Supreme Student Council, was supportive of the proposal of the President
6 since it will now realign the NSTP fee being levied with what is so
7 provided for in RA 9163.

8 Chairman Puno requested for a motion to approve the proposal to
9 reimburse the students for the amounts they overpaid effective SY 2002-
10 2003 until the present.

11 The Board unanimously the proposal and the Board passed

12 **BOR RESOLUTION NO. 44, s. 2004**

13 **Approving the reimbursement of the difference between the**
14 **amount paid and the amount authorized for NSTP Tuition effective**
15 **SY 2002-2003 until the present, in accordance with stipulations of**
16 **Section 8 of Republic Act 9163.**
17

18 On the second issue, Chairman Puno inquired from the Student
19 Representative whether the students would favorably endorse the levy of
20 an augmentation fee in order to be able to ensure that the NSTP is
21 implemented in accordance with what is expected.

22 Regent Go-Soco commented that there should be no other fee for
23 NSTP to be levied except the 50% of the cost per unit in accordance with
24 RA 9163. This simply means that the NSTP coordinator should "live within
25 his means". The main factor here is how the collected money is going to be
26 used.

27 Chairman Puno inquired from President Milan if the University will
28 still be in a position to offer a quality NSTP program given a 50%
29 reduction in budget.

1 President Milan replied that the reduction in the collection from the
2 students will have a negative impact on the operations of the CWTS. It is
3 quite important to note that expenses in conducting the CWTS and the
4 ROTC are quite high.

5 **B. NEW BUSINESS**

6 **1. Academic Matters**

7 ***a. Candidates for Graduation, Summer 2004.***

8 Chairman Puno inquired from President Milan if the list of
9 candidates for graduation from the Main Campus and the Alang-alang
10 Campus has been approved by the University Academic Council.

11 President Milan informed the Honorable Chairman that the list so
12 provided has been approved by the University Academic Council and
13 recommended to the Board of Regents for Confirmation.

14 Regent Rodolfo T. Lloren moved for the approval of the candidates
15 for graduation for the Summer 2004. Hon. Rolando H. Arpilleda seconded
16 the motion. The board passed

17 **BOR RESOLUTION NO. 45, s. 2004**

18 **Confirming the list of candidates for graduation for Summer**
19 **2004, as presented.**

20 ***b. Proposal to Revise Three Major courses in the BS Education Major***
21 ***in Physical Education, Health, Music and Arts (PHEMA)***
22 ***Curriculum.***

23 Chairman Puno inquired from President Milan if the proposal has
24 been coursed through and approved by the University Academic Council.

25 President Milan informed the Board that this proposal has been
26 approved by the University Academic Council and has recommended it to
27 the Board of Regents for final approval.

1 No other comments or questions were raised. Hon. Rolando H.
2 Arpilleda moved for the approval of the proposal. President Paciencia P.
3 Milan seconded the motion. The Board passed

4 **BOR RESOLUTION NO. 46, s. 2004**

5 **Approving the revisions to the three major courses of the BS**
6 **Education (BSEd) curriculum *major* in Physical Education, Health,**
7 **Music and Arts (PHEMA) as presented.**

8 *c. Proposal to Offer Bachelor of Science in Industrial Engineering at*
9 *the LSU-Isabel Campus.*

10 Chairman Puno inquired from President Milan if the proposal has
11 been coursed through and approved by the University Academic Council.

12 President Milan replied that this has been approved by the
13 University Curriculum Committee and the University Academic Council.

14 Chairman Puno expressed his concern whether there is a market for
15 this BSIE program.

16 Hon. Arpilleda commented that there is a strong demand for this
17 degree program and the proponents have ascertained that there will be a lot
18 of students enrolling in this new degree program

19 No other questions were raised. Hon. Rolando Pabio moved for the
20 approval of the proposal, as presented. Hon. Rolando H. Arpilleda
21 seconded the motion. The Board passed

22 **BOR RESOLUTION NO. 47, s. 2004**

23 **Approving the offering of the BS Industrial Engineering at the**
24 **LSU-Isabel Campus effective First Semester, SY 2004-2005, as**
25 **presented.**

26 **2. Administrative Matters**

27 *a. Appointment of Some LSU Personnel to Designated Positions*

28 Chairman Puno inquired from the body if there were any questions
29 or objections on the designations.

1 No questions or objections were raised on the appointments to
2 designated positions. Regent Leo P. Cañeda moved for the approval of the
3 appointment to designated positions, as presented. Regent Rebecca V.
4 Barbusa seconded the motion. The Board passed

