

**DIGNADICE, J.**

Re: Local Scholarship Program (LSP);  
AWOL

X-----X

### **RESOLUTION NO. 991778**

J Dignadice, Human Resource Management Officer III, Department of Interior and Local Government (DILG) and a Local Scholarship Program (LSP) scholar for School Year 1997-1998, seeks to clarify:

1. Whether or not she is required to refund the salaries and benefits she received if the course she enrolled in was postponed by the institution offering it, thereby, hindering the full completion of the LSP grant; and
2. Whether such postponement automatically cancels the one (1) year study leave under the LSP grant or can she opt to enjoy her leave despite the postponement; and whether the DILG can declare her on AWOL for not reporting back the work at the first indication of the Course's postponement and/or require her to refund the salaries and benefits she received during the period she spent waiting in good faith anticipating the resumption of the postponed course.

Dignadice also requests that the degree in Master in Government Management (MGM) - Executive Special Program she earned in April 1998 be considered as her completed LSP grant.

According to Dignadice, she started her LSP grant on the second semester of SY 1997-1998 under the Ladderized Graduate Program in HRD (three-ladder program) at the Development Academy of the Philippines (DAP). She finished the first-ladder in March, 1998.

However, Dignadice represented that the DAP postponed the second and third ladders of the program. Anticipating the resumption of the course, she did not immediately report to her office from April to

August 1998. As a result, the DILG declared her on AWOL and required her to refund the salaries and benefits she received during the period of the study grant.

After the consideration of the representations of Dignadice, the Commission finds that she cannot be considered on AWOL for not reporting to office from April to August 1998 for the reason that her scholarship contract stipulated that she was supposed to be on official study leave for one-year pursuant to the LSP. In other words, there was already a prior approval of her leave with a duration of one year.

However, for purposes of the LSP, Dignadice is considered to be on leave of absence from April to August, 1998. This is because to be considered on study leave on official time, a grantee must be officially enrolled and in the active performance of complying with the school and academic requirements such as attendance and participation in class activities which did not obtain in this case because of the postponement by the DAP of the second and third ladders of the program during the said period.

On this premise, the Commission takes cognizance of the fact that Dignadice's inability to finish her course is not due to her fault or resulting from her neglect. Hence, she is not liable under CSC Memorandum Circular No. 18, s. 1998, which provided as follows:

*"x x x In the event that the scholar fails to complete the degree or discontinue his/her studies x x x through his/her own fault or willful neglect, resignation, voluntary separation or transfer, the scholar shall refund to the x x x agency all salaries and other remunerations received while on scholarship."*

Dignadice does not have to refund the salaries and benefits she received during her scholarship. But since she is considered studying on official time up to March, 1998 only, the salaries she received from April to August, 1998 shall be charged to her leave credits as she is already considered on leave of absence during said period.

As regard her request that she be considered an LSP graduate in view of the degree of Master in Government Management she earned at the PLM in April 1998 on her own time and expense, this

Commission has no objection.

**WHEREFORE**, this Commission resolves to rule that J. Dignadice is not liable to refund the salaries and benefits she received from October 1997 to March 1998 as an LSP scholar; and that she is not considered on AWOL from April to August 1998 but her leave of absence should be deducted from her accumulated leave credits in accordance with the Civil Service Law and Rules.

Accordingly, Dignadice is hereby considered an LSP graduate by virtue of the degree of Master in Government Management she earned in April 1998, and, thus, required to render one (1) year service obligation to the Department of Interior and Local Government pursuant to the provisions of CSC Memorandum Circular No. 44, s. 1992.

Quezon City, **AUG 11, 1999**

(Signed)

**CORAZON ALMA G. DE LEON**

Chairman

(O.B.)

**THELMA P. GAMINDE**

Commissioner

(Signed)

**JOSE F. ERESTAIN, JR.**

Commissioner

Attested by:

(Signed)

**ARIEL G. RONQUILLO**

Director III

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