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2012 CODE OF STUDENT CONDUCT OF UP DILIMAN

Article I. Basis of Conduct and Discipline

The University of the Philippines Diliman promulgates these rules to cultivate values and encourage virtues that make the Filipino proud. These values aim to strengthen character and nurture a community of scholars by upholding honor and inspiring excellence, which mark and distinguish UP education.

Ideally, while virtue cannot be legislated, the character that may be

Article II. Applicability

This Code shall apply to UP Diliman **and all its programs**.

Article III. Definitions

For purposes of this Code, the following terms shall be defined thus:

1. **Academic activity** –any activity that involves academics such as, but not limited to, classes, tutorials, seminars, conferences, lectures, examinations, fulfillment of academic requirements and others.
2. **Academic year** –as determined by the University.
3. **Actual damages** –as defined by law.
4. **Admonition/reprimand** –a written or oral, formal reproof.
5. **Alternative Dispute Resolution (ADR)** –any process to amicably settle a dispute involving less serious misconduct by which the dispute is resolved by the parties themselves with the assistance of a neutral third party, which includes mediation and conciliation.
6. **Apology** –a signed and accepted written expression of contrition or remorse for wrong done.
7. **Clearance** –a written certification from the University that the student is cleared of all accountabilities.
8. **College** –all academic units such as but not limited to College, School, Institute, Center or Program.
9. **Community service** –any rehabilitative activity as provided by the disciplinary authority designed to provide for the public good in keeping with the overall goals of the community, and agreed upon by the disciplinary authority and the respondent/s, provided that it should not displace regular employees, supplant employment opportunities ordinarily available, or impair contracts for servih6(me)-5.for01 Toas

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not more than two (2) times the length of the suspension.

Suspension	Equivalent in community service	Maximum period of implementation
1 week	15 hours	2 weeks
1 month	60 hours	2 months
1 semester	15 hours/week throughout the semester	2 continuous semesters

Only corrective measures of one-semester suspension or less may be converted to community service. However, in cases of intellectual dishonesty, fraud and harm to persons ser.p0033e. How(m-1.7(u)it)-5.9(o)6.6()erviee dos onoo apply.

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- b. Fabrication, defined as “making up data or results”³; falsification, or “manipulating research materials, equipment, or processes or changing or omitting data or results such that the research is not accurately represented in the research record”⁴; distortion and/or destruction of data;
 - c. Copying or providing the means or accessing means to copy exam answers, homework, projects, laboratory experiments, term papers, etc.; possession and/or use of cheat devices during an examination; allowing another person to take an examination in one’s name, and/or impersonating another student or allowing someone to impersonate oneself in an academic activity; and manipulating a corrected exam paper;
 - d. Submission of the same work in two or more courses without the instructors’ consent; and
 - e. Other acts analogous to a, b, c, and/or d.
16. **Intellectual Property** –as defined by the University Intellectual Property Rights Policy.
17. **Official Report** –includes any report duly submitted in writing to any proper authority in the University by a faculty member, member of the University

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Article IV. Guidelines for Students and Registered Student Organizations

The University encourages students to engage in activities that help them flourish as individuals and as groups. Students and student organizations may not be subjected to any disciplinary proceeding except as provided in this Code.

Section IV.1. Acts of Misconduct and Corrective Measures for Students

Acts of Misconduct (See Appendix A.)	Corrective Measures (See Appendix B.)
Section IV.1.1. Intellectual Dishonesty	

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<p>IV.1.2.c. In connection with retention in the University;</p>	<ol style="list-style-type: none"> 1. For the first violation, suspension for one (1) semester to expulsion; 2. For the second violation, expulsion. <p>Possible additional corrective measures:</p> <ul style="list-style-type: none"> • cancellation of registration for the course/s for which the fraudulent act was committed • no refund of tuition and other fees • disqualification from graduation with honors • withdrawal of degree upon recommendation of disciplinary body
<p>IV.1.2.d. In connection with graduation from the University;</p>	<p>Expulsion.</p> <p>The degree granted to any student found to have committed the misconduct defined in Article VI Section 1.2.d shall be recommended to the Board of Regents (BOR) for withdrawal.</p>

IV.1.2.e. In connection with application to and/or receiving any scholarship or grant funded or managed by the University and its affiliated institutions;

1. For the first violation
 - suspension for a minimum of one semester to expulsion;
 - payment of the difference between the re-assessed amount and the amount that was paid by the student;
 - or reimbursement of the full cost of the grant, its processing, plus interest; and
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	that was paid by the student; and/or reimbursement of the full cost of the grant, its processing, plus interest.
IV.1.2.f. In connection with stealing/malversation/misuse of funds collected in connection with student activities;	<p>1. For the first violation</p> <ul style="list-style-type: none"> • suspension for a minimum of one semester to expulsion; • restitution, or the return of the funds to the rightful owner; • reparation, or compensation to the aggrieved party for damage or loss; and • disqualification from graduation with honors. <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert, the corrective measure of suspension shall be for a minimum of one year to expulsion.</p> <p>2. For the second violation</p> <ul style="list-style-type: none"> • Expulsion; • Restitution, or the return of the funds to the rightful owner; and • Reparation, or compensation to the aggrieved party for damage or loss.
IV.1.2.g. In connection with registration of student organizations;	<p>1. For the first violation, suspension of student/s responsible for a minimum of one (1) semester;</p> <p>2. For the second violation, one (1) academic year.</p> <p>3. For the third violation, expulsion.</p>

