

## RULES & REGULATIONS ON STUDENT CONDUCT AND DISCIPLINE



*(As approved by the Board of Regents at its 876<sup>th</sup> meeting on September 2, 1976 superseding all provision rules on the subject, and as amended at the 923<sup>rd</sup> BOR meeting on 31 January, 1980 and 1017<sup>th</sup> BOR meeting on 8 December, 1988 and further amended at the 104<sup>th</sup> BOR meeting on 25 June, 1992.)*

**Section 1.** BASIS OF DISCIPLINE - Student shall at all times observe the laws of the land and the rules and regulations of the University.

No disciplinary proceedings shall be instituted except for conduct prohibited by law or by the rules and regulations promulgated by duly constituted authority of the University.

**Section 2.** SPECIFIC MISCONDUCT - A student shall be subject to disciplinary action for any of the following acts:

- (a) Any form of cheating in examination or any act of dishonesty in relation to his studies;
- (b) Carrying within the University premises any firearm, knife with a blade longer than two and a half inches, or any other dangerous or deadly weapon; Provided, that this shall not apply to one who shall possess the same in connection with his studies and who has a permit from the Dean or Director of his/her college or school;
- (c) Drinking alcoholic beverages within academic and administrative building, dormitories and the immediate premises thereof; except in places expressly allowed by the University; or drunken behavior within the University premises;
- (d) Unauthorized or illegal possession or use of prohibited drugs or chemicals, or other banned substances enumerated in the Dangerous Drug Act of 1972 (as amended), such as LSD, marijuana, heroin, shabu or opiates and hallucinogenic drugs in any form within the University premises
- (e) Gambling within the University premises;
- (f) Gross and deliberate discourtesy to any University official, faculty member or person in authority;
- (g) Creating within the University premises disorder, tumult, breach of peace or serious disturbance;
- (h) Making any false statement of any material fact, or practicing or attempting to practice any deception or fraud in connection with his/her admission or registration in, or graduation from the University;
- (i) Practicing or attempting to practice any deception or fraud in connection with his/her application in any University funded or sponsored scholarship or grant;
- (j) Damaging or defacing University property;
- (k) Disgraceful or immoral conduct within the University premises;

(l) Unlawful taking of University property; and

(m) Any other form of misconduct.

**Section 3. RULES AND REGULATIONS PROMULGATED BY DEANS OR DIRECTORS OF UNITS** - Deans or Directors of various units may, after due consultation with the Faculty Student Relations Committee, promulgate rules on conduct and discipline of peculiar application to their respective units, subject to the written approval of the President or Chancellor and to the rules on circulation and date of effectivity, as herein provided.

**Section 4. STUDENT DISCIPLINARY TRIBUNAL** - The Student Disciplinary Tribunal shall be composed of a Chairperson, who shall be a member of the Integrated Bar of the Philippines, two other members, all of whom shall be appointed by the Chancellor for a period of one year chosen from among the academic and administrative personnel of the respective autonomous universities, as well as the two other members, student and parent jurors provided for under Rule IV, Section 4.

The Chairman and members shall render full-time service in the tribunal. The following compensation scheme for the chair/members of the SDT will be followed (*as approved during the 1192<sup>nd</sup> meeting of the BOR on January 27, 2005*):

Chairman - P2,000 per hearing not to exceed P8,000 per case terminated

Members – P1,500 per hearing not to exceed P6,000 per case terminated

Recording Secretary – P1,000 per hearing not to exceed P4,000 per case terminated

The tribunal shall be under the supervision of the Director of Student Affairs, who shall designate, whenever requested, the student members to sit with the tribunal.

Autonomous units shall set up their own student disciplinary tribunals in accordance with these rules.

**Section 5. JURISDICTION** - All cases involving discipline of students under these rules shall be subject to the jurisdiction of the Student Disciplinary Tribunal, except the following cases which shall fall under the jurisdiction of the appropriate college or unit:

(a) Violation of college or unit rules and regulations by students of the college, or

(b) Misconduct committed by the students of the college or unit within its classrooms or premises or in the course of an official activity;

Provided, that regional units of the University shall have original jurisdiction over all cases involving students of such units.

**Section 6. COLLEGE INVESTIGATION** - Investigation of cases falling under the jurisdiction of a college shall be conducted by a committee of three members appointed by the dean, one of whom shall be a student of the college.

**Section 7. FILING OF CHARGES** - A disciplinary proceeding shall be instituted *motu proprio* by the appropriate authority or upon the filing of a written charge specifying the acts or omissions constituting the misconduct and subscribed to by the complainant or upon submission of an official report of any violation of existing rules and regulations. Upon the filing of said charge or report with the student disciplinary tribunal or the Office of the Dean, as the case may be, an entry shall be made in an official entry book kept for the purpose, specifying the person or persons charged, the complainant or complainants, his/her witnesses if any, the date of filing and the substance of the charge.

