



Tarlac State University
STUDENT AFFAIRS AND SERVICES OFFICE
STUDENT DISCIPLINE UNIT

STUDENT DISCIPLINE MANUAL

(Approved through BOR Resolution No. 118, s. 2021)



Republic of the Philippines
TARLAC STATE UNIVERSITY

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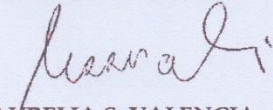
EXCERPTS FROM THE MINUTES OF THE 124th REGULAR MEETING OF
THE BOARD OF REGENTS OF THE TARLAC STATE UNIVERSITY
HELD AT THE MANOR HOTEL BAGUIO CITY
ON DECEMBER 13, 2021

Resolution No. 118, s. 2021

APPROVING THE FOLLOWING MANUALS UNDER THE
STUDENT AFFAIRS SERVICES OFFICE OF THE TARLAC STATE
UNIVERSITY:

1. STUDENT DISCIPLINE MANUAL
2. STUDENT ORGANIZATIONS MANUAL
3. GUIDANCE AND COUNSELING MANUAL
4. STUDENT PUBLICATION MANUAL

Certified True & Correct:


AURELIA S. VALENCIA
Board Secretary

TARLAC STATE UNIVERSITY

VISION

Tarlac State University is envisioned to be a premier University in the Asia Pacific Region

MISSION

Tarlac State University commits to promote and sustain the offering of quality and relevant programs in higher and advanced education ensuring equitable access to education for people empowerment, professional development, and global competitiveness.

Towards this end, TSU shall:

1. Provide high quality instruction through qualified, competent, and adequately trained faculty members and support staff.
2. Be a premier research institution by enhancing research undertakings in the fields of technology and sciences and strengthening collaboration with local and international institutions.
3. Be a champion in community development by strengthening partnership with public and private organizations and individuals.

CORE VALUES

E – xcellence and Enhanced Competence

Q – uality

U - nity

I – ntegrity and Involvement

T – rust in God, Transparency & True Commitment

Y – earning for Global Competitiveness

QUALITY, ENVIRONMENT, and HEALTH and SAFETY (QEHS) POLICY

Tarlac State University is committed to improve continually for:

1. Global competitiveness and excellence in the delivery of education, research, extension, training and consultancy services, hotel operation and administrative support services;
2. Safe and healthy working conditions to prevent injury and ill health of its employees, students, guests, visitors, suppliers and contractors;
3. Management of environmental aspects towards the prevention of pollution;
4. Compliant to regulatory and statutory requirements for the utmost satisfaction of its valued customers.

STUDENT DISCIPLINE UNIT

OBJECTIVES:

1. To establish and maintain a documented procedure for filling of complaint:
 - 1.1. by the students against students/faculty/university personnel; or
 - 1.2 by faculty/university personnel against students.
2. To conduct the investigation for disciplinary actions as deemed necessary.

Introduction

“Learning Necessitates Discipline”

Discipline leads human persons to the path of success. It differentiates humans from beasts. Animals do not have a sense of right and wrong, nor directions to regulate their life; but humans are subject to discipline and their success lies in adherence to it.

Needful to say, discipline teaches humans to be systematic towards achieving goals in life; Humanity will fall apart without the discipline in social life; Discipline provides people with rules to live their lives efficiently and effectively; and most importantly, discipline creates habits, good habits form character, and character .

Human decisions and actions have consequences, negative or positive. Some consequences or outcomes are penalizing. However, *penalties are not meant to be punitive*, but instead, should *teach life lessons* that prepare children to become responsible adults. Penalties are not end in themselves. They serve a purpose.

Student discipline is one of the foremost concerns and issues at the center of the life of students. Their proper behavior in and outside of TSU, among others, determines whether they will succeed in pursuing peaceful life at the university and after their graduation.

All TSU students are expected to respect and obey the laws of the land, observe the standards of good society, uphold the university rules and regulations, and adhere to the accepted norms and right conduct.

Pursuant to the principle of *in loco parentis*, the University, through the persons charged with the supervision of students, has the right to act in the best interests of the latter. This means that these persons shall be deemed persons in authority and should therefore, be accorded due respect and protection (Art. 153 (3), Revised Penal Code, as amended by PD 299, Sept. 19, 1973 and Education Act of 1982).

Hence, the rules and regulations promulgated in this manual will serve as guide to achieve harmony, peace and order in the university. Furthermore:

- the existing pertinent laws and regulations of the Philippines shall be suppletory to the provisions hereof;
- the Board of Regents (BOR) – approved definition and specification of certain offenses/breaches of discipline shall not be construed to exclude other offenses or

breaches against the rules of discipline promulgated by the different TSU offices like that of the University President, Academic Council or Administrative Council, Deans and Department Chairpersons.