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<p>IV.1.2.h. In connection with the use of University facilities by, or in the name of, student organizations;</p>	<ol style="list-style-type: none"> 1. For the first violation, suspension of officers and students who applied for the use of the University facilities under the name of the organization for a minimum of one (1) semester; they shall be solidarily liable for the payment of the actual cost of use of the facility; 2. For the second violation, suspension of one (1) academic year. 3. For the third violation, expulsion. <p>Possible additional corrective measure: disqualification from graduation with honors.</p>
<p>IV.1.2.i. In connection with the use of intellectual property of the University, which results in gain, material or otherwise.</p>	<ol style="list-style-type: none"> 1. For the first violation, suspension for a minimum of one (1) semester, to expulsion; 2. For the second violation, expulsion. <p>Possible additional corrective measure: disqualification from graduation with honors.</p>
<p>Section IV.1.3. Harm</p>	
<p>Section IV.1.3.1. Harm to Persons</p>	

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<p>IV.1.3.1.b. Attacking a person resulting in physical and/or psychological injury;</p>	<p>1. For the first violation, the corrective measure shall be:</p> <p>If the victim is medically certified to have sustained injury but is not incapacitated, e.g., able to attend classes or work, suspension for thirty (30) days to expulsion;</p> <p>If the victim is not hospitalized or is hospitalized for less than seven (7) days and is medically certified to be incapacitated, e.g., unable to attend classes or work, suspension for one (1) semester to expulsion;</p> <p>If the victim is hospitalized at least seven (7) days as a consequence of the act, suspension for one (1) year to expulsion; and</p> <p>If the victim dies as a result of the act, expulsion;</p> <p>Provided further, that if the physical attack is committed by two or more persons acting in concert, the corrective measure shall be expulsion.</p> <p>2. For the second violation, expulsion.</p>
<p>IV.1.3.1.c. Engaging in any of the acts described in RA 8049, otherwise known as the Anti-Hazing Law;</p>	<p>Expulsion of the officers of the organization and members involved in the act.</p> <p>The neophyte who allows herself/himself to be subjected to such rites and rituals shall be suspended for one (1) week to one (1) semester and shall be required to undergo counseling. The parent/s or guardian/s of</p>

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IV.1.3.1.f. All acts described in the Anti-

2. For the second violation, expulsion.

<p>IV.1.3.2.b. Stealing within University premises.</p>	<ol style="list-style-type: none"> 1. For the first violation, suspension for one (1) week to one (1) academic year or community service; or 2. For the second violation, suspension for two (2) weeks to expulsion; 3. For the third violation, suspension for a period of one (1) semester to expulsion. <p>Provided, that if the misconduct is committed by two (2) or more persons acting in concert and/or committed on the occasion of violent confrontations or any similar disturbance, the corrective measure shall be as follows:</p> <ol style="list-style-type: none"> 1. For the first violation, suspension for one (1) month to expulsion; 2. For the second violation, expulsion. <p>In all cases, the students shall be required to make restitution and/or reparation, and repair the damage done at their expense or to pay the costs incurred in repairing such damage. No clearance shall be issued until the stolen property is returned or replaced and any damage is fully compensated by the students.</p>
<p>Section IV.1.4 Other Inappropriate Behavior</p>	
<p>IV.1.4.a. Drinking of alcoholic beverages, except where and when expressly allowed by the Chancellor, and/or drunken behavior within University premises;</p>	<p>Admonition to suspension for three (3) to fifteen (15) days or community service;</p>
<p>IV.1.4.b. Smoking in violation of the provisions of R.A. 9211;</p>	<p>Admonition to suspension for three (3) to fifteen (15) days or community service;</p>

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IV.1.4.c. Possession and/or use within the University premises of any dangerous or deadly or potentially deadly object or material such as, but not limited to, firearm; any bladed or pointed object; stick, pipe, or any similar object; and chemicals, unless required in her/his course;

1. For the first violation, suspension for one (1) month to one (1) year;

Provided, that if the misconduct is committed by two (2) or more persons acting in concert, the corrective measure shall be suspension of one (1) year to expulsion.

Provided, that should the deadly weapon be a firearm, explosive, or any similar device, the corrective measure shall be expulsion.

Provided, that should the deadly weapon be a firearm, explosive, or any similar device, the corrective measure shall be suspension of one (1) year to expulsion.

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<p>IV.1.4.f. Undermining or obstructing any investigation or proceeding, and/or willfully disobeying any written lawful order or directive by the Chancellor, Vice-Chancellors, Deans, Directors of academic units, College Secretaries, OSA Director and members of disciplinary bodies, including but not limited to, summons for purposes of investigation and other proceedings.</p>	<ol style="list-style-type: none"> 1. For the first violation, suspension for seven (7) days to thirty (30) days or community service; 2. For the second violation, suspension for thirty (30) days to one (1) semester or community service; 3. For the third violation, expulsion. <p>Possible additional corrective measure: disqualification from graduation with honors.</p>
<p>Section IV.1.5. Violation of Policies on the Use of IT Resources ⁶</p>	
<p>Violation of the University policies on the use of IT resources;</p>	<p>Possible additional corrective measure: disqualification from graduation with honors.</p>

Section IV.2. Acts of Misconduct and Corrective Measures for Registered Student Organizations

A registered student organization shall be subject to disciplinary action for any of the following acts without prejudice to the filing of a case against a member as a student:

<p>Acts of Misconduct (See Appendix A.)</p>	<p>Corrective Measures (See Appendix B.)</p>
<p>Section IV.2.1. Fraud⁷</p>	
<p>IV.2.1.a. Making a false statement and practicing or attempting to practice any deception in connection with application for registration on behalf of the organization;</p>	<ol style="list-style-type: none"> 1. For the first violation, suspension of registration for six (6) months to one (1) year; 2. For the second violation, suspension of

⁶ See the Approved Acceptable Use Policy (AUP) for Information Technology (IT) Resources of the UP System, approved by the Board of Regents on 1 February 2003, posted in the website of the University (<http://www.up.edu.ph>), and other documents.

