

Strategic Committee

On

LAUTECH Ogbomosho

c/o 10A Akinola Maja Avenue, G.R.A Jericho Ibadan.

Prof Ayodeji Omole,
Chairman,
Oyo State Committee on LAUTECH,
Oyo State Secretariat,
Ibadan.

5th December, 2019

Dear Prof. Ayodeji Omole,

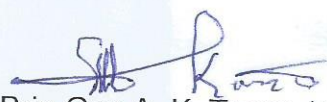
Submission of Memorandum by the Strategic Committee on LAUTECH, Ogbomosho

The Strategic Committee on LAUTECH (SCL) is a group of concerned Oyo State citizens that came into being in the wake of the incessant problems that had plagued that institution in the recent past with a view to examining them and proffering solutions on the way forward. It is apolitical and comprise of eminent personalities who have distinguished themselves in various fields and earnestly desire that LAUTECH should not be allowed to die in the interest of quality education and empowerment of our youth.

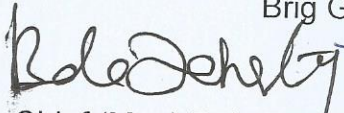
2. We were therefore pleased at the inauguration of your Committee by the Oyo State Government to look jointly with your Osun State counterpart into the ownership and other related issues that had engulfed the institution for a while now. The SCL has been keenly following the developments in the University for sometime and wish to avail your Committee with its perspectives as its contributions to your task of seeking enduring solutions to the numerous problems confronting the University, including the issue of single ownership. In this regard, please find attached a memorandum on the matter for your consideration.

3. While wishing your Committee success in this important assignment, please accept the assurances of our highest consideration.


Yours Sincerely,


Brig Gen A. K. Togun (rtd.)

Chairman


Chief (Mrs.) Bola Doherty


Prof. Dibu Ojerinde


Chief L. A. Olakojo


Maj. Gen. O. Popeola (rtd.)

**MEMORANDUM ON THE STATE OF LAUTECH, OGBOMOSO
SUBMITTED BY THE STRATEGIC COMMITTEE ON LAUTECH
TO THE FIVE-MAN COMMITTEE APPOINTED ON LAUTECH
ISSUES BY HIS EXCELLENCY THE EXECUTIVE GOVERNOR
OF OYO STATE, ENGR. SEYI MAKINDE**

Establishment

The University was established on 23 April 1990 as Oyo State University of Technology, Ogbomosho through an Edict but the name was changed to Ladoké Akintola University of Technology, (LAUTECH) when Osun State was created in 1991.

Ownership Structure

Upon creation of Osun State in 1991, the Military Governments of Osun and Oyo States approved joint ownership of the university and retained all principal officers, preponderance of which were from Osun.

To balance territorial coverage, the Governing Council decided to have the Teaching Hospital for Health Sciences programmes of the University located in Osogbo. By that arrangement, Oyo pays subventions to the University for the months of January to June while Osun State pays for July to December. Visitor-ship was also on rotational basis. The arrangement was relatively successful under the military governments due to their non-partisanship and was later managed with minimal friction up till 2014.

Agitations Concerning the Ownership Structure

Appointment of Principal Officers since the term of the pioneers ended in 1997 has been reasonably balanced between the two States, but nonetheless perceived disadvantages continued to give rise to agitations over distribution of positions and facilities.

The situation beginning from 2004 culminated to consistent demand by Osun State to have the Faculty of Basic Medical Sciences moved to Osogbo; a request that was turned down twice by the Governing Council in 2005 and 2006.

The agitations have had negative impact on the smooth running of the University and was what largely informed the construction of the LAUTECH Teaching Hospital and structures for Clinical Sciences in Ogbomoso by the Oyo State government.

Ownership Crisis and Change of Ownership

The rife agitations and open hostility among members of staff on both campuses of the university led to the indication by Oyo State to take over the Institution. This disposition informed the intervention of the National Universities Commission (NUC) and the formation of a Transition Committee that administered the Institution for three months from 20 September to 20 December 2010.

The Transition Committee proposed its asset sharing and worked out joint ownership severance agreement. Consequently, the new ownership was contained in the amendment to the Ladoke Akintola University of Technology Law in May 2011 as reflected in the Oyo State Gazette no 09, Vol. 36.

Osun State after a change of Administration in 2011 reneged on the disengagement agreement and approached the Supreme Court for a reaffirmation of the joint ownership of the University by the two States and a declaration precluding Oyo State from directing or taking any steps or measures to countermand that position. Subsequently, the two States entered into terms of settlement signed by their respective Attorney Generals on 26 March 2016. This reversed Oyo State takeover of the University.

Legal Framework for Sharing of Assets and Liabilities

The Legal Framework for Sharing of Assets and Liabilities between the owner States of Osun and Oyo was signed on 23rd October 2010 and agreed as the basis for the disengagement of joint ownership.