Basis of Rules on Discipline and Conduct

The rules on discipline and conduct are anchored on the following:

Legal/ Jurisprudence/ Memorandum Order

a. Batas Pambansa Blg. 232 or better known as the *Act Providing for the Establishment and Maintenance of an Integrated System of Education.*

Under paragraph 5 of chapter 2, under title I, General provisions, it states: *Towards the realization of these objectives, and pursuant to the Constitution, all educational institutions shall aim to inculcate love of country, teach the duties of citizenship, and develop moral character, personal discipline, and scientific, technological, and vocational efficiency.*

In number 1, section 13, chapter 2 of the same title II, the school's rights is clearly laid, that their *governing boards or lawful authorities shall provide for the proper governance of the school and to adopt and enforce administrative or management systems.*

In addition, number 3 and 5 respectively, of section 15, chapter 3, of the same title II, that which speaks of the duties and responsibilities of students, it says: *Every student shall promote and maintain the peace and tranquility of the school by observing the rules and discipline, and by exerting efforts to attain harmonious relationships with fellow students, the teaching and academic staff and other school personnel; and Exercise his rights responsibly in the knowledge that he is answerable for any infringement or violation of the public welfare and of the rights of others.*

b. Jurisprudence on Administrative Case against Students: *Cudia v. The Superintendent of the Philippine Military Academy*¹ and *Guzman v. National University*²

¹ G.R. No. 211362, February 24, 2015 (En Banc)

² G.R. No. L-68288 July 11, 1986

The Supreme Court held that there are minimum standards/requirements which must be met to satisfy the demands of procedural due process in an administrative case against a student, to wit:

- 1) The student must be informed in writing of the nature and cause of accusation against them;
- 2) They shall have the right to answer the charges against them, with the assistance of counsel, if desired;
- 3) They shall be informed of the evidence against them;
- 4) They shall have the right to adduce evidence in their own behalf; and
- 5) The evidence must be duly considered by the investigating committee or official designated by the school authorities to hear and decide the case.

c. CHED Memorandum Order No. 09, Series of 2013 or the Enhanced Policies on Student Affairs and Services

Under Article VIII (Student Development), Section 22 specifically mentioned the expectation among Higher Educational Institutions on how to uphold Student Discipline.

Definition of Terms

The following terminologies are hereby defined for clarity purposes:

Discretionary Interventions or In-house Service. The additional educational activities, work assignments, such as community service, and any other related discretionary interventions as deemed necessary by the University Discipline Officer.

Dismissal or Expulsion. It is the termination of educational services and exclusion from the University property and facilities for not less than one year. The conditions for readmission, if any, will be stated in the order of dismissal. The penalty of dismissal is a decision of the University President. A dismissed student can be reinstated only upon the favorable action by the President or designee on his petition for reinstatement.

Jurisdiction. It pertains to the power of the University Discipline Officer or Committee to hear, try and decide all student discipline-related concerns, complaints and cases, unless otherwise fall under the jurisdiction of appropriate college/unit/court.

Plagiarism. It is the process or practice of using another person's ideas or work and pretending that it is your own (<https://dictionary.cambridge.org/us/dictionary/english/plagiarism>). It shall be construed as a dishonest or false submission of any academic requirement of a student to his/her instructor/professor.

Preventive Suspension. It shall be construed not a penalty imposed upon a student but a deterrent to the possible disruption of normal university operations (or threat to lives and property) that may be caused by the continued presence of a student-offender on the university premises.

Reprimand. A reprimand may be in the form of: (a) verbal reprimand to student as regards to his/her misbehavior or misconduct or (b) written reprimand describing a student's offense or misconduct, which places on record that a student, in a specific instance, did not meet the behavioral standards expected at the University.

Student. A person who is currently enrolled in the university, which includes but is not limited to: any undergraduate, graduate, law, international or exchange, credit or unit earners.

Student Discipline. It refers to the judicious implementation of institutional rules and regulations governing student behavior and conduct (CHED Memorandum Order No. 09, Series of 2013).

Substantial Evidence/Proof. Any relevant evidence that a reasonable mind might accept as adequate to support a conclusion³.

Summary Procedure. It is an alternative form of discipline proceedings for cases that require prompt action without the need for formal hearing.

Suspension. It is a penalty imposed to a student denying or depriving him/her from attending classes for a period ranging from three days to one year depending on the weight of misconduct or misbehavior.

³ De Jesus v. Guerrero III, 614 Phil. 520, 528-529 (2009) [Per J. Quisumbing, Second Division].

Conduct and Discipline

Chapter 1

PRELIMINARY MATTERS

Section 1. The Provisions of this part on matters pertaining to rules of discipline with the jurisdiction of the University Discipline Officer shall be reconciled according through an adopted system of approval without prejudice to consultation with students duly represented by their leaders.

Section 2. At all times, every student must promote and maintain the peace and tranquility of the University by observing the rules of discipline, and by exerting efforts to attain harmonious relationships with fellow students, the teaching and academic staff and other school personnel.

Section 3. The investigation, disposition and corresponding sanctions of students' disciplinary cases shall follow the proceedings established herein and will be kept and done with strict confidentiality pursuant to Republic Act No. 10173 or the Data Privacy Act of 2012.

