



Republic of the Philippines
Polytechnic University of the Philippines
Student Council Constitutional Commissions
Commission on Elections

Decision

Petition: **PROTEST OF REJECTION DISQUALIFICATION OF SAMASA-PUP CANDIDATES**

Petitioners: **Sandigan ng Mag-aaral para sa Sambayanan (SAMASA) – PUP**

In August 24, 2021, the Implementing Rules and Regulations of the 2021 PUP Election Code has taken effect.

On August 27, 2021, the filing of the Certificate of Candidacy for the 2021 Elections has commenced and ended on September 1, 2021. Additional documents, like the Certificate of Grades, is extended until September 4, 2021.

The Commission received an email on September 8, 2021, at 4:00 PM, from the petitioners that their candidates, Gaylord Dela Cruz and Jhon Neco Marcelo, has been disqualified despite the Commission has not released anything yet on the status of the qualifications of all candidates.

Furthermore, the Commission received an email from the petitioners on September 16, 2021, that more candidates under their banner has been disqualified.

The Commission has received their documents on time.

Decision: The Commission rejects the protest.

Jhon Neco Marcelo and Yan Yan Decatoria, who filed their Certificates of Candidacy for the Sentral na Konseho ng Mag-aaral (SKM) Councilors, are unqualified to run to the office they seek to be elected due to deficiencies in the documents submitted.

Flory Joy Baldismo Alvarez, Erica Mendoza Salazar, Ma. Angelica Tabacug Rosita, Charles Anthony Anciano Perlas, and Shane Anne Castro Rodriguez, who filed their Certificates of Candidacy for the College of Social Sciences and Development (CSSD) Student Council, are unqualified to run to the office they seek to be elected due deficiencies in the documents submitted.

Gaylord Dela Cruz, who filed her Certificates of Candidacy for the College of Arts and Letters (CAL) Student Council, is unqualified to run to the office she seeks to be elected due to deficiencies in the documents submitted.

The Implementing Rules and Regulations of the Election Code is clear: in cases that the Registration Card is unavailable, the candidate may provide Certificate of Grades which reflects his/her two most recent accomplished semesters and **containing his/her student number** (Article IV Section 2). Allowing candidates to run with lacking details in their documents violates the Equal Protection of all candidates.

The Commissioners from CCIS and CADBE delivered the opinion of the Commission, joined by *unanimous*.

The commissioners from CAF, CPSPA, CSSD, and ITECH took no part in the deliberations of the protest.

Opinion of the Commission:

The candidates under the banner of the petitioners are unqualified to be elected as members of the Student Council because of lacking details in their documents submitted to the Commission. The documents are not tampered or invalid itself, but with concerns to the requirements set by the Implementing Rules and Regulations in lieu of the elections, the Commission cannot accept the documents.

Part I: The Student Number Rule

The petitioner cited the following grounds to file this protest:

As students, we are not allowed to do any addendum for the document given by the College administrators, Dean in this case, as it could be considered as tampering of public documents.

We do not have full jurisdiction over the documents that the administrators will release to the students or candidates. Some candidates reach out to the Dean directly, plotting a face-to-face appointment because some officers are unresponsive to their concerns. The respective Chairpersons and Deans of their colleges provided their own document of COG that does not contain the candidates' student numbers. Therefore, we cannot tamper with the documents provided by the administration just to comply with COMELEC's rule

The Commission will not be splitting hairs in the rules set. It is clear in the Implementing Rules and Regulations of the Election Code that when the Registration Card is unavailable, the candidate may provide Certificate of Grades which reflects his/her two most recent accomplished semesters and **containing his/her student number**.

With the grounds cited by the petitioner, the Commission decided to reject their Certificates of Candidacy because similarly situated students, particularly the candidates from CAL, CSSD, and COED, and even the members of the Commission, have been able to request and acquire certificate of grades with their student numbers.

Part II: Incomplete Grades

The petitioner cited the following grounds to file this protest:

Additionally, some of the candidates do not have complete grades during the passing of the requirements. Due to this reason, certain departments do not allow them to have their Certificate of Grades. Instead, they passed the Certificate of Registration provided by the administration. Also, the student numbers of the candidates have already been provided in the other documents such as the Certificate of Candidacy so the lack of student numbers in their COG/COR should not be that significant, especially that these are sufficient proof that the candidates are bonafide students othe University.

With the grounds cited by the petitioner, the Commission decided to reject their Certificates of Candidacy because similarly-situated students have been able to request and acquire their Certificates of Grades with incomplete grades. The Commission, with concern of the document, is looking for the proof of residency of the students: that they must be under two consecutive terms in the university.

SO, ORDERED

(SGD) JANNETTE PRINCESS V. HINATE

Chairperson
College of Education Commissioner

JANEL MARIEKE B. BAÑARIA

Vice Chairperson
College of Social Science and Development
Commissioner

(SGD) ALEC MARIZ G. AVERILLA

Secretary General
College of Human Kinetics Commissioner

(SGD) KATHERINE CLAIRE A. HOANG

Treasurer
College of Architecture, Design and Built
Environment Commissioner

**ANGELA LUISA H.
MONTENEGRO**

College of Accountancy and Finance
Commissioner

(SGD) DIVINA MARIE B. IBÁÑEZ

College of Arts and Letters Commissioner

(SGD) ELIZABETH MARIE G. ANDAYA

College of Business Administration
Commissioner

(SGD) PETER THADDEUS V. IBÁÑEZ

College of Communication Commissioner

(SGD) MARC JOSEPH V. BARCIAL

College of Computer and Information
Systems Commissioner

(SGD) CHARLIZE KRIZIA R. LOPEZ

College of Engineering Commissioner

**(SGD) FRANZ MARIELLA D.
SUMOCOL**

College of Science Commissioner

CYRUS JAMES P. MAGSINO

College of Political Science and Public
Administration Commissioner

(SGD) KRISTAN MARK F. BERNARDO

College of Tourism, Hospitality and
Transportation Management Commissioner

DIVINA I. ASIS

Institute of Technology Commissioner