5 **BOR RESOLUTION NO. 48, s. 2004**

6 **Confirming the appointments to designated positions of some**
7 **LSU personnel, as presented:**

8	<u>Name</u>	<u>Designated Position</u>	<u>Effectivity</u>
9			
10	Dr. Lourdes B. Cano	OIC-Dean, Tolosa Campus	03/19/04
11	Dr. Milagros C. Bales	Principal, VFES	04/19/04 – 04/30/05

12 ***b. Change of employment Status of Ms. Rufina F. Capuno from Lump***
13 ***Sum to Regular Plantilla Item***

14 Chairman Puno inquired from President Milan if the change to
15 plantilla item is already a permanent appointment?

16 President Milan replied that it does not follow since the University
17 has its own Merit Promotions plan which stipulates how a faculty member
18 may be able to get a permanent appointment.

19 Chairman Puno commented that this is not the standard practice
20 followed in other SUCs.

21 No questions or objections were raised on the appointments to
22 designated positions. Regent Leo P. Cañeda moved for the approval of the
23 change of employment status of Ms. Rufina F. Capuno from lump sum to
24 regular plantilla item, as presented Regent Rodolfo T. Lloren seconded the
25 motion. The Board passed

26 **BOR RESOLUTION NO. 49, s. 2004**

27 **Approving the change of employment status of Ms. Rufina F.**
28 **Capuno from lump sum to regular plantilla item, as presented.**
29
30

1 *c. Proposed Use of Income of the Main Campus and the External*
2 *Campuses*

3 President Milan informed the Board that the incomes reflected here
4 cover the period 01 February 2004 until 30 April 2004 only. A certification
5 from the Chief Accountant of each campus is likewise presented.

6 Regent Jose V. Mazo inquired why the projected expenses of the
7 Alang-alang campus is greater than its presented income for the period.

8 President Milan replied the Dean is projecting expenses until June
9 2004 while the income reported is only until 30 April 2004. This means
10 that the Dean will have to wait for the June income to be able to finance
11 the deficit.

12 Chairman Puno commented that the Campus can only spend what it
13 has collected and instructed President Milan to immediately inform the
14 Campus Dean to present a balanced budget next time. In the meantime,
15 the concerned officials of the Alang-alang Campus should immediately
16 prepare a balanced budget proposal and present it to the Board through the
17 President.

18 No other questions were raised. Regent Jose V. Mazo moved for
19 the approval on the Use of Income of the Main Campus and the External
20 Campuses, as modified, *Provided That* the Alang-alang Campus submit a
21 balanced budget proposal to the President. Regent Buenaventura c. Go-
22 Soco, Jr. seconded the motion. The Board passed

23 **BOR RESOLUTION NO. 50, s. 2004**

24 **Approving the proposed Use of Income of the Main Campus,**
25 **as presented.**

26 **BOR RESOLUTION NO. 51, s. 2004**

27 **Provisionally approving the proposed Use of Income of the**
28 **Alang-alang Campus on condition that a balanced budget proposal be**
29 **presented to the President.**

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BOR RESOLUTION NO. 52, s. 2004

Approving the proposed Use of Income of the Isabel Campus as presented.

BOR RESOLUTION NO. 53, s. 2004

Approving the proposed Use of Income of the Tolosa Campus as presented.

BOR RESOLUTION NO. 54, s. 2004

Approving the proposed Use of Income of the Villaba Campus as presented.

d. Request of the Isabel Campus Dean for Authority to Continue Collection of Computerization Fee of P1,200.00 per student per semester

President Milan informed the Board that the main reason for this request is that the Isabel Campus would like to acquire more computers inasmuch as they are now offering major courses in the BS Information Technology. The Campus Dean likewise feels that with the offering of the BS Industrial Engineering course in the campus, the demand for more better quality machines is very necessary. In the past, the students were paying P1,200.00 per semester to pay-off the obligation to MGX Computers.

Regent Go-Soco inquired what the collected money is going to be utilized for. There has to be some figures presented on this.

Chairman Puno asked the University Secretary, having been the past Dean of the Isabel Campus, if he had anything to say on the matter.