**Section 8. PRELIMINARY INQUIRY** - Upon receipt of the complaint or report, the tribunal or the Dean of the College, as the case may be, shall determine whether such complaint or report is sufficient to warrant formal investigation. In all cases where the complaint or report is found sufficient, formal charge or charges shall be drawn up and served upon each respondent. In every case, the parents or guardians of the students charged shall be furnished with a copy of the same report.

**Section 9. ANSWER** - Each respondent shall be required to answer in writing within three days from receipt of the charge or charges. Formal investigation shall be held on notice as provided below.

**Section 10. HEARING** - Hearings shall begin not later than one week after receipt of the respondent's answer or after the expiration of the period within which the respondent should answer.

**Section 11. DURATION OF HEARING** - No hearing on any case shall last beyond two calendar months.

**Section 12. NOTICE OF HEARING** - All parties concerned shall be notified of the date set for hearing at least two days before such hearing. Notice to counsel of record or duly authorized representative of a party shall be sufficient notice for the purpose of this Section.

**Section 13. FAILURE TO APPEAR AT HEARING** - Should either complainant or respondent fail to appear for the initial hearing after due notice and without sufficient cause, this fact shall be noted and the hearing shall proceed *ex parte* without prejudices to the party's appearance in subsequent hearings.

**Section 14. POSTPONEMENT** - Application for postponement may be granted for good cause for such period as the ends of justice and the right of the parties to a speedy hearing require.

**Section 15. COMMITTEE REPORT** - The college investigating committee shall forward to the Dean concerned within 15 days after termination of the hearing the complete records of the case, with its report and recommendation. The recommendation signed by a majority of the members of the Committee shall state the findings of fact and the specific regulations on which it is based.

**Section 16. ACTION BY THE DEAN** - The Dean shall within ten days from receipt of the Committee report, transmit the report, together with his/her decision or recommendation, to the President of the University or the Chancellor of an autonomous unit, as the case may be.

**Section 17. DECISION OF THE TRIBUNAL** - The tribunal shall decide each case within 15 calendar days from final submission. The decision shall be in writing and signed by a majority of its members. It shall include a brief statement of the findings of fact and the specific regulations on which the decision is based.

**Section 18. FINALITY OF DECISION** - Any decision of the tribunal or of a Dean, other than expulsion, permanent disqualification from enrollment or suspension for more than 30 calendar days, shall become final and executory after 15 days from receipt of the decision by the respondent unless within five days from receipt thereof a motion for reconsideration of the same is filed, in which case the decision shall be final after 15 days from receipt of the action on the motion for reconsideration.

**Section 19. APPEAL TO THE PRESIDENT OR CHANCELLOR** - In all cases in which final decision is not conferred on a Dean or the tribunal, the respondent may file an appeal with the President or the Chancellor within ten days from receipt of the appeal.

**Section 20. ACTION BY THE PRESIDENT OR CHANCELLOR** - Action of the President or Chancellor on recommendation coming from the Dean on appeal from the decision of a dean or the tribunal shall be rendered

within ten 10 days exclusive of Sundays and official holidays after receipt of the appeal.

The Executive Committee shall automatically review and decide all student disciplinary cases in which the penalty of suspension for one year or more, expulsion and withdrawal of registration privileges is imposed.

The authority given to the Executive Committee under this rule is understood to include the power to affirm, reverse, decrease or increase the penalties imposed in the case under review.

The decision of the Executive Committee shall be final and executory after 15 days from receipt of the decision by the respondent unless, in the meantime, an appeal is made to, and given due course by the Board of Regents.

**Section 21. ACTION BY THE BOARD OF REGENTS** - The Board may review, on appeal, decisions of the President or Chancellor when the penalty imposed is expulsion, suspension for more than one academic year, or any other penalty of equivalent severity.

**Section 22. RIGHTS OF RESPONDENTS** - Each respondent shall enjoy the following rights:

- a) Not to be subjected to any disciplinary penalty except upon due process of law;
- b) To be convicted only on the basis of substantial evidence, the burden of proof being with the person bringing the charge;
- c) To be convicted only on evidence introduced at the proceedings or of which the respondent has been properly appraised;
- d) Pending final decision on any charge, to enjoy all his rights and privileges as a student, subject to the power of the Dean or the tribunal to order the preventive suspension of the respondent for not more than 15 days where suspension is necessary to maintain the security of the college or the University;
- e) To defend himself/herself personally, or by counsel, or representative of his/her own choice. If the respondent should desire but is unable to secure the service of counsel, s/he should manifest that fact two days before the date of hearing, and request the tribunal or the investigation committee to designate counsel for him/her from among the members of the University constituency.

