



Visayas State University

Visca, Baybay, Leyte 6521-A

Philippines

Tel: +63 53 335 2600; Fax: +63 53 335 2601

website: www.vsu-visca.edu.ph

Office of the President

8 December 2010

MEMORANDUM NO. 274

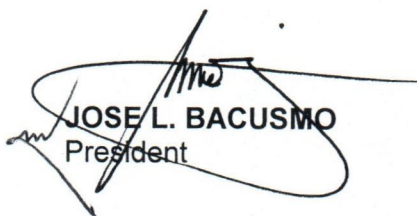
Series of 2010

- T O:**
- | | |
|-------------------------------|---------------|
| Dr. Myrna M. Avila | - Chairperson |
| Prof. Norma B. Mesorado | - Member |
| Prof. Rosa Ophelia D. Velarde | - Member |
| Prof. Jacob Glenn F. Jansalin | - Member |
| Dr. Eugene B. Lañada | - Member |
- R E:** Preliminary Investigation Committee on the Complaint of
Ms. Ivy Suzamen G. Red Against Mr. Greggry Manuel B. Albuera

With Dr. Myrna M. Avila as Chairperson and the rest as members, please constitute yourselves into a preliminary investigation committee on the complaint of Ms. Ivy Suzamen G. Red against Mr. Greggry Manuel B. Albuera. Attached are pertinent documents of the case for your reference.

Kindly submit your report to this office on or before January 30, 2011.

Please be guided accordingly.


JOSE L. BACUSMO
President

Nov 30, 2010

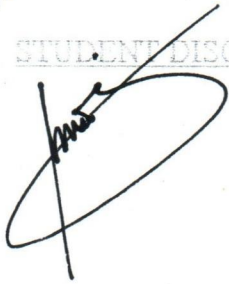
GP # 8946

9/30/10

Alan,
let us form a
preliminary investigation
team for this.
Thanks.

VISAYAS STATE UNIVERSITY
VSU, Baybay, Leyte

STUDENT DISCIPLINARY COMMITTEE



September 30, 2010

Dr. Jose L. Bacusme
President
Visayas State University
VSU, Baybay, Leyte

Dear Sir:


The Student Disciplinary Committee (SDC) is the formal investigative body and cannot act on the report/case due to the following observations:

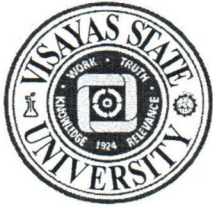
1. The need to attach the report of the preliminary investigation following the procedures stated in Arts. III- IV Part II, Book III of the VSU Student Handbook.
2. Compliance of Art. IX, Part II, Book III thereof, in order for Student Disciplinary Committee to proceed with the formal investigation.

With the above observations, the documents are hereby returned requesting submission/attachments of requisite documents.

For your action. Thank you.

Very truly yours,


VELMA P. BONTUYAN
Chairperson, SDC



Visayas State University

Visca, Baybay, Leyte 6521-A
Philippines

Tel: +63 53 335 2600; Fax: +63 53 335 2601
website: www.vsu-visca.edu.ph

red by
upad
9/29/10

Office of the President

24 September 2010

Ms. Velma P. Bontuyan

Chairperson
Student Disciplinary Committee
Visayas State University
Visca, Baybay, Leyte

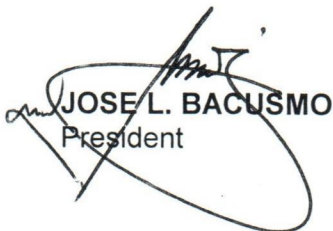
Dear Ms. Bontuyan:

Respectfully endorsing for investigation the complaint of Ms. Ivy Suzamen G. Red, 2nd year BS HRTM student against Mr. Greggry Manuel B. Albuera, 4th year irregular student of BS HRTM.

Although the initial complaint was thought as sexual harassment but upon closer scrutiny with our University Anti-Sexual Harassment Coordinator, more appropriate charge might be ASSAULTING any member of the faculty or staff or ANY OTHER PERSONS (Article 1, Section 1 (A) of Part III of VSU Student Handbook.

I suggest that your committee should examine the complaint carefully in order to guide your investigation.

Truly yours,


JOSE L. BACUSMO
President

recd
9/28/10

Visayas State University
ANTI-SEXUAL HARASSMENT OFFICE
Visca, Baybay, Leyte

14 September 2010

DR. JOSE L. BACUSMO
President
Visayas State University
Baybay, Leyte

Dear Mr. President:


This is with regard to the sexual harassment complaint filed by **IVY SUZAMEN G. RED**, II – BS HRTM student against **GREGGY MANUEL B. ALBUERA**, IV (Irregular) – BS HRTM student.

The Anti-Sexual Harassment Committee in a meeting today has discussed the complaint and the Committee is of the opinion that although there were unwanted sexual advances, it did not constitute sexual harassment since the following elements required for a sexual harassment case were not present: the demand for or exchange of favors of a sexual nature and the existence of a power relationship. As such, the approved VSU Implementing Rules and Regulations on the Anti-Sexual Harassment Act of 1995, will not apply in this case.