Prof. Tudit replied that there are only 24 computers currently in use. This number is not sufficient considering that there are now third year and fourth year BSIT students who need more intensive hands-on computer work. Furthermore, all college students are required within the first two-years of course work to undergo four (4) computer literacy courses. Based on the increase in student enrolment especially in the BSIT

1 and the new BSIE courses in the Isabel Campus, there is definitely a need
2 to have more and better computer units to serve the needs of the students.
3 It should be remembered that the collection of this additional fee was
4 agreed upon by the students and the parents.

5 Regent Mazo indicated that there was a past collection of the same
6 amount and that this request would like to continue it. Regent Mazo
7 inquired whether the past BOR Resolution indicated a time frame for the
8 collection of the said amount.

9 President Milan replied that the BOR Resolution did not specify a
10 terminal date meaning that it can be made continuously.

11 Regent Go-Soco suggested that the Dean of the Isabel Campus
12 submit a justification for the additional levy by indicating "a program of
13 fund utilization including a schedule of purchases of needed IT related
14 equipment" for which the money to be collected will be effectively utilized.

15 Chairman Puno indicated that he was amenable to the suggestion of
16 Regent Go-Soco. In consideration of the fact that there was no termination
17 date indicated in the previous BOR Resolution attendant to the collection
18 of this amount, the school authorities are authorized to continue its
19 collection.

20 No other questions or objections were raised on the matter. Regent
21 Rodolfo T. Lloren moved for the approval of the request of the Dean of
22 the Isabel Campus for authority to continue the collecting of
23 Computerization Fee of P1,200.00 per student per semester, as presented.

24 Regent Jose V. Mazo seconded the motion. The Board passed

25 **BOR RESOLUTION NO. 55, s. 2004**

26 **Approving the request of the Dean of the Isabel Campus for authority**
27 **to continue the collecting of Computerization Fee of P1,200.00 per**
28 **student per semester, as presented.**

1 *e. Request of the Philippine Institute for Development Studies (PIDS)*
2 *for the Extension of the Secondment of Dr. Eliseo R. Ponce*

3 Chairman Puno inquired whether the University is not in need of
4 the services of Dr. Eliseo R. Ponce. From the materials provided, he has
5 been out of the University for some time and his services outside the
6 University is now being requested again.

7 President Milan informed the Honorable Chairman that Dr. Ponce is
8 working on a project "Agricultural Technology, Governance and
9 Productivity" for the PIDS. This new agency hopes that within the eleven
10 month period, from 01 July 2004 until 31 May 2005, Dr. Ponce shall be
11 able to complete all the needed paperwork concerning the project.

12 The Board Secretary informed the Board that the Civil Service
13 Commission (Central Office) has requested for an official explanation from
14 the University attendant to the secondment of Dr. Ponce to the DA-BAR
15 considering the fact that he was appointed as Director of the Bureau of
16 Agricultural Research, a unit of the Department of Agriculture.

17 A long discussion concerning the circumstances surrounding the
18 secondment of Dr. Ponce to the DA-BAR, followed.

19 Chairman Puno directed President Milan to make an official reply
20 to the Civil Service Commission regarding the facts of the secondment of
21 Dr. Ponce to the DA-BAR.

22 Insofar as the extension is concerned, the Board was in agreement
23 that Dr. Ponce be seconded to the PIDS for the period 01 July 2004 until
24 31 May 2005, or a period of eleven months.

25 President Paciencia P. Milan moved for the approval of the
26 extension of the secondment of Dr. Eliseo R. Ponce to the Philippine
27 Institute for Development Studies for an eleven month period effective 01
28 July 2004 until 31 May 2005, subject to existing laws, policies and

1 guidelines on secondment. Regent Leo P. Cañeda seconded the motion.

2 The Board passed

3 **BOARD RESOLUTION NO. 56**
4 **Series of 2004**

5 **A RESOLUTION EXTENDING THE SECONDMENT OF DR. ELISEO**
6 **R. PONCE TO THE PHILIPPINE INSTITUTE FOR DEVELOPMENT**
7 **STUDIES (PIDS) FOR THE PERIOD JULY 1, 2004 UNTIL MAY 30, 2005,**
8 ***SUBJECT TO EXISTING LAWS, POLICIES AND GUIDELINES ON***
9 **SECONDMENT.**

10 **WHEREAS**, the LEYTE STATE UNIVERSITY (LSU), *formerly the Visayas*
11 *State College of Agriculture*, is an institution of higher learning, established
12 under Presidential Decree No. 470 as amended by Presidential Decree No. 700
13 and converted into a State University by virtue of Republic Act No. 9158 with
14 principal office at Visca, Baybay, Leyte, Philippines;

