A Handbook of
Rules and Regulations on
Student Conduct and
Discipline
and
Revised Rules and Regulations
Governing Fraternities,
Sororities and Other Student
Organizations
RULES AND REGULATIONS
ON
STUDENT CONDUCT AND DISCIPLINE

For the guidance of all concerned, the following rules and regulations on the conduct and discipline of students are hereby promulgated:

SECTION 1. Basis of Discipline
Students shall at all times observe the laws of the land and 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 examinations or any act of dishonesty in relation to his studies.
(b) Any act which constitutes the violation of University property, any firearm, knife, with a blade longer than 3 inches, or any other dangerous or deadly weapon, as defined by law. Provided, that the student 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 college or school.
(c) Drinking of alcoholic beverages within academic or administrative buildings, dormitories, and the immediate premises thereof, except in places expressly authorized 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, as enumerated in the Dangerous Drugs Act of 1972 (as amended), such as LSD, marijuana, heroin, shabu, or opium, 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 a false statement of any material fact, or practicing or attempting to practice any deception or fraud in connection with his admission or registration in, or graduation from the University.
(i) Practicing or attempting to practice any deception or fraud in connection with his application in any University funded or sponsored scholarship or grant.
(j) Damaging or defacing University property.
(k) Dishonest or immoral conduct within University premises.
(l) Insulting or taking advantage of University property.
(m) Any other form of misconduct.

SECTION 3. Rules and Regulations
Promulgated by Deans or Directors of Units, Deans or Directors of units may, after due consultation with the Faculty, Student Relations Committee, promulgate rules on conduct and discipline pertinent to their respective units, subject to the written approval of the President or Chancellor, and the rules on circulation and date of effectiveness, as herein provided.

SECTION 4. Student Disciplinary Tribunal
There shall be a Student Disciplinary Tribunal composed of a chairman, a vice-chairman, and five or seven members, one of whom shall be appointed by the Board of Regents, and two (2) members to be appointed for a period of one (1) year from among the faculty and students of the University. The chairman of the tribunal, upon written request of the respondent or of the Board of Regents, may appoint two (2) additional members of the tribunal.

SECTION 5. Jurisdiction
All cases involving students of the University 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.
(b) Misconduct committed by students of the college or unit within its classrooms or premises 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 the college shall be conducted by a committee of three (3) 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 upon written complaint, or upon the filing of a written charge specifying the acts of omission 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, the case may be referred to the student disciplinary tribunal of the office of the Dean, as the case may be, an entry shall be made in an official file kept for the purpose, specifying the person or persons charged, the complaint or complaints, his witness, 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, if the complaint or report is sufficient to warrant formal investigation, shall determine whether such complaint or report is sufficient, normal charges 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.

SECTION 9. Answer
Each respondent shall be required to answer in writing within thirty (30) 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 three (3) weeks 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 (2) calendar months.

SECTION 12. Notice of Hearing
All parties concerned shall be notified of the date set for hearing at least two (2) 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.

*As approved by the Board of Regents at its 1223rd Meeting on 27 August 1982
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 prejudice to the party’s appearance in subsequent hearings.

SECTION 14. Postponement - Application for postponement may be granted for good cause such 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 fifteen (15) days after the termination of the hearing the complete record of the case, with its report and recommendations. The recommendations 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 (10) days from receipt of the committee report, transmit the report, together with his 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 fifteen (15) 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. Appeal to the President or Chancellor - In all cases in which final decision is not carried on a Dean or the tribunal, the respondent may file an appeal with the President or the Chancellor within (10) days exclusive of Sundays and official holidays after receipt of the decision.

SECTION 19. Action by the President or Chancellor - Action of the President or Chancellor on recommendation coming from a Dean or a 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 (1) 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 cases under review.

The decision of the Executive Committee shall be final and executory after fifteen (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 20. Action by the Board of Regents - The Board may review decisions of the President or Chancellor when the penalty imposed is expulsion, suspension for more than one (1) year, or any other penalty of equivalent severity.

