



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
www.pangasinan.gov.ph

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on January 14, 2019 at Lingayen, Pangasinan, the following provincial resolution was approved:

Authored by SP Member Jeremy Agerico B. Rosario

PROVINCIAL RESOLUTION NO. 4-2019

EARNESTLY REQUESTING THE CIVIL SERVICE COMMISSION THROUGH CHAIRPERSON ALICIA DELA ROSA-BALA, COMMISSIONER LEOPOLDO ROBERTO W. VALDEROSA, JR., ASSISTANT COMMISSIONER DAVID E. CABANAG, JR. AND REGIONAL DIRECTOR HEDY JOSE B. LARDIZABAL, TO DENY THE ATTESTATION OF THE APPOINTMENT OF DR. DEXTER R. BUTED FOR A SECOND TERM AS UNIVERSITY PRESIDENT OF THE PANGASINAN STATE UNIVERSITY FROM DECEMBER 8, 2018 TO DECEMBER 7, 2022

WHEREAS, Dr. Dexter R. Buted has been reappointed as President of the Pangasinan State University (PSU) for a second term commencing on December 8, 2018 and ending on December 7, 2022; subject to the attestation by the Civil Service Commission of his appointment on its effectivity and validity;

WHEREAS, the Sangguniang Panlalawigan of Pangasinan through Provincial Resolution No. 718-2018, dated November 26, 2018, has urged the Civil Service Commission to look into the propriety of the passage of Pangasinan State University–Board of Regents Resolution No. 84, S-2018;

WHEREAS, the Sangguniang Panlalawigan has expressed its apprehension over the reappointment of Dr. Dexter R. Buted considering that his reappointment as PSU President is still within the 9-month suspension imposed by the Ombudsman for oppression;

WHEREAS, the reappointment of Dr. Dexter R. Buted is tantamount to reinstating a suspended person to his position during the time of service of his penalty of suspension;



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
www.pangasinan.gov.ph

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

Provincial Resolution No. 4-2019
Page 2

WHEREAS, the Sangguniang Panlalawigan is of the opinion also that Dr. Buted has incurred a gap in service due to his suspension for nine (9) months from April 30, 2018 to January 31, 2019 which disqualifies him for reappointment;

WHEREAS, the Sangguniang Panlalawigan firmly believes that Dr. Dexter R. Buted did not meet the minimum qualifications for the State Universities and Colleges (SUC) Presidency pursuant to Section 5, paragraph 5.1 (f), Rule III of CHED Memorandum Order No. 16, Series of 2009 which states that for SUC Presidents who are undergoing evaluation for a second term, he/she must not have been convicted of any administrative offense or crime;

WHEREAS, the Sangguniang Panlalawigan likewise reiterates the provision of Rule III, Section 4 of CHED Memorandum Order No. 16, S-2009 which provides the creation of a Search Committee before the end of the term of the incumbent President which will conduct the regular Search for President, however, the PSU-BOR instead created an Evaluation Committee to evaluate the performance of Dr. Dexter R. Buted for purposes of his reappointment;

WHEREAS, the Sangguniang Panlalawigan further believes that the reappointment of Dr. Dexter R. Buted is not qualified for attestation by the Civil Service Commission;

WHEREFORE, on motion of SP Member Jeremy Agerico B. Rosario, duly seconded, it was –

RESOLVED, by the Sangguniang Panlalawigan in session assembled to earnestly request, as it is hereby earnestly requested, the Civil Service Commission through Chairperson Alicia Dela Rosa-Bala, Commissioner Leopoldo Roberto W. Valderosa, Jr., Assistant Commissioner David E. Cabanag, Jr. and Regional Director Hedy Jose B. Lardizabal, to deny the attestation of the appointment of Dr. Dexter R. Buted for a second term as University President of the Pangasinan State University from December 8, 2018 to December 7, 2022;

RESOLVED, FINALLY, that copies of this resolution be furnished to Chairperson Alicia Dela Rosa-Bala, Commissioner Leopoldo Roberto W. Valderosa, Jr., Assistant Commissioner David E. Cabanag, Jr., and Regional Director Hedy Jose B. Lardizabal, all of the Civil Service Commission Central and Regional Offices, for their appropriate action.