However, this should not be taken to mean that there is no basis for a case to be filed. Since both parties are students, the Committee reviewed the pertinent provisions in the VSU Student Handbook and noted that the offense committed was ASSAULTING any member of the faculty or staff or ANY OTHER PERSONS (Article 1, Section 1 (A) of Part III of the VSU Student Handbook. As such, this complaint will be appropriately handled by the Student Disciplinary Committee.

In view of the abovementioned, the ASHO is forwarding this complaint for the appropriate action of your office.

Very truly yours,


MARIA AURORA T.W. TABADA
Coordinator

Noted by:


EDGARDO E. TULIN
Chair, CODI

rec'd
9/28/10

Visayas State University
ANTI-SEXUAL HARASSMENT OFFICE
Visca, Baybay, Leyte

31 August 2010

DR. JOSE L. BACUSMO

President
Visayas State University
Visca, Baybay, Leyte

Dear Pres. Bacusmo:

Please be informed that IVY SUZAMEN G. RED, II- BS HRTM student has filed a complaint for sexual harassment against GREGGY MANUEL B. ALBUERA, IV (IRREGULAR) BS HRTM student.

Since the incident occurred during the FL 110 class where Ms. Red and Mr. Albueria are classmates, Ms. Red has requested that Mr. Albueria be transferred to a different section.

The ASHO, likewise, recommends the transfer of Mr. Albueria to prevent the occurrence of a similar incident and to ensure that Ms. Red is not further traumatized by the experience.

Attached is the notarized affidavit of Ms. Red.

Very truly yours,



MARIA AURORA TERESITA W. TABADA
Coordinator

cc: Dr. EE Tulin
Chair, CODI
Prof. MB Loreto, Jr.
Dean of Students

ment
9/28/13
no

Republic of the Philippines)
Province of Leyte)S.S.
City of Baybay)
X-----X

COMPLAINT – AFFIDAVIT

I, **IVY SUZAMEN G. RED**, 19 years old, single, Filipino, and a resident of CJ Dormitory, Guadalupe, Baybay, Leyte, after having been sworn to an oath in accordance with law hereby depose and say:

That I am currently enrolled at the Visayas State University, Baybay City, Leyte as a second year student taking up Bachelor of Hotel, Restaurant and Tourism Management;

That in this first semester Sy 2010-2011, one of my subjects is Foreign Language 110 (German) under Dr. Buenaventura B. Dargantes;

That on August 23, 2010 at around 10:00 AM, I went to the office of Dr. Dargantes at the ISRDS to take my oral exam in my FL 110 course;

That while waiting for our turn to take the exam, I and some classmates were at the lobby of the ISRDS reviewing our notes;

That at the time I noticed a classmate, Greggry Manuel Albuera, BSHRTM (Irregular) student, looking and smiling at me but I did not mind him because I was focused on preparing for my oral exam;

That I took my oral exam together with Janica Napoles, also a BS HRTM student;

That after our oral exam at around 11:00 AM, Ms. Napoles left ahead and I followed her;

That when I came out of Dr. Dargantes' office, Greggry Manuel Albuera, was standing in the corridor between the office of Dr. Dargantes and Prof. Nuñez;

That Mr. Albuera then grabbed my right arm and pushed me against the glass of Prof. Nuñez' office and then kissed me on the lips;

That I was shocked at what he did that I felt my hands get cold and I had difficulty breathing and talking;

That despite my repeated efforts to be free of him, he refused to let me go instead he continued to hold me forcibly against the wall while telling me to wait for him while he took him oral exam;

That I told him that I wanted to go home already and besides, I told him I already had a boyfriend;

That he responded by kissing me again and told me that he has been attracted to me for awhile now and that he had been wanting to kiss me also;

That I was shocked that he was feeling that way since we were not close friends although we were classmates in Micro 22 (Microbiology) in the 1st semester, SY 2009-2010;

That I tried hard to push him away but had difficulty doing so since he much bigger than me;

That at this point, the two students who took their oral exam after us went out of the office of Dr. Dargantes allowing me to run away from Mr. Albueria;

That I noticed that Mr. Albueria came after me but I was able to get out of the ISRDS without further encountering him;

That I am formally filing a complaint against Greggry Manuel Albueria, BS HRTM (Irregular) student.

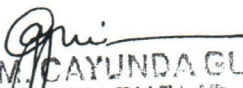
That I am executing this complaint-affidavit to attest to the truth of the foregoing statements in support of my complaint against Mr. Albueria;

IN WITNESS WHEREOF, I have hereunto set my hand this 01 day of September 2010 at VSU, Baybay City, Leyte, Philippines.


 IVY SUZAMEN G. RED
 Affiant
 VSU ID No. 08-1-00556

SUBSCRIBED AND SWORN to before me this 01 day of September 2010 at VSU, Baybay City, Leyte, Philippines and I personally examined the affiant and I am fully satisfied that she has voluntarily executed and understood the contents of her complaint-affidavit.

DOC. NO. 567
 PAGE NO. 03
 BOOK NO. XXVII
 SERIES OF 2010


 GLORIOSA M. CAYUNDA GUINOCOR
 NOTARY PUBLIC
 UNTIL DECEMBER 31, 2010
 PTR NO. 2968354-BAYBAY CITY-1/4/10
 IBP NO. 771305-TACLOBAN CITY-1/5/10
 MCLE COMPL. NO. 11-0014009
 ROLL NO. 42328