Section 4. All officials, faculty and staff and security force of the University are mandated to enforce and supervise overall compliance to the provisions of this part in their respective areas of responsibilities. All student officers may be called upon to assist in the enforcement of the rules of discipline whenever feasible and/or relevant.

Section 5. Pursuant to the provisions of this chapter, faculty and persons charged with the supervision of students shall be deemed persons in authority and should, therefore be accorded due respect and protection.

Section 6. The disciplining authority who is the University Discipline Officer shall dispense out the punishment recommended and approved by the constituted bodies under this part in accordance with due process.

Section 7. In dispensing punishments for multiple offenses done on a single occasion, the penalty for the most serious misconduct will be imposed in its maximum period. However, if offenses done were on different occasions, and tried separately, a progressive system of punishment shall be maintained.

Section 8. Subject to the approval of the University Discipline Committee (UDC), the University Discipline Officer may order the preventive suspension of the respondent for not more than fifteen (15) days where suspension is necessary to maintain the security of the University.

Section 9. The University Discipline Committee is composed of the following:

- a. Dean of Student Affairs Services; Chairperson (voting)
- b. Discipline Officer; Member (voting)

- c. Student Regent or his/her due representative; Member(voting)

Section 10. Each college/school shall appoint its Student Discipline Coordinator whose name will be forwarded to SDU. The following shall be the functions of the appointed College/School Discipline Coordinator:

1. Coordinate with the SDU regarding student discipline concerns and matters;
2. Facilitate the filing of complaint against a student on behalf of the concerned faculty member or staff;
3. May act or mediate motu proprio on College discipline related matters and concerns in accordance with this manual; and
4. Perform other tasks necessary to uphold student discipline in the college/school.

Section 11. No student shall be meted out any form of disciplinary actions except for causes as provided by the provisions of this student manual and by appropriate authorities after due process.

Section 12. Rights of Respondents. In addition to the rights guaranteed under Part 1, Chapter 3, Sec. 1 of Student Manual, every respondent shall enjoy the following specific rights:

1. To be subjected to any disciplinary penalty only after the requirements of due process shall have been fully complied with;
2. To be penalized only on a basis of substantial evidence, the burden of proof being with the person filing the charge;
3. To be penalized on the basis of pieces of evidence introduced at the proceedings of which the respondents has been properly appraised and given the opportunity to rebut the same;
4. To enjoy, pending final decision on the charges, all his/her rights and privileges as a student.
5. To defend himself/herself personally or by counsel, or by representative of his/her own choice. If the respondent desires, but is unable to secure the services of counsel, he/she shall manifest the fact at least two (2) days before the date of hearing, request the University Discipline Committee to designate a counsel for him/her from among the faculty members and staff of the University.

Section 12. This student manual covers all students of the Tarlac State University. This manual explicitly defines and limits its jurisdiction to violations committed within or outside the University premises only to cases involving Student against Student, Faculty against Student, Administrative Personnel against Student, and vice-versa.

Chapter 2

NORMS OF CONDUCT

Section 1. Every student must be imbued with patriotism and nationalism, love of humanity, respect for human rights, civic conscience, ethical and moral values, moral character and self-discipline in keeping with the mandates of the educational system under the Philippine Constitution.

Section 2. For the guidance of all concerned, the following norms of conduct and discipline of student are hereby promulgated, namely:

1. *Moral Character.* A student is imbued with moral character if among other qualities:
 - a) He/she has learned to act, live and think as a person whose values, attitudes and convictions are in accord with the Universal Ethical Norms of Right Reason and the accepted values and levels of conduct in the society where he lives.
 - b) He/she is honest to himself/herself, accepting his/her shortcomings and striving to improve or change them;
 - c) He/she is fair and just in his/her dealings with his/her fellowmen;
 - d) He/she lives by the precepts of love, justice, compassion and concern for other; and
 - e) He/she respects and defends the right of others as he/she wants his/her own rights to be respected and defended.
2. *Personal/Self Discipline.* A student is imbued with personal self-discipline if among other qualities:
 - a) He/she devotes himself/herself to the fulfillment of his/her obligations and considers his/her rights as a means for the fulfillment of such obligations;
 - b) He/she learns to forge the enjoyment of certain rights and privileges that others' needs maybe benefited;
 - c) He/she resolves his/her problems and conflicts without prejudicing others;
 - d) He/she is tolerant of others; humble enough to accept opinion that may be better than his/her;
 - e) He/she avoids vices, e.g. gambling, drinking alcoholic beverages, illegal drugs, sexual excesses and aberrations, etc. and
 - f) He/she guides and controls his/her life, actions and emotions.

