



117TH BOARD OF REGENTS MEETING

BOR RESOLUTION NO. ICC

Series of 2024

**RENAMING THE YOLANDA FUND TO VSU DISASTER/CALAMITY FUND AND APPROVING
THE UTILIZATION OF UNSPENT FUNDS FOR DISASTER-RELATED ACTIVITIES**

WHEREAS, the Leyte State University was created by Republic Act 9158 which converted the then Visayas State College of Agriculture (ViSCA) into a state university on 11 August 2001 which was later renamed Visayas State University (VSU) by virtue of RA 9437;

WHEREAS, Section 7 of R.A. 9158 specifically empowers the Board of Regents of the University to "exercise all the powers granted to the Directors of a corporation under Section 36 of Batas Pambansa Blg. 68 otherwise known as the Corporate Code of the Philippines", (c) *To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University, subject to limitations, directions and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;*

WHEREAS, in response to the damage caused by Typhoon Yolanda, the University held a fund drive to support VSU students badly affected by the super typhoon and for the rehabilitation activities of the university;

WHEREAS, different programs, activities, and projects related to the relief operations were accomplished and the requirements of the donors were complied;

WHEREAS, as of October 2024, there is an existing balance of Five Hundred Forty-One Thousand Three Hundred Thirty Pesos and 45/100 (P541,330.45) under Yolanda Fund which has remained idle for 11 years due to the limitations in the disbursement of said funds;

WHEREAS, the university seeks authority from the Governing Board on the renaming of "Yolanda fund" to "VSU Disaster/Calamity Fund" and utilize the unspent funds for purposes related to disaster/calamity activities when the need arises;

WHEREAS, the proposal was presented at the meeting of the University Administrative Council on November 21, 2024, and obtained favorable action;


WHEREAS, finding the University Administrative Council's recommendation in order, the Governing Board has agreed to approve the proposal;


Now, therefore, on motion duly made, seconded, and unanimously carried, be it:

RESOLVED, as it is hereby resolved that the Board of Regents of Visayas State University approve renaming the Yolanda fund to the VSU Disaster/Calamity fund and approve the utilization of unspent funds for disaster-related activities.

IN WITNESS of our approval thereof, we hereby affix our signatures this 17th day of December 2024 at the Commission on Higher Education, Diliman, Quezon City, Philippines.


VSU BOARD OF REGENTS


HON. ETHEL AGNES P. VALENZUELA
CHED Commissioner and Chairperson-designate



HON. PROSE IVY G. YEPES
VSU President and Vice Chairperson


HON. BERNADETTE REMALLA-MAYBITUIN
Representing Hon. **ALLAN PETER S. CAYETANO**
Chairperson, Senate Committee on Higher,
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Member, VSU BOR

HON. CARL NICOLAS C. CARI
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Regional Executive Director, Department of
Agriculture-RO8
Member, VSU BOR



HON. ERNESTO F. BULAYOG
Faculty Regent - VSU System Faculty Union of
Baybay Leyte
Member, VSU BOR


HON. OSCAR B. POSAS
President, VSU Federated Alumni Association
Member, VSU BOR


HON. RYAN C. ILAIDA
Student Regent - VSU Student Council Federation
Member, VSU BOR

Private Sector Representatives:

HON. ALAIN CHARLES J. VELOSO
Member, VSU BOR
Villaba, Leyte


HON. RUPERTO O. APARRI, III
Member, VSU BOR
Tacloban City, Leyte



EXECUTIVE SUMMARY

SUBJECT

PROPOSED UTILIZATION OF THE UNSPENT YOLANDA FUNDS FOR DISASTER-RELATED ACTIVITIES

RATIONALE

In November 2013, Typhoon Haiyan, locally known as Yolanda, made landfall in the Philippines. Eastern Visayas was among the regions that were badly hit, with lives lost, people displaced, homes and buildings destroyed.

The University had a fund drive to support VSU students badly affected by the said super typhoon and for the rehabilitation activities of the university. Different programs, activities and projects related to the relief operations were accomplished and the requirements of the donors were complied. As of October 2024, there is an existing balance of Five Hundred Forty-One Thousand Three Hundred Thirty Pesos and 45/100 (₱541,330.45) which has remained idle for 11 years since the said calamity.

In 2020, Baybay City was badly hit by Typhoon Agaton, but due to the limitations in the disbursement of Yolanda funds, VSU was not able to use it. Hence, it is requested to rename the Yolanda Fund to VSU Disaster/Calamity Fund.

LEGAL BASIS

- Section 7 of Republic Act No. 9158, Section 7 (c)

DESCRIPTION OF THE PROPOSAL

The proposal seeks BOR's approval.

ENDORSEMENT

The University Administrative Council (UADCO) favorably endorsed the proposal during its meeting last November 21, 2024.