By the Agreement of 2nd September 2010, both States mandated the National Universities Commission (NUC) to constitute a LAUTECH

Transition Committee to inter alia share the assets and liabilities in 2010. This assignment was completed and the report duly submitted. It contained provision for each party to trade off or buy out immovable assets located in each State subject to the agreement.

The Committee was to ensure a smooth transition in the disengagement of the joint ownership of the University between Osun and Oyo States without jeopardizing the interests of staff and students

Disruption of the System

The reinstatement of the joint ownership arrangement from November 2011 threw up new challenges, chief among which was the nonfulfillment of financial obligations by Osun State. This was compounded by Oyo's State stoppage of its own subventions to the University in April 2015.

The lack of funding created serious problems for the Institution leading to nonpayment of salaries and allowances, shortage of staff, stoppage of research grants, degradation of learning facilities, deterioration of infrastructure, prolonged strikes, disruption of academic activities resulting in intermittent closures, loss of academic sessions and consequent drop in student enrollment.

The failure of local initiatives to stem the crises informed the governments of the owner States setting up a Visitation Panel in October 2016. Salient among the Panel's recommendations was the irrevocable commitment to joint ownership; siting new facilities and structures in Osogbo to reflect the joint ownership status; settlement of outstanding debts, and regular payment of subventions to the University by the owner States.

Present Situation

The University has nine faculties; 53 academic departments. 32 of the academic departments are in Ogbomoso while 20 are in Osogbo. The Institution has a carrying capacity of 35,000 students (full and part-time) and about 1,850 staff (academic and non-academic).

Three semesters are being run presently to catch up with lost sessions.

Salaries from August to October were still outstanding. Infrastructure inadequacies are still glaring. Mutual suspicion is still rife.

Case for Joint ownership

The rationale for conceiving and establishing the University for the indigenous education needs of the two States still relevant and needs to be sustained.

The two States running the Institution together in good spirit can foster the basis for further unity.

The option of the Federal Government taking over the University might not be feasible as having two Federal Universities in same State might not be considered politically expedient while some have none.

The cost of running a university single-handedly is prohibitive, so having joint ownership is advantageous.

Implications

Current wrangling between the two owner States is unlikely to abate as each jostles for advantage

Mutual suspicion and antagonism might deepen with consequent negative impacts

Inadequate funding is likely to persist and thus further deepening the crises
Joint ownership remains problematic as staff retention is difficult and enrollment dwindles.

Integrity of the University is jeopardized as academic standards drop and infrastructure deteriorates. The University risks becoming a practical dumping ground for rejects from other universities.

Case for Single Ownership

External bodies and persons (including former President Obasanjo and ASUU) have canvassed for single ownership by one of the two States, preferably Oyo State.

While funding still remains irregular and payment arrears high, Oyo State has shown more commitment in terms of payment of salaries and infrastructural development.

Currently, Oyo State owes N4.8 billion while Osun State is indebted to the tune of N7.6 billion.

Many States smaller and less economically endowed than Oyo State are running their universities successfully.

Single ownership is better placed to address the problems of the University more effectively.

Review of the institutional operations can easily be undertaken and implemented under one State.

Implications

Need for a reversal of the 2012 Supreme Court ruling on settlement terms. A larger percentage of the State budget must be earmarked for tertiary education.

The Legal Framework Agreement on disengagement of joint ownership must be fully implemented with regard to sharing of assets and liabilities. In implementing the disengagement, students and staff rights must be respected while their concerns must be taken into consideration.

The discontinuation of joint ownership must be a planned, peaceful and amiable separation.

Ways Forward


- (i) Immediate bailout by the owner State governments to settle payment of the salaries of the last three months to forestall disruptive industrial action by Staff Unions.
- (ii) Resoluteness on the part of Oyo State to take-over ownership of the University and in this regard:
- (iii) Resuscitate the Legal Framework on the severance of joint ownership.
- (iv) Approach the Supreme Court to reverse subsisting terms of settlement on the basis that important facts and information were

deliberately withheld from the court to influence the ultimate decision.

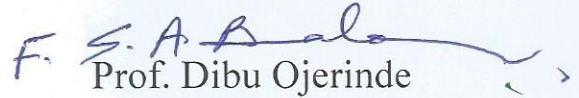
- (v) Adopt and implement the 2010 Report of the NUC Committee on sharing the assets and liabilities.
- (vi) Explore the possibility of funding the University under Oyo State ownership as proposed by Chief Olusegun Obasanjo.



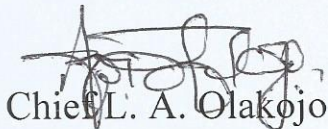
Brig Gen A. K. Togun (rtd.)
Chairman



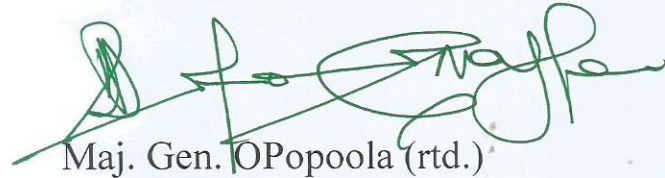
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