CERTIFIED BY

VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


JOSE FERDINAND Z. CALIMLIM, JR.
Vice Governor
(Presiding Officer)

Letter Reply to Provincial Resolution re Pres. Buted's Appointment


From: Policies and Systems Evaluation Division (psedcsregionone@gmail.com)

To: pbsecpang@yahoo.com

Date: Wednesday, April 17, 2019, 1:31 PM GMT+8

**SP SECRETARIAT OFFICE
LINGAYEN, PANGASINAN**

APR 22 2019

RECEIVED
BY:  8:30

Good day!

Please see attached file and kindly acknowledge receipt.

Thank you!

Policies and Systems Evaluation Division
Civil Service Commission
Regional Office I
San Fernando City, La Union



Letter Reply to SP Resolution.pdf
4.6MB



Civil Service Commission Regional Office I

April 17, 2019

MS. VERNA T. NAVA-PEREZ

Secretary to the Sanggunian
Provincial Government of Pangasinan
2401 Lingayen, Pangasinan

Dear Ms. Nava-Perez:

This refers to Provincial Resolution No 4-2019 of the Sangguniang Panlalawigan of the Provincial Government of Pangasinan entitled "**EARNESTLY REQUESTING THE CIVIL SERVICE COMMISSION x x x TO DENY THE ATTESTATION OF THE APPOINTMENT OF DR. DEXTER R. BUTED FOR A SECOND TERM AS UNIVERSITY PRESIDENT OF THE PANGASINAN STATE UNIVERSITY FROM DECEMBER 8, 2018 TO DECEMBER 7, 2022.**"

Among other things, it is stated in the SP Resolution that the Sanggunian Panlalawigan firmly believes that Dr. Buted did not meet the minimum qualifications for State Universities and Colleges (SUC) pursuant to CHED Memorandum Order No. 16, series of 2009 which states that for SUC Presidents who are undergoing evaluation for a second, he/she must not have been convicted of any administrative offense or crime.

It should be mentioned that the same SP Resolution was furnished to our Central Office and was subsequently referred to us by Atty. David E. Cabanag, Jr of the Office of the Assistant Commissioner for Special Concerns on February 22, 2019 and was received by this Office on March 8, 2019. The same was correspondingly responded to on March 27, 2019.

This Office is aware that the Office of the Ombudsman has rendered a Decision (Adm. Case No. OMB-L-A-16-0318 dated March 16, 2017) finding Dr. Buted administratively liable for Oppression and was meted the penalty of nine (9) month suspension from the service. Dr. Buted served his suspension from April 30, 2018 to January 30, 2019.

In the course of our evaluation of the subject appointment, we were able to gather documents/records showing that Dr. Buted filed with the Supreme Court a Motion for Reconsideration on September 19, 2018. Moreover, Buted also filed a Motion for Reconsideration with the Office of the Ombudsman on November 23, 2018. At the time action was taken on Buted's appointment, both Motions for Reconsideration filed at the Supreme Court and the Office of the Ombudsman, respectively, were not yet resolved.

Thus, we deem that the subject administrative case against Buted (OMB L-A-16-0318) remains pending until final judgment has been rendered thereon accordingly.

In the course of our evaluation of the subject appointment, we were able to gather documents/records showing that Dr. Buted filed with the Supreme Court a Motion for Reconsideration on September 19, 2018. Moreover, Buted also filed a Motion for Reconsideration with the Office of the Ombudsman on November 23, 2018. At the time action was taken on Buted's appointment, both Motions for Reconsideration filed at the Supreme Court and the Office of the Ombudsman, respectively, were not yet resolved. Thus, we deem that the subject administrative case against Buted (OMB L-A-16-0318) remains pending until final judgment has been rendered thereon accordingly.

After a careful evaluation and due consideration of the issues and concerns raised on the subject appointment, we found that Dr. Buted meets the qualification requirements for the position of SUC President. However, considering that the administrative case against him has not yet become final, his appointment (reappointment) as President IV was attested on March 6, 2019 with the notation "subject to the final outcome of the administrative case against the appointee."

The said attested appointment was forwarded to our CSC Field Office-Western Pangasinan in Lingayen, Pangasinan on March 27, 2019.

For your information.



HEDY JOSE B. LARDIZABAL

Director IV *HL*

PS
PSED/MGC/wchj*