**Section 23. EFFECT OF DECISION** - Decision shall take effect as provided in these rules. However, final decision of suspension or dismissal within 30 days prior to any final examination, shall take effect during the subsequent semester, except when the respondent is graduating, in which case the penalty shall immediately take effect.

**Section 24. RECORDS** - All proceedings before any tribunal or Committee shall be set down in writing by a competent stenographer. Original records pertaining to student discipline shall be under the custody of the Director of Student Affairs. Such records are hereby declared confidential and no person shall have access to the same for inspection or copying unless s/he is involved therein, or unless s/he has a legal right which cannot be protected or vindicated without access to or copying of such records. Any University official or employee who shall violate the confidential nature of such records shall be subject to disciplinary action.

**Section 25. SANCTION**

- a) Any student found guilty of the misconduct defined in Section 2(a) shall be penalized with suspension for not

less than one year.

1. All cases involving cheating or dishonesty shall be investigated by a College/Unit but shall automatically be subject to review by the Chancellor.
  2. Students found guilty of cheating/dishonesty shall be barred from graduating with honors, even if their weighted average is within the requirement for graduation with honors.
- b) Any student found guilty of the misconduct defined in Section 2(b) shall be penalized as follows;
1. For the first offense, suspension for a period of not less than 15 calendar days but not more than 30 days;
  2. For the second offense, suspension for a period of not less than 30 calendar days, but not more than one semester.
  3. For the third offense, the penalty shall be expulsion; Provided, that should the deadly weapon be a firearm, the penalty for the first offense shall be suspension for not less than 30 calendar days, but not more than one semester, for the second offense, the penalty shall be expulsion.
- c) Any student found guilty of the misconduct defined in Section 2c shall be penalized with suspension for not less than seven calendar days, but not more than 30 calendar days; Provided, that should the student be found guilty for the fourth time, the penalty shall be expulsion.
- d) Any student found guilty of the misconduct defined in Section 2(d) shall be penalized with suspension for not less than 15 calendar days, but not more than 45 calendar days; Provided, that should the student be found guilty for the third time, the penalty shall be expulsion.
- e) Any student found guilty of the misconduct defined in Section 2(e) shall be penalized with suspension for not less than seven (7) calendar days, but not more than 30 calendar days; Provided, that should the student be found guilty for the fourth time, the penalty shall be Expulsion.
- f) Any student found guilty of the misconduct defined in Section 2(f) shall be penalized with suspension for not more than 30 calendar days, but not more than one semester; Provided, that the penalty for the second offense shall be expulsion; and Provided further, that should student assault, strike or inflict physical violence upon any University official, faculty member or person in authority, the penalty shall be expulsion.
- g) Any student found guilty of the misconduct defined in Section 2(g) shall be penalized with suspension for not less than 15 calendar days, but not more than 45 calendar days; Provided, that should the student be found guilty for the third time, the penalty shall be expulsion.
- h) Any student found guilty of the misconduct defined in Section 2(h) shall be penalized as follows:
1. For the first offense, suspension for a period of not less than one semester, but not more than one year;
  2. For the second offense, the penalty shall be expulsion.
- i) Any student found guilty of the misconduct defined in Section 2(i) shall be penalized as follows:
1. For the first offense, suspension for a period of not less than one semester, but not more than one year;
  2. For the second offense, the penalty shall be expulsion.
  3. Any student found guilty of willfully withholding or misrepresenting information in his/her application to the

Socialized Tuition and Financial Assistance Program (STFAP) shall be subject to the following guidelines on penalties for STFAP violations;