⁷ Violations under Article IV Section 2.1 shall be counted cumulatively.

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IV.2.2.1.b. Accepting a student who has not completed a one-semester residency in UP Diliman for membership in a registered student organization, except in the case of a fraternity or sorority for which the residency requirement is one academic year;

- years. The organization shall be required to pay actual damages;
3. For the third violation, disqualification from registration for at least five (5) years, until conditions imposed by the disciplinary body are met. The organization shall be required to pay actual damages.
1. For the first violation, suspension of registration for six (6) months;
 2. For the second violation, suspension of registration for one (1) year;
 3. For the third violation, disqualification from registration for at least five (5) years, until conditions imposed by the disciplinary body are met. The organization shall be required to pay actual damages.

<p>IV.2.2.2.b. Appropriating for the student organization property of another;</p>	<p>For every violation, suspension of registration for six (6) months to five (5) years. The officers and members shall be required to make restitution and/or reparation and a fine equivalent to the value of the property appropriated;</p> <p>Additional corrective measure: Community service, the length of which to be determined by OSA or the College.</p>
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Section IV.2.3 Any other form of misconduct

<p>IV.2.3.a. Willfully disobeying any lawful written order or directive by the Chancellor, Vice-Chancellors, Deans, Directors of academic units, College Secretaries, OSA Director and members of disciplinary bodies, including but not limited to, summons for purposes of investigation and other proceedings.</p>	<p>Suspension of registration for one (1) month to disqualification from recognition for at least five (5) years, until conditions imposed by the disciplinary body are met.</p>
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IV.2.3.b. Engaging in any other form of misconduct, whether within or outside University premises, significantly affecting the good order and welfare and/or good name of the University, and/or which violates the provisions of this Code regarding student organizations.

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college. Two or more colleges are involved when the incident subject of the complaint took place within the premises of a college(s), allegedly committed by a student(s) of another college(s).

Hearing committees formed by the SDC, except for cases of intellectual dishonesty, shall be composed of three (3) members, two (2) of whom shall be tenured, regular faculty who are not on leave, sabbatical, secondment or special detail, while the third member shall be an elected member of the University Student Council.

Student members must have the following qualifications:

- a. good moral character, defined as not having been found guilty of any offense in a court of law or liable in a student disciplinary body, and is not the subject of any pending case;
- b. good academic standing, defined herein as having passed at least 75% of units enrolled in the previous semester; carrying a full or regular academic load in the current and previous semesters, except in the case of graduate student

a graduate student.

Hearing committees constituted by the colleges for intellectual dishonesty cases shall be composed of three (3) or five (5) tenured, regular faculty who are not on leave, sabbatical, secondment or special detail. However, in a case of intellectual dishonesty concerning two or more colleges whose Deans are unable to form an Inter-College Disciplinary Committee (See Article V Section 1.3.1), the SDC shall appoint the members of the ICDC, who shall come from the Colleges involved.

The SDC shall receive copies of all complaints and case reports involving student misconduct. It shall monitor the progress and resolution of all cases, including enforcement of corrective measures, and submit status reports to the Chancellor.

The SDC shall conduct orientation on the Code of Student Conduct for all ad hoc disciplinary committees.

Section V.1.2. The College Disciplinary Committee (CDC)

Section V.1.2.1. Composition of the College Disciplinary Committee (CDC)

The CDC is an ad hoc committee formed by the Dean for the purpose of implementing the pertinent provisions of this Code. The Dean shall not sit as a member of the CDC but may observe the proceedings. In cases of intellectual dishonesty, the CDC shall be composed of three (3) tenured, regular faculty who are not on leave, sabbatical, secondment or special detail. The Committee members shall select a Chair from among themselves. In all other cases, the hearing committee shall be composed of three (3) members, two (2) of whom shall be tenured, regular faculty who are not on leave, sabbatical, secondment or special detail, while the third member shall be an elected member of the College Student Council.

Student members must have the following qualifications:

- a. good moral character, defined as not having been found guilty of any offense in a court of law or liable in a student disciplinary body, and is not the subject of any pending case;
- b. good academic standing, defined herein as having passed at least 75% of units enrolled in the previous semester;

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carrying a full or regular academic load in the current and previous semesters, except in the case of graduate student members who need not carry or have carried a full load; and not having exceeded the Maximum Residence Rule; and

c.

Section V.2.2. Parties

In all cases of intellectual dishonesty, the University is deemed the complainant. The student/s reported to have committed the act of misconduct constituting intellectual dishonesty is/are the respondent/s.

Section V.2.3. Representation of parties and right to counsel

The University shall be represented by a tenured, regular member of the University Council who is not on leave, sabbatical, secondment or special detail, who is appointed by the Chancellor.