SECTION 21. 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 apprised.
(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 fifteen (15) days when suspension is necessary to maintain the security of the college or the University.
(e) To defend himself personally, or by counsel, or representative of his own choice. If the respondent should desire but is unable to secure the services of counsel, he should manifest that fact two (2) days before the date of hearing, and request the tribunal or the investigating committee to designate counsel for him from among the members of the University constituency.

SECTION 22. 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 Vice-Chancellor for Student Affairs. Such records are hereby declared confidential and no person shall have access to the same for inspection or copying unless he is involved therein or unless he has a legal right which cannot be frustrated 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 23. Effect of Decision - Decisions shall take effect as provided in these rules. However, final decisions of suspension or dismissal within thirty (30) days prior to any final examination, shall be effective 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 Vice-Chancellor for Student Affairs. Such records are hereby declared confidential and no person shall have access to the same for inspection or copying unless he is involved therein or unless he has a legal right which cannot be frustrated 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. Sanctions -
(a) Any student found guilty of the misconduct defined in Section 2 (a) shall be penalized with suspension for not less than one (1) 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 or dishonesty shall be barred from attending any educational institution, unless they are fully rehabilitated.
(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 not less than fifteen (15) calendar days but not more than thirty (30) calendar days.
2. For the second offense, suspension for a period of less than thirty (30) calendar days but not more than one (1) semester.
3. For the third offense, the penalty shall be Expulsion. Provided, that should the deadly weapon be a firearm, the penalty for first the offense shall be suspension for not less than thirty (30) calendar days but not more than one (1) semester; for the second offense, the penalty shall be Expulsion.
(c) Any student found guilty of the misconduct defined in Section 2 (c) shall be penalized with suspension for not less than seven (7) calendar days, but not more than thirty (30) calendar days: Provided, that should the student be found guilty for the fourth time, the penalty shall be Expulsion.

As approved by the UP Diliman University Council, 14 December 1991. Paragraph 5 to be new provisions. It is further ordered that the same be submitted to the Board of Regents for approval. It is further ordered that the same be submitted to the Board of Regents for approval.
(d) Any student found guilty of the misconduct defined in Section 2 (d) shall be penalized with suspension for not less than fifteen (15) calendar days, but not more than forty-five (45) calendar days. Provided, that the student shall 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 thirty (30) calendar days. Provided, that the student shall 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 less than thirty (30) calendar days, but not more than one (1) semester. Provided, that the penalty for the second offense shall be Expulsion; and Provided further, that the 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 fifteen (15) calendar days, but not more than forty-five (45) calendar days. Provided, that the student shall 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, by suspension for a period of not less than one (1) semester, but not more than one (1) 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, by suspension for a period of not less than one (1) semester, but not more than one (1) year.

2. For the second offense, the penalty shall be Expulsion.

3. Any student found guilty of violation of the prohibition against the Socialized Tuition and Financial Assistance Program (STAP) shall be subject to the following guidelines on penalties for STAP violations:

   a. If the information withheld involves common appliances, e.g., owned by majority of the population, the recommended penalties are:

      1. suspension: reimbursement of STAP benefits received and permanent disqualification from STAP and other scholarships.

   b. If the information withheld involves appliances which may be used to indicate the student's capacity to pay, the recommended penalty is:

      1. suspension: reimbursement of STAP benefits received and permanent disqualification from STAP and other scholarships.

   c. If the information withheld is substantial such as car, income, employment, real properties, the recommended penalty is:

      1. suspension: reimbursement of STAP benefits.

4. If the student is found to have submitted false or misleading documents, the recommended penalty is:

   a. suspension: reimbursement of STAP benefits.

   b. If the student pleads guilty, he shall be made to reimburse all STAP benefits received either before the decision is made or reimbursement is made a precondition for enrollment.

   Furthermore, if the information withheld in grave such as in Nos. 3, 4 and 5, the recommended penalty is two years suspension and permanent disqualification from STAP 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 seven (7) calendar days, but not more than thirty (30) calendar days. Provided, that the student shall 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 and/or replacement of the damaged property.