Chapter 3

GROUPS FOR DISCIPLINARY ACTIONS AND SANCTIONS

General provisions:

Section 1. Every student is expected to be imbued with patriotism and nationalism, love of humanity, respect for human rights, civic conscience, ethical and moral values, moral character and self-discipline in keeping with the mandates of the educational system under the Philippine Constitution; thus, within or outside the premises of the university, he/she must act accordingly for corresponding disciplinary administrative actions are thereby attached.

Section 2. Suspension as a sanction ranges from a minimum of three (3) days to a maximum of one (1) year. The following rules shall govern the sanction of suspension.

1. During the period of suspension, the student shall be deemed divested of his/her privileges as a student of the institution and shall not be allowed to enter the premises of any campus or use any facilities of the university. His/her student ID shall be confiscated and deposited with the Dean of Student Affairs and Services upon the execution of the order. Discipline officers or their equivalent shall be properly notified of students serving the sanction of suspension.
2. After serving the period of suspension, the student shall be issued an order lifting the suspension and subsequently clearing him/her of the sanction thereof. Once cleared, his/her privileges as a student are restored and his/her ID is returned to him/her.
3. Any student whose suspension covers the final examination period will have to miss the final examination. In all cases of suspension, a written promise of future exemplary conduct by the student countersigned by his/her parents or guardian is required as a condition for readmission and shall be filed in his/her folio.

Section 3. The penalty of dropping shall consist of either dropping from the university or dropping from all subjects. Dropping from the university shall consist of the total ban of the student from enrolling in any course offered by the institution. Dropping from the subject shall consist of dropping him/her from the subjects without prejudice to his/her enrolling in the same subjects but in another semester/year, as the case may be. The registrar shall be duly notified of this sanction imposed upon the student.

Section 4. Expulsion shall carry with it the total ban of the student from enrolling in any course offered by an institution in the country within a period of one year from the date the order became final and executory. The Registrar shall be correspondingly notified of the students who have been meted with this sanction.

Section 5. Aggravating, mitigating and alternative circumstances of any kind in the commission of the acts shall be considered in the imposition of the sanction.

Section 6. The nature and extent of participation of the respondent in the offense charged against him/her shall be considered on the imposition of the sanction.

Section 7. *Minor Offenses.* The following shall be grounds for disciplinary sanctions of minor offenses:

1. Inappropriate/non-wearing, lending to or borrowing from a fellow bona fide student any University Identification (ID) Card;
2. Improper/inappropriate use of school uniform/dress code;
3. Disrupting or disturbance of academic and non-academic functions (class, organization activities, academic activities, co-curricular activities, including but not limited to misbehavior during conduct of University programs);
4. Unauthorized use of school facilities, equipment, properties and the like;
5. Unauthorized extension of time and use of facilities in conducting student activities;
6. Use of cellular phones or any similar communication/electronic gadget during class hours;
7. Non-participation/ attendance in activities whereby attendance is required especially if classes are suspended in the conduct of such activity;
8. Smoking within the University or during online classes;
9. Littering;
10. Loitering;
11. Violation of simple rules such as but not limited to:
 - a. Failure to submit financial liquidation reports on time;
 - b. Spearheading or knowingly joining an unauthorized student activity of an accredited student organization;
12. Simple misconduct or misbehavior during university/college/department programs, activities, events/gatherings or competitions;
13. Other similar minor offenses.

Section 8. *Sanctions for Minor Offenses*

- I. First Offense – verbal reprimand/warning with record at the Student Discipline Office and Guidance Office (predicating the non-issuance of good moral certificate for three months from the date of the finality of the decision).
- II. Second Offense – written reprimand and promissory note with record at the Student Discipline Office (predicating the non-issuance of good moral for one semester from the date of the finality of the decision)
- III. Third Offense – subject to suspension under major offense.

Section 9. Major Offenses. The following shall be grounds for disciplinary sanctions of major offenses;

1. Dishonesty such as the following or any similar act;
 - a. Falsification of Records; Giving False Information; Use of False Identification like:
 - tampering, altering, forging, or knowingly using falsified documents or records;
 - being party to falsification;
 - giving or providing false statements, written or oral, and/or providing false information during any university proceeding or to any university administrator or official
 - using false identification or identification that is not one's own to deceive university officials;
 - tampering with the ID card (putting another picture other than those printed out/laminated)
 - Intentional making of false statement of any material fact or practicing or attempting any deception or fraud for purposes like but not limited to admission or registration in or graduation.
 - b. Cheating in (online/offline) examination and/or quizzes or any other similar acts such as but not limited to the following:
 - Deliberately looking at neighbor's examination papers;
 - Copying from or allowing another to copy from one's examination papers;
 - Having somebody else take the examination for another (in which case both shall be liable)
 - Communicating verbally and non-verbally without permission during examinations;
 - Plagiarism or passing as one's work any assigned report, term paper, case study/ analysis, reaction paper and the like, when copied from another;
 - Fabrication or submission of falsified data, information, citation, source/s, or results in an academic exercise;
 - Deception or providing false information to the faculty member regarding a formal academic activity or requirement