The respondent/s shall represent himself/herself/themselves, and shall have the right to counsel. The counsel's role shall be limited to advice. The counsel of choice may be any person who can assist the respondent.

Section V.2.4. Constitution of the College Disciplinary Committee (CDC) or the Inter-College Disciplinary Committee (ICDC)

The Dean/s constitute/s the CDC or the ICDC within one (1) week from the determination of jurisdiction by the Dean, in accordance with Article V Sections 1.2.1 and 1.3.1 of Procedure.

Section V.2.5. Proceedings

The CDC or ICDC shall not be bound by technical rules of evidence and all proceedings shall be summary in nature. The parties and their witnesses, if any, shall submit affidavits subject to clarificatory questions by the disciplinary committee. The following requests to the disciplinary committee shall be prohibited:

- a. extension of time to file an answer;
- b. dismissal of the complaint;

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provided in Article V Section 2.3. If the complainant is a tenured member of the University Council, s/he may represent the University.

The respondent shall appear in person and may be accompanied by parents, guardians and counsel. The participation of her/his parents, guardians and counsel shall be limited to advice.

Section V.2.9. Notice of Hearing

The CDC or ICDC shall serve to the parties a notice of dates of preliminary meeting and hearings in such a manner as shall ensure the receipt of the notice

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Section V.2.12. CDC or ICDC Report

The CDC or ICDC shall submit its resolution and recommended corrective measures, if any, to the Dean within fifteen (15) days after the final hearing. The resolution 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 resolution and recommended corrective measures are based. It shall note the attendance of CDC or ICDC members of meetings and hearings.

Section V.2.13. Dean's Action

The Dean of the College to which the student belongs shall adopt the resolution and shall affirm or modify the recommended corrective measures within prescribed range, if any, within seven (7) days.

Section V.2.14. Service of the Dean's Action

The parties shall each be served a copy of the Dean's Action in the same manner as the provisions of Article V Section 2.6, copy furnished the SDC. The

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executed by the Chancellor.

If the decision involves suspension, the College Secretary and concerned professors shall be notified.

shall have the right to counsel. The counsel's role shall be limited to advice. The counsel of choice may be any person who can assist the respondent.

Section V.3.4. Determination of Jurisdiction and Probable Cause

The Dean or the SDC Chair shall determine whether

- a. the act subject of the complaint is serious or less serious misconduct;
- b. the misconduct occurred in more than one college;
- c. the students involved belong to more than one college; and,
- d. there is probable cause.

The Dean or the SDC shall determine jurisdiction of the case and, when necessary, refer the case within seven (7) days to the appropriate forum, in accordance with Article V Sections 3.4.1 and 3.4.2.

Section V.3.4.1. Jurisdiction of the College Dean

In all cases where the act subject of the complaint is less serious and/or is committed within a particular college and involves only students belonging to said college, the concerned College Dean shall take jurisdiction of the case.

Section V.3.4.2. Jurisdiction of the Student Disciplinary Council

In all other cases not falling under the jurisdiction of the College Dean, the Student Disciplinary Council shall take cognizance of the case.

Section V.3.5. Procedure to be Followed by the College Dean

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The Ad Hoc Disciplinary Hearing Committee shall not be bound by technical rules of evidence and all proceedings shall be summary in nature. The parties and their witnesses, if any, shall submit affidavits subject to clarificatory questions by the disciplinary committee. The following requests to the Ad Hoc Disciplinary Hearing Committee shall be prohibited:

- a. extension of time to file an answer;
- b. dismissal of the complaint;
- c. re-opening of a case;
- d. demurrer to evidence;
- e. postponements/cancellation of hearings;
- f. reply/rejoinder;
- g. intervention; and
- h. new proceedings on the same case.

The preliminary meeting, hearings, and all other meetings of the Ad Hoc Disciplinary Hearing Committee shall proceed when a majority of the members are present.

Section V.3.6.5. Summons

The Ad Hoc Disciplinary Hearing Committee shall, within five (5) days from its constitution, issue summons to the respondent with a copy of the complaint and the Dean's and/or SDC Chair's referral. The summons shall be served within another five (5) days

- a. personally to the respondent through the Department Chair, Institute Director and/or the Secretary of the College to which s/he belongs or through the Office of the University Registrar (OUR) if the respondent does not belong to any college;
- b. by electronic mail to the respondent's UP Webmail account, wherein the respondent is presumed to have received the summons;
- c. by registered mail to the respondent's residence address indicated in her/his latest Form 5, wherein the respondent is

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Section V.3.6.9. Preliminary Meeting

The preliminary meeting shall be mandatory. The Ad Hoc Disciplinary Hearing Committee shall set the preliminary meeting date not later than one (1) week after receipt of the respondent's answer or after the expiration of the period within which the respondent should answer.

Failure of the University and/or the private complainant to appear shall be ground to dismiss the complaint.

Failure of the respondent to appear shall have the same effect as failure to answer.

During the preliminary meeting, the parties shall consider all matters that will aid in the prompt disposition of the case, such as any facts admitted, marking of documents to be presented, dates of hearings, identity of witnesses and the gist of their testimony; and, in less serious cases, an amicable settlement.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the members of the Ad Hoc Disciplinary Hearing Committee present, the University representative and/or the private complainant, and the respondent. The preliminary meeting report shall be binding on the parties. The parties may also agree to submit the case for resolution during the preliminary meeting.