ATTACHMENT

- Proposal
- Excerpts RA 9158
- Certification of Funds Availability



VISAYAS
STATE UNIVERSITY

**FINANCE
MANAGEMENT
OFFICE**

PROPOSED UTILIZATION ON THE UNSPENT YOLANDA FUND FOR DISASTER RELATED ACTIVITIES

The university has remaining fund kept under the trust of the university which is identified as Yolanda fund. This is a result of the fund drive to support the students badly affected by the said super typhoon and for the different rehabilitation activities of the university. The different programs, activities, and projects related to the relief operations has already been accomplished and also the requirements of the donors are complied with. The existing balance as of October 2024 represents excess fund after deducting all the expenses and the amount as of October 31, 2024 is Five Hundred Forty-One Thousand Three Hundred Thirty Pesos and 45/100 (₱ 541,330.45). Said fund remains to be idle since it is already eleven years from the said calamity.

From 2020 until 2024 Philippines have experienced various calamities and on April 2020 Baybay City was badly affected by typhoon Agaton. VSU has issues on rehabilitation for we have limited fund for the said calamity. Due to the above limitation, we would like to request for the renaming of the said Yolanda fund to VSU Disaster/Calamity fund.


Section 7c of Republic Act 9158 known as Act Converting the Visayas State College of Agriculture into a State University to be known as the Leyte State University, Appropriating Fund therefor and for Other Purposes. States that the Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines:

XXX


c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University, subject to limitations, directions and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor.

The full blown RA 9158 is on Attachment A and the Certificate of Availability of Funds is on Attachment B.

Prepared by:


LOUELLA CHAN-AMPAC
Director of Finance

Recommending Approval:


ELWIN JAY V. YU
Vice President, Administration and Finance



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FM-VSU-03
V3 06-06-2024
No. 24-129

REPUBLIC ACT NO. 9158 August 11, 2001

AN ACT CONVERTING THE VISAYAS STATE COLLEGE OF AGRICULTURE INTO A STATE UNIVERSITY TO BE KNOWN AS THE LEYTE STATE UNIVERSITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

Section 1. The Visayas State College of Agriculture, located in the Municipality of Baybay, Province of Leyte, is hereby converted into a State university to be known as the Leyte State University, hereinafter referred to as the University.

Section 2. The University shall primarily provide advanced instruction and professional training in agriculture, science and technology, education, and other related fields, undertake research and extension services, and provide progressive leadership in these areas: Provided, That the University shall ensure that it retain its original mandate as a primarily agricultural institution.

Section 3. The University shall offer undergraduate, graduate and short-term technical courses within its areas of specialization, especially agriculture, and according to its capabilities, as the Board of Regents may deem necessary to carry out its objectives: Provided, That in case of graduate courses, the University shall strengthen the masteral and doctorate programs in agricultural courses.

Section 4. The University shall have the general powers of a corporation as set forth in the Corporation Law. The administration of the University and the exercise of its powers shall be vested exclusively in the Board of Regents.

Section 5. The governing body of the University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

- (a) The chairman of the Commission on Higher Education (CHED), chairman;
- (b) The president of the University, vice chairman;
- (c) The chairman of the Committee on Education, Arts and Culture of the Senate, member;
- (d) The chairman of the Committee on Higher and Technical Education of the House of Representatives or any Member of the House of Representatives designated by the chairman of the said Committee, member;
- (e) The regional director of the National Economic and Development Authority, member;
- (f) The regional director of the Department of Agriculture, member;
- (g) The president of the faculty association of the University, member;
- (h) The president of the student council of the University, member;

(i) The president of the alumni association of the University, member; and

(j) Two (2) prominent citizens who have distinguished themselves in their professions or fields of specialization of the University, chosen from among a list of at least five (5) qualified persons in the Province of Leyte, as recommended by the search committee constituted by the University president, in consultation with the chairman of the CHED, based on the normal standards and qualifications of the position, members.

The term of office of the president of the faculty association, the president of the student council, and the president of the alumni association shall be coterminous with their respective terms of office. In the event that the University shall have more than one campus, the faculty associations, alumni associations, and student councils shall form their respective federations which, in turn, shall elect their representatives to the Board.

The two (2) prominent citizens shall serve for a term of two (2) years.

Section 6. The Board shall promulgate and implement policies in accordance with the declared State policies on education and other pertinent provisions of the Constitution on education, agriculture, science and technology, as well as the policies, standards and thrusts of the CHED under Republic Act No. 7722.

