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Office of the President

28 October 2014

MEMORANDUM NO. 239

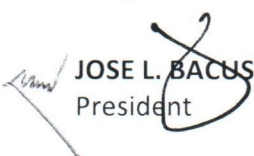
Series of 2014

- T O:** Dr. Edgardo E. Tulin
Prof. Maria Aurora Teresita W. Tabada
Prof. Manolo B. Loreto, Jr.
Dr. Luz O. Moreno
Ms. Velma P. Bontuyan
Ms. Claire Larzen Tello
- R E:** Formal Investigation Committee on the Complaint of Ms. Lorraine C. Bulacan

With Dr. Edgardo E. Tulin as Chairperson and the rest as members of the Anti-Sexual Harassment Committee/CODI, you are hereby designated to constitute the Formal Investigation Committee on the sexual harassment complaint filed by Ms. Lorraine C. Bulacan against Engr. Jackson A. Beilen. Attached is a copy of the findings of the preliminary investigation committee for your reference.

Kindly submit your report on or before December 15, 2014.

Please be guided accordingly.


JOSE L. BACUSMO
President



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03 October 2014

Dr. Jose L. Bacusmo
President
Visayas State University
Baybay City, Leyte

Dear Sir:

We wish to submit herewith the findings of the preliminary investigation that we conducted on the sexual harassment complaint filed by Ms. Lorraine C. Bulacan, a 4th year BS Civil Engineering student, against Engr. Jackson A. Bellen, Instructor, Dept of Agricultural Engineering, VSU, Baybay City, Leyte.

Very truly yours,

PRELIMINARY INVESTIGATION COMMITTEE

VICTOR B. ASIO
Chairperson

MYRNA M. AVILA
Member

ANDRELI D. PARDALES
Member, Staff Representative

JOAQUIN JAVIER F. BALCE
Member, Student Representative

Cc:

Atty Rysan C. Guinocor
Attorney IV, Legal Office

PRELIMINARY INVESTIGATION OF SEXUAL HARASSMENT COMPLAINT FILED
MS. LORRAINE C. BULACAN AGAINST ENGR. JACKSON A. BELLEN

Facts of the Complaint:

Name of Complainant: Ms. LORRAINE C. BULACAN, 19 years old, a 4th year BS Civil Engineering student, College of Engineering, VSU.

Name of Respondent: ENGR. JACKSON A. BELLEN, 26 years old, Instructor, Dept of Agricultural Engineering, College of Engineering, VSU

Ms. Bulacan has filed a formal complaint for sexual harassment against Engr. Bellen. In her affidavit, the complainant alleged that the respondent who was her instructor in the Fluid Mechanics course during the 2nd Semester SY 2013-14, invited her through text to come to his office on June 24, 2014 for them to talk about the incomplete grade that the complainant has obtained in the said course. And while the two (complainant and respondent) were inside the respondent's office at about 12:50 p.m. the respondent hugged and kissed the complainant against her will. The complainant submitted affidavits of two classmates as witnesses Ms. MA. LEANITA CHARLYNE P. CALA, 18 yrs old from D. Veloso St., Zone 7, Baybay City, and Ms. RHINA JOY C. BASA, 19 yrs from VSU, Baybay City, Leyte. Both witnesses corroborated the allegation of sexual harassment filed by Ms. Bulacan against Engr. Bellen.

Engr. Bellen submitted a counter-affidavit detailing his side on the incident. He admitted that he kissed Ms. Bulacan inside his office on June 24, 2014 at about 12:50 p.m. and he said he was afraid of what he did so he apologized to her through text message minutes after the incident. However, he alleged that the kissing incident happened because of the "leading text messages" that Ms. Bulacan sent him the night before the incident including the text "mwaah". Contrary to the claim of Ms. Bulacan that she resisted the kissing and she pushed him, Engr. Bellen insisted that there was no resistance from the complainant. To support this claim, he submitted affidavits from witnesses, JOVIE M. DANCIL, JOVELYN F. RIOS, APRIL MAE G. PADA and RHEA L. VILBAR, all of legal ages and engineering students of VSU, saying that they were outside Engr. Bellen's office at exactly that time that the respondent and the complainant were inside the respondent's office and they did not hear, see or notice any commotion inside Engr. Bellen's office.

Findings:

From the material evidences submitted by the complainant and the respondent together with their respective witnesses, we have found the following:


1. That Engr. Jackson A. Bellen kissed the complainant, Ms. Lorraine C. Bulacan, while the two were inside Engr. Bellen's office on June 24, 2014 at about 12:50 pm after they talked about the incomplete grade of Ms. Bulacan in the Fluid Mechanics course of Engr. Bellen;

2. That Engr. Bellen even admitted it as a harassment and even asked forgiveness from Ms. Bulacan minutes after the incident;
3. That there was a continuous exchange of text messages between Engr. Bellen and Ms. Bulacan until the evening of June 24, 2014. The exchange of text messages between them continued until July 1, 2014 several days after the incident; and
4. That there is merit of the complaint although the material evidences at hand point to a less severe case of sexual harassment.

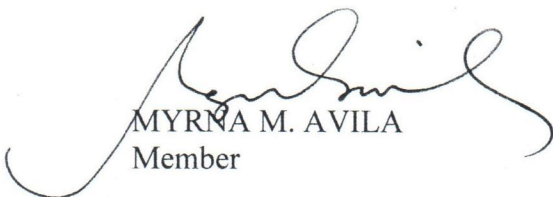
Recommendation:

In order to get more facts on the case and in the interest of both parties, we recommend the conduct of a formal investigation into the sexual harassment complaint filed by Ms. Dyan Lorraine C. Bulacan against Engr. Jackson A. Bellen.

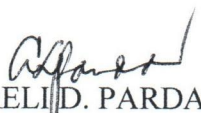
PRELIMINARY INVESTIGATION COMMITTEE



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03 October 2014, VSU, Baybay City, Leyte