

[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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 7. The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under 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