15 **WHEREAS**, the PHILIPPINE INSTITUTE FOR DEVELOPMENT STUDIES
16 (PIDS), is a non-stock, non-profit government corporation, created by virtue
17 of Presidential Decree No. 1201, with office and postal address at NEDA sa
18 Makati Building, 106 Amorsolo Street, Legaspi Village, Makati City,
19 Philippines;

20 **WHEREAS**, the PIDS is tasked with the responsibility of providing planning and
21 policy directions needed by agencies of the Government of the Republic of the
22 Philippines;

23 **WHEREAS**, the LSU has in its employ, DR. ELISEO R. PONCE, an academic
24 faculty member with the rank of Professor VI (SG-29) with official station at
25 the Institute of Social Research and Development Studies, LSU, Visca,
26 Baybay, Leyte;

27 **WHEREAS**, the PIDS, through its President, DR. MARIO B. LAMBERTE, has
28 expressed its desire to secure the services of DR. ELISEO R. PONCE by way
29 of an extension of his *Secondment* to the said Agency for a period of eleven
30 (11) months from 01 July 2004 until 31 May 2005;

31 **WHEREAS**, DR. ELISEO R. PONCE, has been earlier appointed by His
32 Excellency, President Joseph Ejercito Estrada to the position of Director of the
33 Bureau of Agricultural Research (BAR), an attached unit of the Department
34 of Agriculture, with principal address as the Department of Agriculture
35 (Central Office), Elliptical Road, Quezon City, Philippines;

36 **WHEREAS**, the Civil Service Commission (CSC) has issued CSC Memorandum
37 Circular No. 19, series of 1999 titled "Additional Provisions and Amendments
38 to CSC Memorandum Circular No. 40, s. 1998" dated 27 August 1999;

39 **WHEREAS**, Letter c (*Secondment*) of Section 6 (*Other Personnel Movements*)
40 of CSC MC 19, s. 1999 clearly stipulates the General Guidelines governing
41 secondment of government personnel in the Civil Service;

42 **WHEREAS**, Item (iii) of Section 6 (Letter c) stipulates that: "Secondment for a
43 period of one year or more, shall be subject to approval by the Commission.
44 *IN CASE THE SECONDMENT OF LESS THAN ONE YEAR IS EXTENDED*
45 *AND SUCH EXTENSION SHALL COVER A TOTAL PERIOD OF ONE*
46 *YEAR OR MORE, THE EXTENSION SHALL BE SUBJECT TO THE*
47 *COMMISSION'S APPROVAL.*"

1 **WHEREAS**, Item (iv) of Section 6 (Letter c) stipulates that: “*APPROVAL OF*
2 *THE SECONDMENT SHALL BE SUBJECT TO THE FOLLOWING*
3 *CONDITIONS:*

4 1. *A MEMORANDUM OF AGREEMENT OR CONTRACT FOR*
5 *SECONDMENT BETWEEN THE MOTHER AND RECEIVING*
6 *AGENCY AND CONCURRED IN BY THE EMPLOYEE SHALL BE*
7 *SUBMITTED TO CSC WITHIN 30 DAYS FROM SIGNING OF THE*
8 *CONTRACT;*

9 *A SECONDED EMPLOYEE SHALL NOT BE ALLOWED TO REPORT*
10 *TO THE RECEIVING AGENCY EARLIER THAN THE DATE OF*
11 *SIGNING OF THE MEMORANDUM OF AGREEMENT;*

12 2. *THE PERIOD OF SECONDMENT SHALL BE FOR A MAXIMUM*
13 *SHALL BE FOR A MAXIMUM OF THREE (3) YEARS EXCEPT*
14 *OTHERWISE PROVIDED BY LAW OR AS REQUIRED UNDER*
15 *BILATERAL/MULTILATERAL AGREEMENTS.*

16 **WHEREAS**, Item (v) of Section 6 (Letter c) stipulates that: “*ANY VIOLATION*
17 *OF THE PROVISIONS OF THE MEMORANDUM OF AGREEMENT*
18 *SHALL BE GROUND FOR DISCONTINUANCE THEREOF WITHOUT*
19 *PREJUDICE TO THE FILING OF DISCIPLINARY CHARGES AGAINST*
20 *THE PERSON/S RESPONSIBLE FOR THE VIOLATION.”*