(k) Any student found guilty of the misconduct defined in Section 2 (k) shall be penalized with suspension for not less than fifteen (15) calendar days, but not more than forty-five (45) calendar days. Provided, that the student shall 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 seven (7) calendar days, but not more than thirty (30) calendar days. Provided, that the student shall be found guilty for the third time, the penalty shall be Expulsion.

(m) The disciplinary action that may be imposed on a student found guilty of the misconduct defined in Section 2 (m) may be imprisonment, expulsion, suspension from the University, withholding of registration, privileges, permanent disqualification from employment, exclusion from any class, reprimand, warning, or expression of apology. The gravity of the offense committed and the circumstances attending its commission shall determine the nature of the disciplinary action or penalty to be imposed.

The action of the Dean or Director of the unit may impose the penalty of suspension for a period not exceeding one (1) calendar year. If the dweller suspends for a longer period or expulsion is warranted, he shall report the case to the Chancellor, who shall refer the case to the Executive Committee for final decision.

Any disciplinary action taken against a student shall be reported to his parents or guardians.

Refusal to submit to the jurisdiction of the University by any student enrolled at the time a charge is filed shall prejudice his future enrollment in any unit of the University.

SECTION 20. Summary Actions:

Notwithstanding the provisions of the foregoing sections, a Dean may proceed summarily against a student of a college in the following cases:

(a) Violation of rules and regulations issued by the Dean of the unit in accordance with Section three of these rules.

(b) Misconduct committed in the presence of a faculty member or official of the University within the confines of the classroom, or premise of a class, 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, and afforded the opportunity to present his case.
Decisions taken under this section shall be in writing, stating the grounds for which 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 fifteen (15) days, exclusive of Sundays and official holidays.

(a) The Vice Chancellor for Student Affairs may likewise proceed summarily against students in cases of:

(1) Misconduct committed as provided in paragraph (b) of this Section, who committed within the University premises not falling within the jurisdiction of any college, school or unit in the course of an official function sponsored by the University or a Unit other than a college, school, or academic unit.

(2) Misconduct as defined in Section 2, (e) above, whether or not the acts or omissions were committed within the premises of, and by persons belonging to, one or several colleges, schools, or units.

SECTION 28. These rules shall supersede all previous rules on student discipline and shall take effect upon approval. Amendments to these rules shall be circulated within ten (10) days after approval and shall take effect fifteen (15) days after circulation, unless a specific date has been set, which date shall in no case be within (5) days after its approval.

Annex A

SPECIAL POWER OF VICE-CHANCELLOR FOR STUDENT AFFAIRS, DEANS OF STUDENTS OR EQUIVALENT OFFICIALS AS REGARDS STUDENT DISCIPLINE

A. Power of the Vice-Chancellor for Student Affairs of UP Diliman

At its 949th meeting on December 15 and 22, 1981, the Board of Regents granted the Dean of Students (now Vice-Chancellor for Student Affairs) of UP Diliman special power "to suspend erring students at any time for a maximum period of thirty (30) days effective immediately upon its imposition."

As recorded on page 6 of the minutes of the 949th BOR meeting, the justification presented is quoted below for ready reference:

"This is necessary to immediately prevent further recurrence of offenses and thereby prevent further harm to other students and innocent bystanders.

"Such power will be used sparingly and only in cases of flagrant rambunctious behavior, boycotts by force or coercion, or illegal demonstration, and can be restricted by appeals to the President, if necessary."

B. Power of Other Deans of Students

At its 959th meeting on May 26, 1983, the Board of Regents approved the "grant of similar power previously given to the Vice- Chancellor for Student Affairs, Diliman (949th BOR meeting, December 18 & 22, 1981) to comparable officials in the University of the Philippines Los Banos, Manila, and Visayas to suspend erring students at any time for a maximum period of thirty (30) days effective immediately upon its imposition."

Annex B

IMMEDIATE REPORTING OF STUDENTS WITH PENDING DISCIPLINARY CASES

On August 6, 1978, President Cipriano D. Corpus issued Memorandum No. 16 prescribing procedures for the immediate reporting of students with pending disciplinary cases as follows:

Our attention has lately been called to the fact that some students who have pending disciplinary cases are nevertheless given clearance to leave the University even before their cases are finally resolved.