- Using or bringing out of cellular phones or any communication gadget during examinations or quizzes whether or not the students uses them.
- c. Stealing or an attempt thereof;
2. Oppression such as the following or any similar act;
- a. Threatening another with infliction upon his/her person, honor, or property
 - b. Fighting or resorting to physical force or violence to settle disputes;
 - c. Direct assault either verbal or physical upon the person of any student, faculty, administrative or non-teaching staff or any person;
 - d. Willful suppression of another person's duly constituted rights;
 - e. Discrimination on the basis of race, color, religion, national origin, sex, age, disability, veteran status, or sexual orientation, except where such distinction is required by law or any acts that transgress gender equality and sensitivity and other similar forms of discrimination towards the opposite sex
 - f. All forms of harassment which tends to put any member of the students, faculty, administration or non-teaching staff or any person of authority in ridicule or contempt
 - g. Cyber Bullying or any forms of abusive, hurtful, imitating, intimidating and humiliating texts, emails/message, social media post, images and videos; and
 - h. Any violative act expressed in R.A. 9442: Prohibitions on Verbal, Non-Verbal Ridicule and Vilification Against Persons with Disability
3. Offenses against Order:
- a. Lending to a non-bona fide student of any University Identification (ID) Card
 - b. Non-compliance to dress-code policy
 - c. Spearheading or knowingly joining a student activity conducted by an unaccredited student organization.
 - d. Unauthorized solicitation or collection of funds or goods.
 - e. Gambling of any form within the premises or during off-campus academic or co-curricular activities
 - f. Insubordination such as but not limited to willful disobedience to any just order of any person in authority within the University premises including related school activities held off-campus

- g. Willful disregard or violation of established policies and regulations of the University;
 - h. Tampering with official notices, announcements, and the like posted on bulletin boards, displayed streamers/tarpaulins or online
 - i. Willful refusal to pay just debts
4. Offenses against Security: Misconduct such as the following or any similar act:
 - a. Deliberate disruption of an academic function or school activity which tends to create disorder, tumult, blades of peace or serious disturbances;
 - b. Carrying or possession of firearms, or unauthorized carrying of deadly weapons such as but not limited to lead pipe, ice picks or blades and explosives within the premises of the university.
 - c. Unauthorized or illegal possession or use of prohibited drugs or chemicals such as marijuana, shabu, heroin, rugby and hallucinogen drugs or substances in any form within the university premises, or the possession of any regulated drug without the proper prescription.
 - d. Possession and/or bringing or drinking of alcoholic beverages within the university premises or attending on campus and off-campus activities in a state of intoxication.
 - e. Unauthorized Entry or Trespassing which is the unauthorized entry (whether forcible or otherwise) to any building, structure, construction site or facility, including an individual's room and/or unauthorized entry to or use of University grounds
 - f. Misuse or Abuse of Computer Facilities or Information and Communication Systems, which includes but not limited to:
 - hacking or cracking a computer system/server or information and communication system (according to RA 8792);
 - unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
 - use of the university facilities to send obscene, abusive, harassing or threatening messages or to engage in stalking behavior or to repeatedly send unwanted email/messages to individuals
5. Offenses against Public Morals: disgraceful, immoral, fraudulent and or unlawful conduct such as the following or any similar act:

- a. Accessing, possessing, displaying and distributing pornographic materials within and during on/off campus academic and co-curricular activities, through published or electronic materials
 - b. Illicit relationships (relationship with married individuals, with member of the academic and non-academic staff)
 - c. Acts of disorder, lewdness or obscene conduct and acts of intimacy within the university premises and during on and off-campus academic and co-curricular activities.
 - d. Impersonating or giving of fictitious names with malicious intent, whether offline or online;
 - e. Malicious or unfounded accusation of any member of the academic community and university visitors.
 - f. Acts of bribery to corrupt the standards of the University
6. Conduct prejudicial to the best interest of the university such as:
- a. Vandalism or destruction of public/ university property
 - b. Acts that bring the name of the institution or any of its organization or any of its member into disrepute such as but not limited to public malicious imputation of a crime or a vice or defect, real or imaginary, or an act, omission, condition, status or circumstance, which tends to cause dishonor, discredit or contempt to the name of the institution or any of its organization or any of its member or any negligent act that leads to the above, whether it be in the physical or virtual world;
 - c. Any other similar acts
7. Abuse of authority, rights and privileges such as:
- a. Appropriating university properties for personal use;
 - b. Committing indecent and unlawful acts in the exercise of his rights or privileges;
 - c. Failure to comply with the summons/sanctions imposed under the University Student Discipline Manual.
 - d. Falsifying, distorting, withholding, or misrepresenting information before the University Discipline Committee or any University official;
 - e. Disrupting or interfering with the orderly conduct of the University Discipline Committee proceeding;
 - f. Attempting to discourage an individual's proper participation in the University Discipline Committee;