21 **WHEREAS**, the Board of Trustees of the Visayas State College of Agriculture
22 (now the Leyte State University) passed BOT Resolution No. 9, s. 2001 dated
23 20 January 2001 on the occasion of the 151st BOT Meeting held at ViSCA,
24 Baybay, Leyte clearly specifying the Guidelines for Secondment of ViSCA
25 Staff;

26 **WHEREAS**, Item IV (*Terms*) of BOT Resolution No. 9, s. 2001 clearly
27 stipulates:

28
29 1. ViSCA staff can only be seconded in a Philippine government agency or
30 an international organization recognized by the Philippine Government for
31 a period of one (1) year, renewable twice for a total of three (3) years
32 only;

33 2. The seconded staff must return to ViSCA upon the completion of his
34 secondment and serve ViSCA for a period a period equivalent to the
35 number of years he was given the secondment status;

36 3. Presentation of a lecture on lessons learned during his secondment must be
37 done immediately upon his/her return to ViSCA;

38 4. The purpose of secondment shall not be to seek employment and any
39 violation thereof can be ground for cancellation of the secondment
40 contract;

41 5. All other provisions as specified in the rules and regulations of the Civil
42 Service Commission for secondment shall apply;

43 **WHEREAS**, the Leyte State University fully supports the National Development
44 thrusts of the Republic of the Philippines and finds it an honor that one of its
45 academic staff members has been chosen to actively participate in this
46 important national undertaking, on account of his expertise and leadership;

47 **NOW, THEREFORE**, for and in consideration of the foregoing premises, the
48 Board of Regents of the Leyte State University do hereby resolve, as it hereby

1 resolves, to approve the extension of secondment of Dr. Eliseo R. Ponce to
2 the Philippine Institute for Development Studies effective 01 July 2004 until
3 30 May 2005, *Provided That*, a Memorandum of Agreement between the
4 Leyte State University and the Philippine Institute for Development Studies be
5 signed between the two parties and, *Provided Further That*, the MOA be
6 presented to the LSU Board of Regents for confirmation.

7 **DONE** this 25th day of June 2004 at Leyte Normal University, Tacloban City,
8 Philippines.

9 *e. Letter of USec. Charito Eligir on the Request of Rev. Edgar de la*
10 *Torre for Use of LSU Facilities*

11 President Milan informed the Board that this is water under the
12 bridge considering that this was a request last summer. The letter of the
13 Rev. Edgar de la Torre was originally addressed to CHED Chairperson
14 Bro. Rolando R. Dizon. When the Reverend wrote the Office of the
15 University President a letter of inquiry, he was immediately informed of
16 that based on existing University policy on the use of University facilities,
17 there are charges associated with the use of these facilities. However, since
18 the original addressee was Bro. Dizon, we had to await the official reply.

19 Chairman Puno directed President Milan to draft a letter of reply
20 explaining the circumstances why Bro. Dizon failed to make an answer to
21 his letter. Chairman Puno indicated that he will be the one to sign said
22 letter addressed to Rev. Edgar de la Torre.

*Draft
LTK*

23 *f. Proposal to Limit the Enrolment in the Civic Welfare Training*
24 *Service (CWTS) to 500 Students only, effective SY 2004-2005*

25 President Milan then presented the proposal of Engr. Loreto for the
26 limitation in the enrolment in the CWTS program to only 500 students on a
27 first-come, first-served basis. All the remaining students will undergo the
28 ROTC component. The main reason for this is the difficulty in locating
29 barangays where the students may actually render community service. It
30 should be stressed that in the past four semesters of CWTS, all the nearby
31 barangays have been completely saturated by our CWTS students. Most

1 Barangay Chairmen have already informed the NSTP Coordinator that they
2 are no longer willing to host future CWTS students in their barangays.

3 Hon. Pabio commented that the limitation of the number of
4 enrollees in the CWTS component of the NSTP “violates the very content
5 of the law which gave the students the leeway to choose.” Hon. Pabio
6 pointed out that in the law, “there must be three (3) components of the
7 NSTP.” The University has only instituted two (2) components, the CWTS
8 and the ROTC. The Literacy Program has not been instituted.
9 Furthermore, Hon. Pabio pointed out that under Section 4, Sub-Section 1,
10 it states that “the Reserve Officer’s Training Corps is hereby made optional
11 and voluntary.”

12 Chairman Puno reminded the Student Representative that given the
13 fact that the amount levied on the students for the NSTP is not enough,
14 what can the students offer as a counter proposal so that the quality of the
15 NSTP program will not suffer.