"Delays in reporting regarding these cases seem to work for students concerned who, on the same day of the incident, or immediately thereafter, file for clearance to leave. If the University Registrar and the Dean of Students are not immediately notified of their pending cases, their applications for clearance are given due course."

"We ought to correct this situation."

"The UP Police Force, aside from filing the complaint directly with the Student Disciplinary Tribunal and furnishing copies of its report to the Office of the President, should also furnish copies of the same to the following units: (a) the College in which the student is enrolled at the time of the incident; (b) the Dean of Students; and (c) the University Registrar. Such Police report is sufficient for purposes of notifying the name of the students in the Registrar's List of Students with Pending Disciplinary Cases."

"The Deans and Directors of academic units ought also to follow the same or a similar procedure as outlined above."

"The usual procedure of notifying the Registrar's Office and the Dean of Students of the decisions in disciplinary cases ought to continue."

"In the meanwhile, no clearance will be issued to any such student unless so certified by the Unit Dean/Director or the Chairman of the SDT."

"The pending case is dismissed or that the student has been appropriately penalized if found guilty."

* As approved by the UP Diliman University Council, 21 April 1982 and by the Board of Regents at its 1051st meeting on 25 June 1982.
REVISED RULES AND REGULATIONS GOVERNING FRAternities, Sororities and Other Student organizations
(Approved at the 1091st BOR Meeting, October 24, 1998)

Whereas, the University aims to create an environment that promotes constructively and meaningfully interaction among students, fraternities, sororities and other student organizations.

Whereas, in order to nurture that environment, there is a need for the University to promulgate and strictly implement policies, guidelines, rules and procedures which are responsive to the dynamics of interaction among fraternities, sororities and other student organizations.

Whereas, existing rules and regulations on the conduct of fraternities, sororities and other student organizations have proven inadequate in purposes of instilling discipline and proper conduct among fraternities, sororities and other student organizations.

Whereas, the University condones any and all interactions among fraternities, sororities and other student organizations which result in violence, thereby exposing the student body and the University to harm, physical danger and damage to property.

Whereas, the University aims to create an environment that promotes constructively and meaningfully interaction among students, fraternities, sororities and other student organizations.

Whereas, in order to nurture that environment, there is a need for the University to promulgate and strictly implement policies, guidelines, rules and procedures which are responsive to the dynamics of interaction among fraternities, sororities and other student organizations.

NOW, THEREFORE, by virtue of the powers vested in the U.P. Board of Regents, the following Rules and Regulations Governing Fraternities, Sororities and Other Student Organizations are hereby promulgated:

Rule 1: Actionable Misconduct and Penalties

These rules shall apply to all fraternities, sororities and other student organizations regardless of whether or not they are officially recognized by the University and without prejudice to the provisions of Republic Act No. 8094, otherwise known as the “Anti-Hazing Law.”

SECTION 1. Members and officers of fraternities, sororities and other student organizations shall be subject to disciplinary action for the following acts and shall be penalized as follows:

A. Any such member or officer who commits, or engages in, any of the acts specified below shall be expelled from the University whether or not the acts are committed within or outside the University premises:

1. Participating in any rumble, engaging in fistfights with, or physically attacking, a member of other fraternities, sororities or other student organizations, or

2. Physically attacking any other student or officer, faculty member or employee of the University, or any other person in connection with any matter relating to fraternities, sororities or other student organizations.

A rumble is a violent confrontation between two or more students belonging to different fraternities, sororities or other student organizations.

B. Any member or officer who engages in any form of physical initiation or hazing resulting in or causing physical injury, as well as the neophyte who allows himself to be subjected to hazing, shall be expelled, unless the student concerned agrees to become a witness for the University.

C. Any such member or officer who commits acts of provocation which result in heated confrontation between fraternities, sororities, and other student organizations shall be suspended for one (1) year, provided, however, that in case the provocation results in a rumble, fistfights or a physical attack, the erring student shall be expelled from the University.