Section V.3.6.10. Duration of Hearing

The initial hearing must be set not later than one (1) week after the receipt by the parties of the preliminary meeting report. Hearings must be completed within two (2) months after the initial hearing after which the Ad Hoc Disciplinary Hearing Committee shall decide the case.

Section V.3.6.11. SDC Decision

Within fifteen (15) days after the final hearing, the Ad Hoc Disciplinary Hearing Committee shall submit its decision to the SDC, which shall adopt or modify the corrective measure within the prescribed range, within seven (7) days.

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corresponding corrective measures. It shall note the attendance of the Ad Hoc Disciplinary Hearing Committee members of meetings and hearings.

Section V.3.6.12. Service of Decision

The parties concerned shall each be served a copy of the SDC decision. The respondent shall be served in the manner provided in

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Section V.4. Procedure for Misconduct of Registered Student Organizations (See attached Appendix C: Flowchart C.)

Section V.4.1. How commenced

An incident involving misconduct of a student organization may be reported, orally or in writing and duly signed, by anyone to any College or University official. Oral reports shall be put in writing and duly signed by the person filing the report. The recipient of the complaint shall, within twenty-four (24) hours, report the complaint to the Office of Student Activities (OSA) or to the Dean of the College concerned.

Section V.4.2. Parties

In all misconduct cases involving student organizations, the University is the complainant, together with a private complainant, if any. The student organization, represented by its head, is the respondent.

Section V.4.3. Determination of Jurisdiction and Probable Cause

The Dean or the OSA shall determine whether the student organization involved is College-registered or University-registered. College-registered organizations fall under the jurisdiction of the Dean while University-registered organizations fall under the jurisdiction of the OSA.

The Dean or the OSA shall determine jurisdiction of the case and forward the report to the appropriate forum, in accordance with Article V Sections 4.3.1 and 4.3.2, within three (3) days, copy furnished the SDC.

Section V.4.3.1. Jurisdiction of the College Dean

The College Dean shall have jurisdiction of the case when the act subject of the complaint involves a College-registered student organization.

If the Dean refuses or fails to assume jurisdiction within three (3) days, the OSA shall take jurisdiction of the case.

Section V.4.3.2. Jurisdiction of the Office of Student Activities (OSA) and the Office of the Vice Chancellor for Student Affairs (OVCSA)

The OSA and the OVCSA shall have jurisdiction over all cases involving University-registered student organizations.

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Section V.4.4. Procedure to be Followed by the College Dean

Section V.4.4.1. Alternative Dispute Resolution (ADR)

The Dean shall, within seven (7) days after determination of jurisdiction and probable cause, resolve the case by employing ADR methods. Upon arriving at a resolution, the same shall be made in writing embodying all the terms agreed upon, copy furnished the OSA. Such written resolution, when signed by the Dean, shall be final and immediately executory.

Section V.4.4.2. College Disciplinary Committee (CDC)

In cases where ADR failed, the Dean shall form a CDC within one (1) week after the unsuccessful ADR has been concluded, which shall assume jurisdiction over the case.

The preliminary meeting, hearing, and final hearing shall be held within one (1) week after the CDC is formed.

The CDC shall have the authority to recommend the Dean to take appropriate disciplinary action against the student.

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Section V.4.5.7. CDC decision

Within fifteen (15) days after the final hearing, the CDC shall submit its decision to the Dean.

The CDC decision should contain the findings of fact, the applicable provisions of this Code, and the corresponding corrective measures. It shall note the attendance of CDC members of meetings and hearings.

Section V.4.5.8. Dean's Action

The Dean shall adopt the resolution and shall affirm or modify the recommended corrective measure within prescribed range, if any,

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Section V.4.6.2. Procedure before the Ad Hoc Disciplinary Hearing Committee (AHDHC)

The preliminary meeting, hearings, and all other meetings of the Ad Hoc Disciplinary Hearing Committee shall proceed when a majority of the members are present.

Section V.4.6.2.1 Summons

The Ad Hoc Disciplinary Hearing Committee shall, within three (3) days from its constitution, issue summons to the respondent, through any of its officers, with a copy of the complaint, copy furnished the faculty adviser/s. The respondent is presumed to have received a copy of the summons and the complaint within three (3) days from issuance.

These modes of service of summons shall also apply to the service of notices, decisions and other communications.

Section V.4.6.2.2. Answer

The respondent shall answer in writing, signed by the head of the student organization, within seven (7) days from receipt of the summons and the complaint. If the respondent fails to answer within the time period, it is deemed to have waived its right to present evidence on its behalf.

Section V.4.6.2.3. Appearances

The University shall appear as complainant through the Office of the Vice Chancellor for Student Affairs.

The respondent shall appear through its head with the assistance of its faculty adviser/s and/or counsel, whose role shall be limited to advice.

Section V.4.6.2.4. Preliminary Meeting

The mandatory preliminary meeting shall be set not later than one (1) week after receipt of the answer or after the expiration of the period within which to answer.

Failure of the University and/or the private complainant to

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Failure of the respondent to appear shall have the same effect as failure to answer.

During the preliminary meeting, the parties shall consider all matters that will aid in the prompt disposition of the case, such as any facts admitted, marking of documents to be presented, dates of hearings, identity of witnesses and the gist of their testimony; and, in less serious cases, an amicable settlement.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the members of the Ad Hoc Disciplinary Hearing Committee present, the University representative and/or the private complainant, and

behavior;

Section IV.1.3.1.f. All acts described in the Anti-Sexual Harassment Act of 1995 (R.A. 7877) and its Implementing Rules and Regulations (IRR) approved by the Board of Regents;

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purpose, by the University Council. The amendment, as approved by the Board of Regents, shall take effect on the first day of the succeeding semester. Students and faculty may propose amendments to the Code.