- g. Attempting to influence the impartiality of a witness, student participant, University official, or member of the University Discipline Committee in connection with a Committee proceeding;
 - h. Harassment and/or intimidation (verbal or physical or electronic) of a University Official or member of the University Discipline Committee or witness before, during, or after a Committee proceeding; influencing or attempting to influence another person to abuse the University Discipline Committee;
 - i. Asking for any kind of donation in the name of the university, in or outside of the university, without prior approval of the university.
 - j. And other similar acts
8. Any act involving moral turpitude, done within or outside the premises of the university, those which is done contrary to justice, modesty, or good morals; an act of baseness, vileness or depravity in the private and social duties which a man owes his fellowmen, or to society in general.
9. Offenses done, within or outside the premises of university, under the Revised Penal Code or other Special Laws such as but not limited to:
- Anti- Child Abuse Law;
 - Anti- Child Pornography Law;
 - Anti- Fencing Law;
 - Anti- Hazing Law;
 - Anti- Sexual Harassment;
 - Anti- Violence Against Women And Their Children Act;
 - Comprehensive Dangerous Drugs Act;
 - Illegal Possession of Firearms
 - Cybercrime Prevention Act
 - Human Security Act/ Anti – Terrorism Law;
 - Safe Spaces Act (Anti-Bastos Law).

Section 10. *Sanctions for Major Offenses:*

- I. First Offense – minimum of three (3) school days suspension to one (1) semester suspension
- II. Second Offense – minimum of fourteen (14) school days suspension to one (1) year suspension
- III. Third Offense – expulsion/dismissal, as the case may be, from the University.

Section 11. Accessory Penalties. In addition to the regular sanctions imposed on either major or minor offense, the following may be included:

- a. Discretionary Interventions or In-house service to the University/College
- b. Loss of privileges to attend classes including exams or other academic and extra-curricular activities
- c. Official University Records such as but not limited to transcript of records, certification of grades, certification of good moral character, transfer credentials may be not be released, for a certain period, at the discretion of the Discipline Officer or University Discipline Committee.

Section 12. For penalties of dismissal/expulsion, strictly, No Certification of Good Moral Character may be issued.

Section 13. In the non-issuance of certifications, the following maybe used:

- I. First Offense – non issuance for three months
- II. Second Offense – non issuance for one semester
- III. Third Offense – non issuance of good moral character

Section 14. Prescriptive Period. For minor offenses, cases shall be filed within three (3) months from the time the cause of action arose. For major offenses, cases shall be filed within six (6) months from the time the cause of action arose.

Section 15. Interpretation. Any question of interpretation regarding this Student Discipline Manual shall be referred to the Dean of Student Affairs Services or designated representative for final determination.

Section 16. In the exigency of public service, all above-indicated judicial processes may be conducted virtually or on-line without prejudice to existing laws.

SUMMARY OF OFFENSES AND PENALTIES

	Offenses	1st	2nd	3rd	Accessory Penalty
M I N O R	Inappropriate/non-wearing, lending to or borrowing from a fellow bona fide student any University Identification (ID) Card	Verbal reprimand/ warning with record at the Student Discipline Office and Guidance Office (predicating the non-issuance of good moral certificate for three months from the date of the finality of the decision). <i>Non-issuance of certifications for three months</i>	Written reprimand and promissory note with record at the Student Discipline Office (predicating the non-issuance of good moral for one semester from the date of the finality of the decision) <i>Non-issuance of certifications for one semester</i>	Subject to suspension under major offense. <i>Non issuance of good moral character</i>	a) Discretionary Sanctions or In-house service to the University/College b) Loss of privileges to attend classes including exams or other academic and extra-curricular activities c) Official University Records may be not be released, for a certain period, at the discretion of the Discipline Officer or University Discipline Committee.
	Improper/inappropriate use of school uniform/dress code				
	Disrupting academic functions				
	Unauthorized use of school facilities, equipment, properties and the like				
	Unauthorized extension of time and use of facilities in conducting student activities				
	Use of cellular phones or any similar communication/electronic gadget during class hours				
	Smoking within the University				
	Littering				
	Loitering				
	Violation of simple rules				
	Simple misconduct, a transgression of an established rule without a manifest intent to violate such.				
Other similar minor offenses					
M A J O R	Dishonesty (a)(b)(c)	Minimum of three (3) school days suspension to one (1) semester suspension <i>Non-issuance of certifications for three months</i>	Minimum of fourteen (14) school days suspension to one (1) year suspension <i>Non-issuance of certifications for one semester</i>	Expulsion/ dismissal as the case may be, from the University. <i>No Certification of Good Moral Character may be issued.</i>	
	Oppression or any similar act (a)(b)(c)(d)(e)(f)(g)(h)				
	Offenses against order (a)(b)(c)(d)(e)(f)(g)(h)(i)				
	Offenses against security (a)(b)(c)(d)(e)(f)				
	Offenses against public morals a)(b)(c)(d)(e)(f)				
	Conduct prejudicial to the best interest of the university				
	Abuse of authority, rights and privileges (a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)				
Acts involving moral turpitude					
Offenses under RPC or Special Laws					