There is sufficient provocation when a person or party incites, incites or induces another to execute an act; when one incites or provokes one with improper or unjust acts, or words or deeds that are vexing.

There is a heated confrontation when, as a result of the immediately preceding act of sufficient provocation, words are exchanged in a hostile, challenging, insulting, irritating or annoying manner or conduct between the parties.

D. Any such member or officer who exhibits gross or deliberate discourtesy to any University official, faculty member, employee, disciplining authorities or their agents, in connection with fraternity, sorority and other student organization-related incident, shall be suspended for at least one (1) year.

E. Any such member or officer found carrying or possessing within University premises any firearm, motolot bomb, pliers or other explosives, knife with a blade longer than two and a half (2 1/2) inches, metal pipe, or any other dangerous or deadly weapon, and banned substances enumerated under the Dangerous Drugs Act (Republic Act No. 6425 as amended) shall be expelled from the University; provided, however, that stones, baseball bats, sandbag, rackets, sticks, or similar wooden instruments, paper cutters, tarses, scalpels, kelpicks and other similar objects capable of causing physical injuries shall be deemed dangerous and deadly weapons if the erring person possesses them in preparation for rumble, hazing, during, or after an attack, confrontation, or rumble; provided, further, that possession of such objects by two or more members or officers shall be deemed to be in preparation for an attack, confrontation or rumble.

Any such member or officer who wilfully fails to comply with summons by the Vice-Chancellor for Student Affairs or equivalent official in the autonomous university, the Student Disciplinary Tribunal, Deans or their representative for the purposes of investigation and other proceedings conducted in connection with fraternity, sorority, and other student organization-related misconduct shall be automatically suspended by the Chancellor until the person concerned complies therewith; provided, that such suspension shall not exceed sixty (60) calendar days.
C. Any such member or officer who causes damage to University property, or property of any private person within the University premises, on the occasion of a rumble, hazing, tumultuous affray or any similar disturbance shall be suspended for at least one (1) year, provided, that, if any death, or serious or lesser serious physical injury is caused to another person by reason of, or on the occasion of said destruction or property, the erring student shall be expelled from the University, provided further that if University property is damaged, such damage shall be repaired. (See 26-27.)

In case of a second offense committed under paragraphs C, D, G, H and I above, the erring students shall be expelled from the University.

SECTION 2. A. In case any misconduct defined in the proceeding section is committed by two or more members or officers of the fraternities, sororities or student organizations, and a conspiracy is established, all officers of such fraternities, sororities or student organizations participating in that conspiracy shall be expelled from the University.

A conspiracy shall be deemed to exist if concerted action and unity of purpose is established.

B. Where the acts prohibited under this rule is committed by a member, officer, or agent of the fraternities, sororities or student organizations, the erring student shall be suspended for at least one (1) year.

As used in these rules, the term college freshman shall refer to students in the first year of their first undergraduate course as well as any college student who has earned more than thirty (30) units of academic credits in any baccalaureate or certificate program, but not including graduate program, post-baccalaureate program or any non-degree program of the University, provided, that a grade of incomplete in any subject or course shall not be construed as a unit earned in said subject or course.

SECTION 3. - Penalties of suspension shall take effect immediately after the filing of the decision. A student under suspension shall not be allowed to enroll, attend classes, take examinations, use University facilities, or graduate during the effectiveness of the suspension. Provided, that, use of the University facilities shall be understood to include using Library facilities, residing in residence halls or dormitories owned by the University, undertaking field work or any other academic requirement, entering any academic building, etc.; provided, further that, a student under suspension shall not be allowed to enroll until his/her suspension shall have been fully served, except where the period of his/her suspension expires on the last day for late registration.

The period of suspension shall be counted as part of the academic residency requirement of the student. If, for any reason, the student was able to take an examination or submit any academic requirement during the effectiveness of suspension, such examination or submission shall be considered invalid.

Notice of suspension shall be immediately furnished to the parents and/or guardians of the student and all the colleges and units concerned. All concerned faculty members shall be immediately notified of the suspension by their respective deans, institute/principal directors, and department chairpersons, as the case may be.