Section VI.4. Repealing Clause

Existing bodies, tribunals, offices, committees, and units which are rendered obsolete by this Code are hereby dissolved; and all existing rules and regulations that are in conflict with this Code are hereby repealed.

Section VI.5. Transition Clause

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3. Harm to persons

- a. Creating and/or engaging in disorder, tumult, breach of peace, or serious disturbance such as, but not limited to, rumbles, within the University premises, resulting in harm to persons;

Appendix B

Corrective measures

1. Admonition/reprimand
2. Apology
3. Cancellation of registration
4. Suspension
5. Expulsion
6. Withdrawal of degree

Additional corrective measures, which may be concurrently imposed with above corrective measures

1. Fine
2. Disqualification from graduation with honors
3. Reparation
4. Restitution
5. Suspension or withdrawal of IT privileges as defined by the current policies on IT uses and resources of the University.⁸

Corrective measures that are *sui generis* or in a class of their own:

For students:

1. Cancellation of admission to the University
2. Community service

For student organizations:

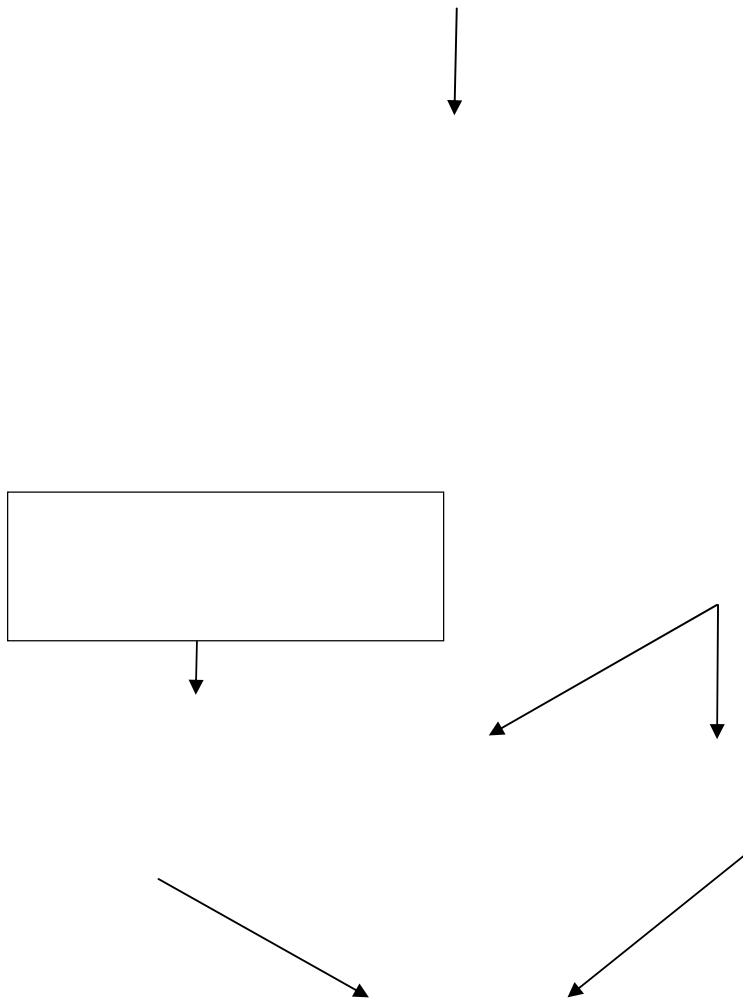
1. Cancellation of recognition
2. Suspension of recognition

⁸ See the Approved Acceptable Use Policy (AUP) for Information Technology (IT) Resources of the UP System, approved by the Board of Regents on 1 February 2003, posted in the website of the University (<http://www.up.edu.ph>), and other documents.

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Flowchart:

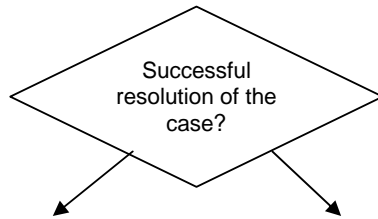
Procedure for other acts of misconduct (page 1)



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Flowchart:

Procedure for other acts of misconduct (page 2)



IF ADR IS SUCCESSFUL:
the process will take
approximately 17 days.

Within **1 week** after
determination of jurisdiction
or failure of ADR

Within **5 days** from the
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Flowchart:
 Procedure for other acts of misconduct (page 4)

HEARINGS
 The initial hearing must be set not later than one (1) week after the receipt by the parties of the preliminary meeting report. Hearings must be completed within two (2) months after the initial hearing after which the CDC or AHDHC shall decide the case.



SDC DECISION

Within fifteen (15) days after the final hearing, the Ad Hoc Disciplinary Hearing Committee shall submit its decision to the SDC, which shall adopt or modify the corrective measure within the prescribed range, within seven (7) days after receipt. The SDC shall immediately transmit the same to the Chancellor, copy furnished the Dean/s, College Secretary/ies and Institute Director/s/Department Chair/s concerned.

The Ad Hoc Disciplinary Hearing Committee decision shall contain the findings of fact, the applicable provisions of this Code, and the corresponding corrective is (SD)1((i)-D-55 TD(i)u)5.6mD-5De)6.3T-0.0D-500.00e-5Devine)J/T.7(c.1(w)11J/T.