Section 7. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines:

(a) To enact rules and regulations, not contrary to law, as may be necessary to carry out the purposes and functions of the University;

(b) To receive and appropriate all sums as may be provided, for the support of the University in the manner it may determine, in its discretion, to carry out the purposes and functions of the University;

✓(c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the University, subject to limitations, directions and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;

(d) To fix the tuition fees and other necessary school fees and charges, such as, but not limited to, matriculation fees, graduation fees and laboratory fees, as it may deem proper and reasonable to impose after due consultations with the involved sectors.

Such fees and charges, including government subsidies and other income generated by the University, shall constitute special trust funds and shall be deposited in any authorized government depository bank, and all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the University from tuition fees and other charges, as well as from

the operation of auxiliary services and land grants, shall be retained by the University, and may be disbursed by the Board for instruction, research, extension, or other programs/projects of the University: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which they are collected.

If, for reasons beyond its control, the University shall not be able to pursue any project for which funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the University;

(e)To adopt and implement a socialized scheme of tuition and school fees for greater access to poor but deserving students;

(f)To authorize the construction or repair of its buildings, machineries, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment. Purchases and other transactions entered into by the University through the Board shall be exempt from all taxes and duties;

(g)To appoint, upon recommendation of the president of the University, vice presidents, deans, directors and heads of departments, faculty members and other officials and employees of the University;

(h)To fix and adjust salaries of faculty members and administrative officials and employees subject to the provisions of the Revised Compensation and Position Classification System and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper; to grant them, at its discretion, leaves of absence under such regulations as it may promulgate, any provisions of existing law to the contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;

(i)To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;

(j)To set policies on admission and graduation of students;

(k)To award honorary degrees upon persons in recognition of outstanding contribution in the field of agriculture or any field of specialization within the academic competence of the University; and to authorize the award of certificates of completion for non-degree and non-traditional courses;

(l)To establish and absorb non-chartered tertiary institutions within the Province of Leyte as branches, centers, stations, etc., in coordination with the CHED and in consultation with the Department of Budget and Management (DBM), and to offer therein programs or courses to promote and carry out equal access to educational opportunities mandated by the Constitution;

(m)To establish research and extension centers of the University where such will promote the development of the latter;

(n)To establish chairs in the University and to provide fellowships for qualified faculty members and scholarships to deserving students;

(o)To delegate any of its powers and duties provided for hereinabove to the president and/or other officials of the University as it may deem appropriate so as to expedite the administration of the affairs of the University;

(p)To authorize an external management audit of the institution, to be financed by CHED, and to institute reforms, including academic and structural changes, on the basis of audit results and recommendations;

(q)To collaborate with other governing boards of state universities and colleges within the Province of Leyte and the region, under the supervision of the CHED and in consultation with the DBM, the restructuring of the University to become more efficient, relevant, productive, and competitive;

(r)To enter into joint ventures with business and industry for the profitable development and management of the economic assets of the University, the proceeds from which shall be used for the development and strengthening of the same;

(s)To develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the University;

(t)To develop academic arrangements for institution capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts/specialists as consultants, or visiting or exchange professors, scholars, researchers, as the case may be;

(u)To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual system, open-learning, community laboratory, etc., for the promotion of greater access to higher education;

(v)To establish policy guidelines and procedures for participative decision-making and transparency within the University;

(w)To privatize, where most advantageous to the University, management of non-academic services such as health, food, building, grounds or property maintenance and similar such other activities; and

(x)To extend the term of the president of the University beyond the age of retirement but not later than the age of seventy (70), whose performance has been unanimously rated as outstanding and upon unanimous recommendation of the search committee for the president of the University.

Section 8. The Board shall regularly convene at least once every quarter. However, the chairman of the Board may, upon three (3) days prior written notice, call a special meeting whenever necessary.

A quorum of the Board shall consist of majority of all members holding office at the time of the meeting: *Provided, however,* That the chairman of the CHED or the president of the University is among those present in the meeting.

In the absence of the chairman of the CHED, a commissioner of the CHED, duly designated by him, shall represent him in the meeting with all the rights and responsibilities of a regular member: *Provided, however,* That the chairman of the CHED may authorize a CHED commissioner as the regular chair of the Board, in which case said commissioner shall act as the presiding officer: *Provided, further,* That in the absence of the said authority, the president of the University, as the vice chairman, shall be the presiding officer.

The members of the Board shall not receive any salary but shall be entitled to reimbursements for actual and necessary expenses incurred, either in their attendance to meetings of the Board or in connection with other official business authorized by resolution of the Board, subject to existing laws and regulations.

Section 9. The University shall be headed by a president who shall render full-time service. He shall be appointed by the Board upon the recommendation of a duly constituted search committee. He shall hold office for a term of four (4) years, extendible only for another four (4) years.

In case of vacancy in the office of the president by reason of death, compulsory retirement, resignation, removal for cause or incapacity of the president to perform the functions of his office, the Board shall have the authority to designate an officer-in-charge pending the appointment of a new president.