Notwithstanding the foregoing, nothing in these rules shall preclude the disciplinary authorities from imposing sanctions including but not limited to withdrawal of recognition of the fraternities, sororities and other student organizations, under existing University and college rules and regulations.

Rule I

Jurisdiction

SECTION 1. 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.

SECTION 2. The Student Disciplinary Tribunal (SDT) shall have jurisdiction to try all cases involving fraternity, sorority and other student organization-related incidents without prejudice to the summary powers of the disciplinary authorities as provided in these and other existing rules.

The presence of at least a majority of the members shall constitute a quorum for the Tribunal to conduct formal investigations of all cases within its jurisdiction.

The members so appointed shall be entitled to such honorarium, allowance or benefit as shall be fixed by the President.

SECTION 3. Unless otherwise prescribed by subsequent issuances by the appropriate University official, existing student disciplinary tribunals, which shall continue to be under the supervision of the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, shall continue to have jurisdiction over all cases involving fraternities, sororities and other student organization-related incidents as defined in these rules.

Rule II

Formal Charge

SECTION 1. No member or officer of a fraternity, sorority or student organization shall be formally charged before the SDT unless a preliminary inquiry has been conducted by any member of the SDT, which must be finished not later than five (5) working days from the date of filing of the complaint, provided, that where the misconduct is committed within the premises of a college, it shall be the responsibility of the Dean concerned to ensure that an appropriate complaint is expeditiously filed with the SDT within the same period of five (5) working days. In any other case, such responsibility shall lie with the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university.
SECTION 2. A fraternity, sorority or student organization member or officer caught flagrante by the disciplining authorities or any faculty member in the course of a fraternity, sorority or other student organization-related misconduct shall be formally charged before the SDT without the need for a preliminary inquiry.

SECTION 3. The formal charge shall be served on the student/respondent(s) through the Dean of the college, a copy of which shall be furnished the parents and/or guardians or the student/respondent(s).

Rule IV
Proseuction of Cases

SECTION 1. Lawyers from the Legal Office of the autonomous university shall represent the University in all proceedings before the SDT. Private lawyers appearing before the SDT shall be under the direct control and supervision of the University Prosecutor.

SECTION 2. In all cases, no lawyer from the Legal Office is available to act as counsel for the University, the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university shall deputize any lawyer in the University to act as Counsel. The lawyer so deputized shall report directly to the Chief Legal Officer of the other autonomous university for instructions on the case.

The lawyers so deputized shall be entitled to an honorarium to be fixed by the President.

SECTION 3. No lawyer-employee of the University shall be allowed to defend cases before the SDT, unless the respondents are within the third-degree of affinity or consanguinity.

SECTION 4. For each case investigated pursuant to these revised rules, the Student Disciplinary Tribunal shall include one student juror and one parent juror whose names shall be drawn by the Dean of Students or the Vice-Chancellor for Student Affairs from a list of possible student and parent jurors.

The list of student jurors shall be submitted by the Chairman of the University Student Council in the respective autonomous universities to the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, within thirty (30) days from the start of every academic year, provided that the list of students shall be valid until a new one is submitted to the Vice-Chancellor for Student Affairs or equivalent official by the next duly elected Student Council Chairman, and provided, further, that no parent or student related by affinity or consanguinity to a student respondent(s), or a classmate in the current or immediately preceding semester, or a co-member in a fraternity, sorority or student organization, shall be allowed to serve as SDT member.

The list of parent jurors shall be submitted by the Vice-Chancellor for Student Affairs or equivalent official in the autonomous university to the Chairman of the first fifteen (15) days of the school year.

The Chairman of the Student Council concerned shall make sure that the students included in said list shall undertake as student representatives in the Tribunal upon designation. The Vice-Chancellor for Student Affairs or equivalent official in the autonomous university shall ensure the attendance of the parent juror. Both jurors shall sign an undertaking regarding their willingness to serve for the purpose.

The student and parent juror(s) appointed shall be counted for purposes of determining a quorum. They shall have voting rights in the final deliberation and resolution of the case only if they have actually been present in a majority of the hearings where witnesses were presented and have actively participated in the formal investigation of the case.