Within **1 week** after preliminary meeting

Within **2 months** to complete hearings

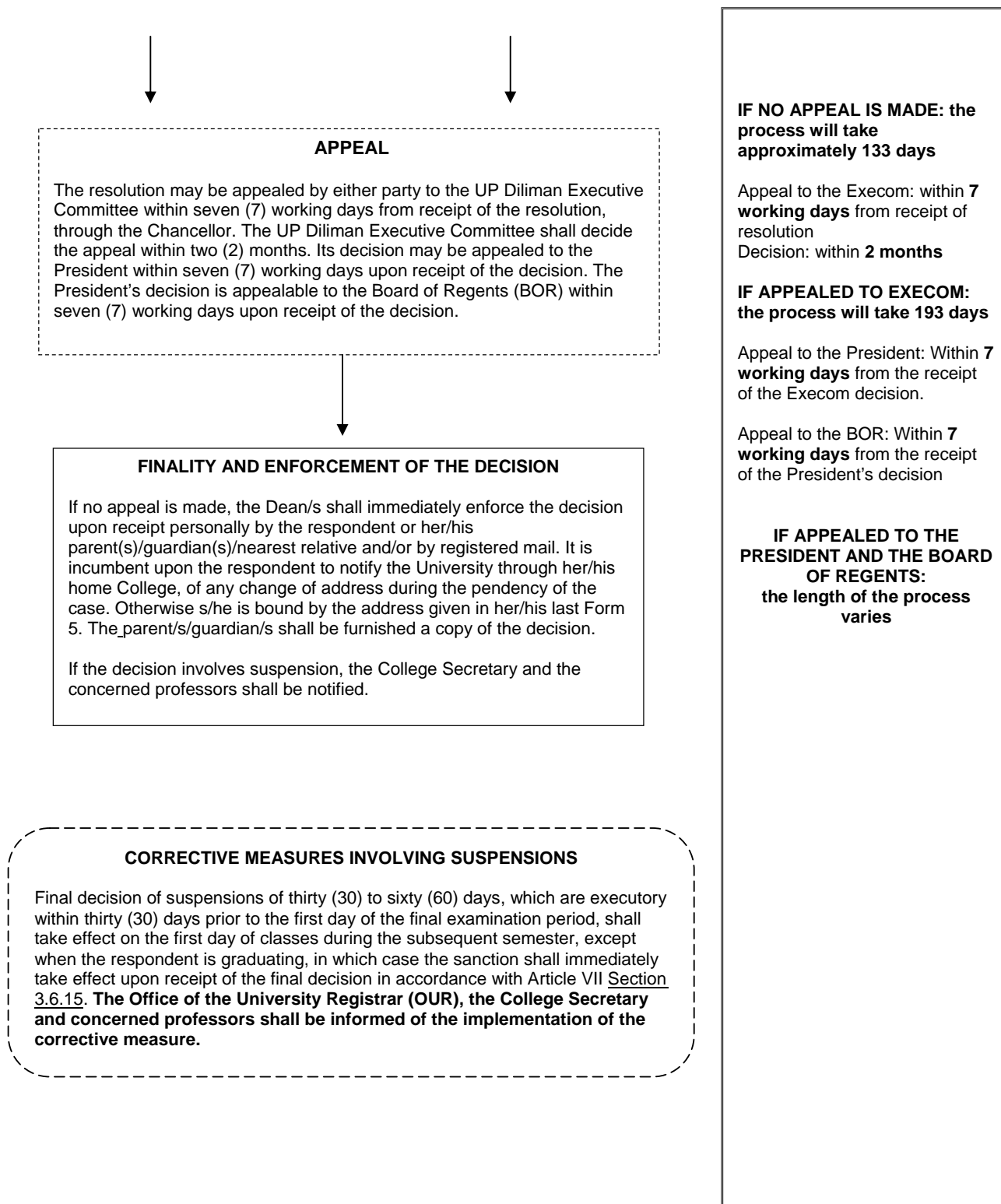
Submission of Decision: within **15 days** after final hearing

Adoption/Modification of Decision, within **7 days**

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Flowchart:

Procedure for other acts of misconduct (page 5)



APPEAL

The resolution may be appealed by either party to the UP Diliman Executive Committee within seven (7) working days from receipt of the resolution, through the Chancellor. The UP Diliman Executive Committee shall decide the appeal within two (2) months. Its decision may be appealed to the President within seven (7) working days upon receipt of the decision. The President's decision is appealable to the Board of Regents (BOR) within seven (7) working days upon receipt of the decision.

FINALITY AND ENFORCEMENT OF THE DECISION

If no appeal is made, the Dean/s shall immediately enforce the decision upon receipt personally by the respondent or her/his parent(s)/guardian(s)/nearest relative and/or by registered mail. It is incumbent upon the respondent to notify the University through her/his home College, of any change of address during the pendency of the case. Otherwise s/he is bound by the address given in her/his last Form 5. The parent/s/guardian/s shall be furnished a copy of the decision.

If the decision involves suspension, the College Secretary and the concerned professors shall be notified.