PROCEDURE FOR FILING OF COMPLAINT/ INVESTIGATION/ SANCTION AND APPEAL

Procedure Details

**Filing of Complaints and Investigation: For Student against Student,
Faculty/University Personnel against Student (Defendant Admitting all Material
Allegations – Summary Procedure⁴)**

PERSON-IN-CHARGE	FLOW CHART	DETAILS
<p>1. SDU</p> <p>2. SDU/MISO/ GC/CSU</p> <p>3. SDU/ Complainant and Defendant</p> <p>4. SDU/Com mittee</p> <p>5. SDU/Com mittee/ VPAA</p>	<pre> graph TD A[Filing of Complaint] --> B[Determination of jurisdiction and/or existence of probable cause] B -- NO --> C[Case is dismissed] C --> D[Notice of Decision] B -- YES --> E[Tracing the schedule of defendant/ Issuing of written Notice] E --> F[Scheduling of hearing] F --> G[INVESTIGATION] G --> H[Defendant admits all material allegations] G --> I[Defendant partially admits or denies the allegations] H --> J[Written notice will be sent to defendant and complainant regarding the resolution of the case] I --> K[SDU's decision or recommendation to VPAA for UDC to convene] J --> L[Defendant will report before the SDU within 5 working days upon receipt of the decision.] L --> M([END]) </pre>	<p>1. The Discipline Unit accepts the written complaint using either the <i>TSU – SDO – SF – 02 Form</i> or a <i>Letter of Complaint</i> addressed to the Student Discipline Officer with (a) the specific ground/s of the complaint and (b) accompanying evidence thereof. Complaint will be recorded in a logbook (TSU – SDU – SF – 01)*. (1 hour to 1 and half hour).</p> <p>2. Within 3 working days from the receipt of the formal complaint, SDU staff will coordinate with other offices (MISO, CSU and Guidance Counseling Offices) to trace the whereabouts or schedule of the defendant. Within 5 working days from receipt of the complaint, SDU will issue a written notice to the defendant** that a complaint was filed against him/her, attaching therewith a copy of the same and he/she must answer in writing within 3 working days upon receipt of the notice.*** (TSU-SDU-SF-03 - Subpoena)</p> <p>3. SDU will schedule a hearing/formal investigation for both parties within 3 working days upon receipt of the defendant's answer. Both parties will be notified thereof. Minutes of the hearing must be filed/recorded.</p> <p>4. When defendant admits all the material allegations, within 5 working days, SDU will render its decision. Both parties will be informed regarding the case's resolution and the defendant must report at SDU within 3 working days upon receipt of the decision, as</p>

⁴ Applicable in any of the following cases: (1) when the respondent freely admits his guilt in writing; (2) when the offender is caught in the act by any person in authority or his agents; (3) when the evidence of guilt is strong, and (4) the respondent is a habitual offender, that is, he has been punished for at least three (3) times for the same or different offenses.

		<p>SDU explains the penalties for his/her violative acts. (TSU-SDU-SF-07 - Notice of Decision)</p> <p>5. When defendant partially admits or denies the allegations, within 3 working days, SDU will report and recommend to VPAA the convening of the discipline office of the Discipline Committee.</p>
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*SDU may however conduct preliminary interview with the complainant on or before the filing of the formal complaint.

** SDU may conduct preliminary interview with defendant on or before filling his or her answer.

*** Defendant may request for an extension of time to file his/her answer in writing subject to the prior approval of the head of the SDU

Note:

- a. *It is recommended, though not compulsory, that complainant and defendant be accompanied by their legal counsel or their parents or guardian during the course of the investigation as long as they are in the age of majority.*
- b. *All indicated day/time of investigation as much as practicable shall not exceed 2 months.*

B. Filing of Complaints and Investigation: For Student against Student, Faculty/University Personnel against Student (Defendant Denies the Allegations)

PERSON-IN-CHARGE	FLOW CHART	DETAILS
<p>1.SDU/ University Discipline Committee</p> <p>2.SDU/ University Discipline Committee</p> <p>3. SDU/ Complainant and Defendant</p> <p>4.University Discipline Committee</p>	<pre> graph TD A[Determination of Jurisdiction and/or probable cause] --> B{Jurisdiction/PC exists} A --> C{No Jurisdiction/ PC} B --> D[Discipline Officer's recommendation for UDC to convene] C --> E[Case Dismissed] D -- Yes --> F[Written Notice of Hearing] D -- No --> G[Notice of Resolution] F --> H[Investigation] H --> I[Notice of Resolution] I --> J[Defendant will report before the DC within 5 working days upon receipt of decision] E --> G J --> K([END]) </pre>	<ol style="list-style-type: none"> 1. In the moment the defendant denies the allegation/s and the SDU however finds probable cause, the Discipline Officer upon his/her discretion will recommend to the VPAA, the convening of the UDC within 10 working days from the SDU' report. SDU will keep abreast the committee the background, history, and development of the case. 2. Within 5 working days from the first meeting of the UDC, where parties are both notified, an investigation will be conducted. (TSU-SDU-SF-05 - Notice of Hearing) 3. Within 5 working days from the last meeting of the DC, decision shall be rendered. 4. If committee finds no substantial proof against the defendant or if the university lacks jurisdiction, it will dismiss the case. Written notice to both parties regarding the resolution of the case will be served. However, defendant, if found guilty, will have to report to the committee within 3 days from the receipt of the decision, as the committee will explain the penalty/ies for his/her acts. (TSU-SDU-SF-07 - Notice of Decision).