SECTION 6. The SDT shall not be bound by the technical rules of evidence and may conduct summary proceedings through the submission of sworn affidavits, subject to cross-examination or clarification by the parties. The failure of a party to present evidence on the scheduled date shall be deemed a waiver of his/her right to present such evidence. The failure of a party or his/her counsel to attend the hearings on the scheduled dates shall not be a ground for postponing said hearings.

SECTION 7. The filing of the following pleadings and motions is prohibited:
A. Motion for extension of time to file an answer;
B. Motion to dismiss or to quash, except on the ground of lack of jurisdiction;
C. Appeal to higher University authorities on questions of jurisdiction;
D. Appeal to higher University authorities from interlocutory orders;
E. Motion for all of particulars;
F. Motion for new trial;
G. Motion for reconsideration of S.D.T. rulings and/or resolutions;
H. Motion to reopen the case;
I. Demurrer to evidence;
J. Motion for postponement;
K. Motion to suppress;
L. Intervention; and
M. Other dilatory motions.

Rule V
Decision and Appeal

SECTION 1. The SDT shall render decisions within fifteen (15) days from the time the cases are deemed submitted for resolution.

SECTION 2. Decisions of the SDT imposing the penalty of suspension for a period not exceeding one (1) year shall be final and executory, even pending any appeal, while decisions imposing a higher penalty shall not be immediately executory. In both cases, the respondent may file an appeal to the President through the Chancellor of the autonomous university concerned within ten (10) days from receipt by the respondent or counsel of the SDT decision.

SECTION 3. The Chancellor shall, within five (5) days from receipt of the appeal, endorse said appeal which shall include his recommendations, to the President, whose decision shall be final and immediately executory upon receipt of the decision by the respondent, except in cases of expulsion.

SECTION 4. Decisions imposing the penalty of expulsion may be appealed to the Board of Regents within ten (10) days from receipt of the decision by the respondent, which appeal shall be decided upon during the next regular meeting of the Board following the President's decision.

SECTION 5. In imposing the proper penalty, the SDT shall take into consideration the following justifying, prompting or aggravating circumstances:
A. Circumstances that may be considered justifying

1. Self-defense - When the respondent has shown by clear and convincing evidence that there was a previous and immediate unlawful attack or threatening act against the respondent involved, and that such act placed the respondent in danger and for which he/she was forced to commit the act(s) charged and that in doing so, the respondent employed such reasonable means to resist the unlawful attack and there was no sufficient provocation on the part of the respondent.

2. Defense of Others or Stranger - If the respondent committed the act(s) charged in defense of a spouse, ascendant, descendant or brother or sister and against the aggressor immediately before, during or immediately after the act or aggression being inflicted on the respondent. Such defense may

** (Section 7 is adopted from Sec. 19, Revised Rule on Summary Procedure)
extend to strangers or third parties within any area subject to University jurisdiction, who are being subjected to acts of aggression, provided that the conditions required for in acts(s) of self-defense are present.

B. Circumstances that may be considered exempting

1. The act(s) for which the respondent is charged occurred during or was precipitated by a moment of temporary insanity or mental lapse as duly certified to by a competent and qualified psychiatrist.

2. In cases of accident where it is established that (a) respondent was performing a lawful act with due care, (b) injury is caused by mere accident, and (c) there must be no fault or intent of causing the injury.

C. Circumstances that may be considered aggravating

1. When the respondent has been previously charged and found guilty of violating any provision of the revised rules, or the rules prior to the revised rules.

2. When the respondent is found to have employed such means, i.e., goons, firearms, and dangerous devices to aid him in committing the acts for which he is charged.

3. When it is sufficiently established during the formal investigation that the act was committed with evident premeditation.

4. When the heated confrontation occurs during a drinking (liquor) session within University premises, where the jurisdiction is exercised.

SECTION 8. Whenever there are justifying, exempting or aggravating circumstances present and proven during formal investigation, the SDT shall be guided as follows:

A. The presence of any justifying circumstance will serve to decrease the penalty to that of mere reprimand for a first offense, and to the penalty next higher for succeeding offenses.