CORRECTIVE MEASURES INVOLVING SUSPENSIONS

Final decision of suspensions of thirty (30) to sixty (60) days, which are executory within thirty (30) days prior to the first day of the final examination period, shall take effect on the first day of classes during the subsequent semester, except when the respondent is graduating, in which case the sanction shall immediately take effect upon receipt of the final decision in accordance with Article VII Section 3.6.15. **The Office of the University Registrar (OUR), the College Secretary and concerned professors shall be informed of the implementation of the corrective measure.**

IF NO APPEAL IS MADE: the process will take approximately 133 days

Appeal to the Execom: within **7 working days** from receipt of resolution
Decision: within **2 months**

IF APPEALED TO EXECOM: the process will take 193 days

Appeal to the President: Within **7 working days** from the receipt of the Execom decision.

Appeal to the BOR: Within **7 working days** from the receipt of the President's decision

IF APPEALED TO THE PRESIDENT AND THE BOARD OF REGENTS: the length of the process varies

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Flowchart:

Procedure for misconduct of registered student organizations (page 3)

A. Procedure to be followed by the College Disciplinary Committee



ANSWER

The respondent shall answer in writing, signed by the head of the student organization, within seven (7) days from receipt of the summons and the complaint. If the respondent fails to answer within the time period, it is deemed to have waived its right to present evidence on its behalf.

Within **3 days** from constitution of CDC

maximum of 2 days to receive summons

Within **7 days** from receipt of summons and the complaint

Notice of Hearing: at least **3 days** before the date of initial meeting/hearing

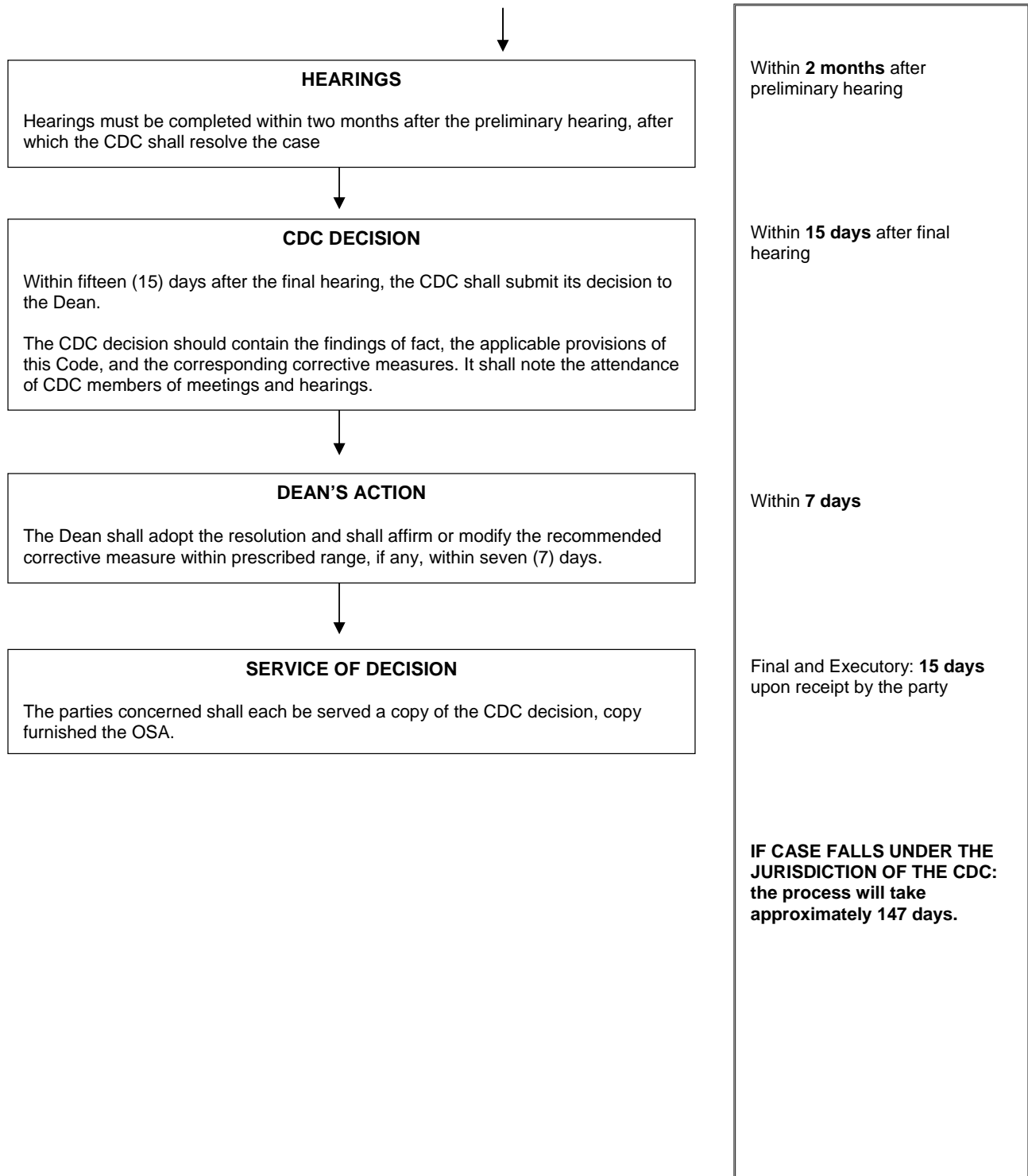
Preliminary Meeting: within **1 week** after receipt of answer/after the expiration of the period within which to file

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Flowchart:

Procedure for misconduct of registered student organizations (page 4)

A. Procedure to be followed by the College Disciplinary Committee



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