16 President Milan commented that the faculty members who are
17 requested to teach and supervise the CWTS students on weekends, have to
18 be duly compensated since weekends are beyond the 40-hour work-week
19 mandated by the Civil Service. The collection from the students is the only
20 source for their honorarium. Furthermore, there are other operational costs
21 like handouts and other materials needed from time to time for the lectures.

22 Chairman Puno clarified that the limitation on the enrolment in the
23 CWTS is only temporary until a more lasting solution can be found.
24 Chairman Puno then requested the Student Representative to consult his
25 constituency on how this issue can be solved, including a proposed budget
26 covering the CWTS and the ROTC components.

1 The Board, acting as a whole, approved the proposal to limit the
2 enrolment in the CWTS to only 500 students effective SY 2004-2005. The
3 Board passed

4 **BOR RESOLUTION NO. 58, s. 2004**

5 **Approving the proposal of the LSU NSTP Office to limit the**
6 **enrolment in the CWTS to only 500 Students, effective SY 2004-2005,**
7 **until such time that the NSTP will be able to support a much larger**
8 **number of students.**

9 *g. Revised guidelines in Profit Sharing as Defined in Chapter VI of the*
10 *Manual of Operations for Income Generating Projects of SUCs*

11 President Milan informed the Board of the salient points of the
12 proposal. Basically, the revision changes the allocation of profit between
13 the University and the project staff from 55%:45% to 39%:61% in favor
14 of the University.

15 Hon. Rolando H. Arpilleda commented that it may be better to have
16 an even 50%:50% sharing between the project staff and the University. The
17 reduction in the share of the project staff is quite large.

18 Chairman Puno indicated that it may be necessary to provide an
19 explanation for the reduction. For example, the honorarium of the Project
20 Manager may be raised up to a ceiling of P50,000.00 instead of P36,000.00
21 as proposed.

22 Chairman Puno suggested that instead of 30%:61% which is quite
23 difficult to compute, it should be changed to 40%:60%, in favor of the
24 University.

25 President Milan replied that the rates for the Project Manager and
26 the project employees are all within reasonable limits. The P36,000.00/year
27 honorarium is based on the P3,000.00 honorarium of a Project Leader in a
28 research project. The rates for the project staff are likewise pegged as
29 those of the Study Leaders.

1 Regent Rodolfo T. Lloren commented that the project manager
2 must also be tasked with the responsibility of reducing if not eliminating
3 pilferage. Regent Lloren informed the body that it is quite difficult to
4 determine the amount of losses a project may incur if there is very little
5 monthly data to analyze.

6 Regent Lloren suggested that this proposal be studied further so
7 that the Board can come up with a better policy clearly indicating the
8 incentives to be given and the sanctions to be imposed upon the project
9 staff.

10 Chairman Puno was amenable to the suggestion of Regent Lloren
11 to defer any action on the proposal until data on the different projects are
12 presented to the Board.

13
14 **C. OTHER MATTERS**

15 ***1. Sabbatical Leave Application of Dr. Roberto C. Guarte***

16 President Milan informed the Board that the University Academic
17 Personnel Board has approved the Sabbatical Leave application of Dr.
18 Roberto C. Guarte effective 01 July 2004 until 30 June 2005. The expected
19 outputs of his Sabbatical Leave are presented in the proposal.

20 Chairman Carlito S. Puno inquired if there were any questions or
21 objections. Hearing none, Chairman Puno requested for a motion to
22 approve the sabbatical leave application of Dr. Guarte.

23 Regent Leo P. Cañeda moved for the approval of the Sabbatical
24 Leave application of Dr. Roberto C. Guarte effective 01 July 2004 until 30
25 June 2005. Regent Rebecca V. Barbusa seconded the motion. The Board
26 passed
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Board Resolution No. 59, s. 2004

Approving the Sabbatical Leave application of Dr. Roberto C. Guarte effective 01 July 2004 until 30 June 2005, *Provided That*, he will present the outputs required by the Academic Personnel Board upon reinstatement.

VIII. ADJOURNMENT

After all items were discussed, Chairman Carlito S. Puno requested for a motion to adjourn the meeting. Regent Jose V. Mazo moved for the adjournment of the meeting. Regent Rodolfo T. Lloren seconded the motion.

The 17th Board of Regents (BOR) Meeting of the Leyte State University was adjourned at 12:20 p.m.

Certified True and Correct

Attested:

DANIEL M. TUdTUD, JR.
Board Secretary

CARLITO S. PUNO
Chairman

Quimbo M
her S