B. The presence of any justifying circumstance will serve to decrease the penalty to that of mere reprimand for a first offense, and to the penalty next higher for succeeding offenses.

C. Aggravating circumstances shall serve to increase the penalty imposed to that next higher in degree.

Rule VI Summary Action

SECTION 1. In case a fraternity, sorority or student organization is involved in a rumble with, or attack against, another fraternity, sorority or student organization, all officers of the fraternity, sorority or student organization may be permanently suspended by the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university for a period not exceeding thirty (30) calendar days, without prejudice to any other liability under these rules.

SECTION 2. In case of violent physical initiation or haz ing resulting in physical injuries, all officers of the fraternity, sorority or student organization shall be permanently suspended by the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university for a period not exceeding thirty (30) calendar days, without prejudice to any other liability under these rules.

SECTION 3. The Order of Preventive Suspension issued by the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university shall be immediately executory, and may be lifted only upon orders of the Chancellor or the President.

SECTION 4. Whenever a rumble or an attack occurs, the heads and other officers of the involved fraternities, sororities and student organizations are required to appear without necessity of summons before the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university within twenty-four (24) hours, from the start of the rumble or attack, provided, that either or both of the top two (2) ranking officers who fail to appear may be

preventively suspended by the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university for not more than thirty (30) calendar days, without prejudice to any other liability under these rules.

SECTION 5. Each fraternity, sorority or other student organization shall, within fifteen (15) days from the start of every academic year, submit to the Office of the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, a list duly approved, subscribed and sworn to by the top three (3) ranking officers thereof, containing the names, addresses, and telephone numbers, including recent pictures of all the officers and members thereof, regardless of whether or not they are in good standing, provided, that any change therein must be reported within one (1) week to said Office.

Failure to comply with the foregoing provision despite written notice from the Office of the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, including submission of false information, shall render the fraternities, sororities or other student organizations concerned liable under Rule 1, Section 1 (g) of these rules.

Rule VII Sundry Provisions

SECTION 1. All other provisions of the SDT Rules approved by the Board of Regents at its 876th Meeting on 02 September 1976, as amended, which are not inconsistent with these rules shall continue to apply in the prosecution of administrative disciplinary cases against enning members and officers of fraternities, sororities and other student organizations.

SECTION 2. The existing summary powers of the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, Deans and other disciplining authorities shall continue to apply in so far as they are not inconsistent with these rules.

SECTION 3. Notwithstanding the summary powers provided under existing SDT rules, the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, or the Dean concerned may permanently suspend any student for a period not exceeding thirty (30) calendar days in the following circumstances:

A. When the student is caught in the act of committing any misconduct or prohibited act as defined in these rules in the presence of the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, or the Dean;

B. When the student is about to commit the misconduct or prohibited act as defined in these rules in the presence of the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university, or the Dean;

C. When the student has just committed the misconduct or prohibited act as defined in these rules.

When the enning student committed the misconduct or prohibited act in the premises of the college where he/she belongs, the summary powers herein provided shall be exercised by the Dean of said college, provided, that where the misconduct or prohibited act is committed in any other place within University premises, the Vice-Chancellor for Student Affairs or the equivalent official in the autonomous university shall exercise such summary powers.

SECTION 4. The Chancellors of the autonomous universities are hereby empowered to create their respective student disciplinary tribunals which shall operate pursuant to these rules and existing SDT rules.
SECTION 5. The Office of the Registrar of the autonomous university shall make a permanent entry in the transcript of records of all members and officers of fraternities, sororities, and student organizations regarding their having been suspended/expelled by reason of having been subjected to administrative disciplinary proceedings under these rules.

SECTION 6. All existing disciplinary cases against members and officers of fraternities, sororities, and other student organizations pending before the SOT as of the date of approval of these rules shall be investigated or prosecuted as the case may be, pursuant to or under such rules that are favorable to the respondent.

Rule VIII
Effectivity

SECTION 4. These rules and regulations shall take effect upon approval by the Board of Regents and thirty (30) days after these are circularized by the Chancellors of the autonomous universities of the System.