- i. If information withheld involves common appliances e.g. owned by the majority of the population, the recommended penalty is one semester suspension, reimbursement of STFAP benefits received, plus permanent disqualification from STFAP and other scholarships.
  - ii. If the information withheld involves appliances which may be used to indicate capacity to pay, the recommended penalty is one year suspension, reimbursement of STFAP benefits received and permanent disqualification from STFAP and other scholarships.
  - iii. If the information withheld is substantial such as car, income, employment, real properties, the recommended penalty is expulsion plus reimbursement of all STFAP benefits.
  - iv. If the student is found guilty to have submitted falsified documents, the recommended penalty is expulsion plus reimbursement of all STFAP benefits.
  - v. If the student pleads guilty, s/he should be made to reimburse all STFAP benefits received either before the decision is made or reimbursement be made a precondition for enrollment.
  - vi. Furthermore, if the information withheld is grave such as in Nos. 3c and 3d above, the recommended penalty is two years disqualification from the STFAP and other scholarships.
- j) Any student found guilty of the misconduct defined in Section 2(j) shall be penalized with suspension for not less than 15 calendar days, but not more than 45 calendar days; Provided, that should the student be found guilty for the third time, the penalty shall be expulsion. In addition, the student may also be required to pay for the repair or replacement of the damage property.
- k) Any student found guilty of the misconduct defined in Section 2(k) shall be penalized with suspension for not less than seven calendar days, but not more than 30 calendar days; Provided, that should the student be found guilty for the third time, the penalty shall be expulsion.
- l) Any student found guilty of the misconduct defined in Section 2(l) shall be penalized with suspension for not less than 15 calendar days; Provided, that should the student be found guilty for the third time, the penalty shall be expulsion. In addition, the student may also be required to pay for, or replace, the stolen property.
- m) The disciplinary action that may be imposed for violations of the misconduct in Section 2(m) may take the form of expulsion, suspension from the University, withholding of graduation and other privileges, withdrawal of registration privileges, permanent disqualification from any class, reprimand, exclusion from any class, warning, or expression of apology. The gravity of the offense committed and the circumstances attending to its commission shall determine the nature of the disciplinary action or penalty to be imposed.
- n) The Dean or Director of the unit may impose the penalty of suspension for a period not exceeding one calendar year. If s/he deems suspension for a longer period or expulsion warranted, s/he shall so recommend to the Chancellor, who shall refer the case to the Executive Committee for final decision.
- o) Any disciplinary action taken against a student shall be reported to his/her parents or guardians.
- p) Refusal to submit to the jurisdiction of the University by any student not enrolled at the time a charge against him/her is filed shall prejudice his/her future enrollment in any unit of the University.

**Section 26. SUMMARY ACTIONS** - Notwithstanding the provision of the foregoing Sections, a Dean may proceed summarily against a student of a college in the following cases:

- a) Violation of the rules and regulations issued by the Dean of the unit in accordance with Section 3 of these rules;

- b) Misconduct committed in the presence of a faculty member or any official of the University within the classrooms or premises of a college, or in the course of an official function sponsored by the college. The respondent shall be summoned to appear before the Dean of the unit, informed of the charge against him/her, and afforded the opportunity to present his/her side.

Decisions taken under this Section shall be in writing, stating the grounds for which the disciplinary penalty is imposed. Such decisions shall be final and executory upon the issuance of the order. The penalty imposed shall not exceed suspension for 15 days, exclusive of Sundays and official holidays.

- c) The Director of Student Affairs may likewise proceed summarily against students in cases of:
1. Misconduct committed as provided in paragraph (b) of this Section, when committed within the University premises not falling within the jurisdiction of any college, school or unit or in the course of an official function sponsored by the University or a Unit other than a college, school or academic unit.
  1. Misconduct as defined in Section 2(g) above whether or not the acts are committed within the premises of, and by persons belonging to, one or several colleges, schools or units.

**Section 27. DEFINITIONS** - The following terms shall have the meaning set forth below for purposes of these regulations:

- a) "Autonomous units" refer to such universities or units of the University of the Philippines System which have been declared autonomous by law or by the Board of Regents;
- b) "Regional units" refer to units outside of Diliman and Manila which are not autonomous;
- c) "Students" (include) shall refer to any person (enrolled in any academic unit of the University) (1) admitted and registered, in a degree or non-degree program or cross-registered in any course of the University on a regular or part-time basis, including those who are officially on leave of absence and (2) those who have not yet been separated from the University formally through either transfer, graduation, honorable or dishonorable dismissal or expulsion or expiration of the period allowed for maximum residence, at the time of the commission of the offense, [regardless of whether or not s/he is enrolled in any unit of the University at the time of the filing of charge or during the pendency of disciplinary proceedings against him/her].
- d) "Laws of the land" shall refer to general enactment in force in the Philippines;
- e) "Official report" shall include any report duly submitted in writing to any proper authority in the University by a faculty member, any member of the University security force, any officer of a college or unit or any officer of the University administration.

**Section 28.** These rules shall supersede all previous rules on student discipline and shall take effect upon approval. Amendments to these rules shall be circularized within ten days after approval and shall take effect 15 days after circularization, unless a specific date has been set, which date shall in no case be within five days after its approval.

*(Rationale: The above definition of "student" is expected to plug a loophole in the Rules which, per the existing definition of "student," removes from the jurisdiction of the Tribunal or Committee, a person who commits an infraction of the Rules in between semesters or during a semester when s/he is not enrolled; said person not being a "student," at the time of the commission of the offense.)*