Note:

- a. *It is recommended though not compulsory, that complainant and defendant be accompanied by their legal counsel, or their parents or guardian during the course of the investigation.*

- b. All indicated day/time of investigation, as much as practicable, shall not exceed 2 months.
- c. All indicated days must be properly observed unless certain uncontrollable factors and reasonable justifications exist (i.e., force majeure, calamities, suspension of classes/offices, persons or committee members on Official Business, Official Travel or On Leave without any legal substitutes or the gravity or seriousness of the case).

C. Procedures for Appeal

PERSON-IN-CHARGE	FLOW CHART	DETAILS
1.SDU/UDC/ SAS/ VPAA/ University President/ BOR	<p>MODE OF APPEAL</p> <p>A) Decision made by the Discipline Officer of SDU:</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 40%;"> SDU SAS /UDC VPAA President's Decision </div> <div style="width: 10%; text-align: center;"> → → → → </div> <div style="width: 40%;"> SAS Dean VPAA President Board of Regent </div> </div> <p>B) Decision made by the UDC:</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 40%;"> UDC VPAA President's Decision </div> <div style="width: 10%; text-align: center;"> → → → </div> <div style="width: 40%;"> VPAA President TSU – Board of Regent </div> </div>	<p>The defendant and complainant may appeal to the decision promulgated by the different offices or committee like SDU, SAS, VPAA and the University President through the following procedure:</p> <p>A) Decision made by the Discipline Officer of the SDU:</p> <ul style="list-style-type: none"> - SDU's decision is appealable to the Dean of SAS within 10 days from receipt of notice. - SAS's decision is appealable to the VPAA within 10 days from receipt of notice. - VPAA's decision is appealable to the President within 10 days from receipt of notice. - President's decision is appealable to the TSU-BOR within 10 days from receipt of notice. <p>B) Decision made by the UDC:</p> <ul style="list-style-type: none"> - UDC's decision is appealable to the VPAA within 10 days from receipt of notice. - VPAA's decision is appealable to the President within 10 days from receipt of notice. - President's decision is appealable to the TSU-BOR within 10 days from receipt of notice.

Note:

- a. Failure to appeal within the prescribed period will make the decision final and executory.
- b. All indicated day/time of investigation as much as practicable shall not exceed 3 months.

d. All indicated days must be properly observed unless certain uncontrollable factors and reasonable justifications exist (i.e. force majeure, calamities, suspension of classes/offices, persons or committee members on Official Business, Official Travel or On Leave without any legal substitutes or the gravity or seriousness of the case).

D. Filing of Complaint and Investigation for Student against Faculty or University Personnel

PERSON-IN-CHARGE	FLOW CHART	DETAILS
<p>1.SDU</p> <p>2. SAS Dean</p> <p>3. VPAA/VPAF</p> <p>4. Complainant and Defendant</p> <p>4.Committee constituted by the Office of the University President for the purpose thereof</p>	<pre> graph TD A[Filing of complaint at the SDU] --> B[SAS Dean takes notice of the case] B --> C[Determination of Jurisdiction] C --> D[FACULTY PERSONNEL] C --> E[ADMIN.] D --> F[VPAA] F --> G[Hearing Committee] E --> H[VPAF] H --> I[Hearing Committee] </pre>	<ol style="list-style-type: none"> 1. The Discipline Unit accepts the written complaint using either the TSU – SDO – SF – 02 Form or a Letter of Complaint addressed to the Student Discipline Officer with (a) the specific ground/s of the complaint and (b) accompanying evidence thereof. Complaint will be recorded in a logbook (TSU – SDU – SF – 01)*. (1 hour to 1 and half hour). 2. Within 5 working days upon receipt of the formal complaint, SDU will forward the complaint to the SAS Dean. 3. SAS Dean, within 3 working days from the receipt of the case, will refer the matter to the VPAA if the defendant is a faculty, or VPAF if the defendant is a university personnel. 4. Thereafter, the University convenes a committee to try and hear the case. The process of the investigation will be governed by CSC’s Revised Rules on Administrative Cases or TSU’s rules and procedures on administrative cases, whichever is applicable. <p>Note: Procedure D will follow the RRACS (Revised Rules on Administrative Cases in the Civil Service) of the CSC.</p>

* SDU may conduct preliminary interview with the complainant on or before the filing of the formal complaint.