In case of vacancy in the office of the president as mentioned in the immediately preceding paragraph, his successor shall hold office for the unexpired term. If the successor shall serve for a period of more than two (2) years, then such shall be considered as one full term for the successor.

The powers and duties of the president of the University, in addition to those specifically provided in this Act, shall be those usually pertaining to the office of the president of a similar university and those delegated by the Board.

The salary of the president of the University shall be in accordance with the Revised Compensation and Position Classification System and shall be comparable to that being received by other presidents of similar educational institutions of like enrollment and standing.

Section 10. There shall be an administrative council consisting of the president of the University as chairman, the vice president(s), deans, directors and other officials of equal rank as members, and whose duty is to review and recommend to the Board policies governing the administration, management and development planning of the University.

Section 11. There shall be an academic council with the president of the University as chairman and all members of the instructional staff, with the rank of not lower than assistant professor, as members.

The academic council shall have the power to review and recommend curricular offerings and fix the requirements for admission to the University, as well as for graduation and the conferment of

degrees, subject to the approval of the Board. It shall also have disciplinary power over students and shall formulate academic policies and rules and regulations on discipline, subject to the approval of the Board.

Section 12. The Board shall appoint a secretary who shall serve as such for both the Board and the University and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

Section 13. The Treasurer of the Philippines shall be the *ex officio* treasurer of the University.

Section 14. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the University: *Provided, however,* That no member of the faculty shall teach for or against any particular church or religious sect.

Section 15. In order to ensure the smooth transition to a University, the incumbent head of the Visayas State College of Agriculture, if qualified, shall serve as the first president of the University, subject to the provisions of Section 9 of this Act. The remaining term of the incumbent head of the Visayas State College of Agriculture shall be counted as his first term as University president.

Section 16. All assets, fixed and movable, personnel and records of the Visayas State College of Agriculture, as well as liabilities or obligations, are hereby transferred to the University: *Provided, however,* That the positions, rights and security of tenure of personnel employed therein under existing laws prior to its conversion into a University are not impaired: *Provided, further,* That the incumbents of existing positions shall remain in the same status until otherwise provided by the Board.

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

Section 17. Heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the president of the University, such apparatus, equipment or supplies as may be needed by the University, and to detail employees for duty therein when, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without detriment to the public service. Employees so detailed shall perform such duties as required of them by the President of the University, and the time so employed shall be counted as part of their official service.

Section 18. On or before the fifteenth (15th) day of the second month after the opening of the regular classes each year, the president of the University shall file with both Houses of Congress a detailed report on the progress, condition and needs of the University.

Section 19. The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Visayas State College of Agriculture. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Leyte State University shall be included in the annual General Appropriations Act.

Section 20. Within a period of one hundred twenty (120) days after the approval of this Act, the University shall accomplish the following:

- (a) Submit a five (5) year development plan, including its corresponding program budget, to the CHED for appropriate recommendation to the DBM;
- (b) Undergo a management audit in cooperation with the CHED; and
- (c) Accordingly set up its organizational, administrative as well as academic structure, including the appointment/ designation of key university officials.

Section 21. The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997" shall form an integral part of this Act and together shall serve as the governing charter of the University.

Section 22. All other powers, functions, privileges, responsibilities and limitations to state universities and/or its officials under existing laws shall be deemed granted to or imposed upon the University and/or its officials whenever appropriate.

Section 23. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 24. This Act shall take effect upon its approval.

Approved,

(Sgd.) AQUILINO Q. PIMENTEL JR.	(Sgd.) FELICIANO BELMONTE JR.
President of the Senate	Speaker of the House of Representatives

This Act which is a consolidation of House Bill No. 12657 and Senate Bill No. 2281 was finally passed by the House of Representatives and the Senate on June 6, 2001 and June 5, 2001, respectively.

(Sgd.) LUTGARDO B. BARBO	(Sgd.) ROBERTO P. NAZARENO
Secretary of Senate	Secretary General
	House of Representatives

Approved:

(Sgd.) **GLORIA**
President of the Philippines

MACAPAGAL-ARROYO

Lapsed into law on AUG 11 2001 without the signature of the President, in accordance with Article VI, Section 27 (1) of the Constitution.



VISAYAS
STATE UNIVERSITY



ACCOUNTING
OFFICE

CERTIFICATION

To Whom It May Concern:

This is to certify that funds amounted to **541,330.45** is still available under Operation Yolanda with project code 20401010-132.

This certification is issued for whatever legal purpose it may serve.

Given this 20th day of November, 2024 at Visayas State University, Visca, Baybay City, Leyte


NICK FREDDY R. BELLO
OIC Head, Accounting Office

Noted by: 
LOUELLA C. AMPAC
Director of Financial and Management

ACCOUNTING OFFICE

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