UNIVERSITY OF SOUTHERN MINDANAO

COLLEGE OF BUSINESS, DEVELOPMENT ECONOMICS AND MANAGEMENT

ACCOUNTANCY DEPARTMENT

BACHELOR OF SCIENCE IN MANAGEMENT ACCOUNTING



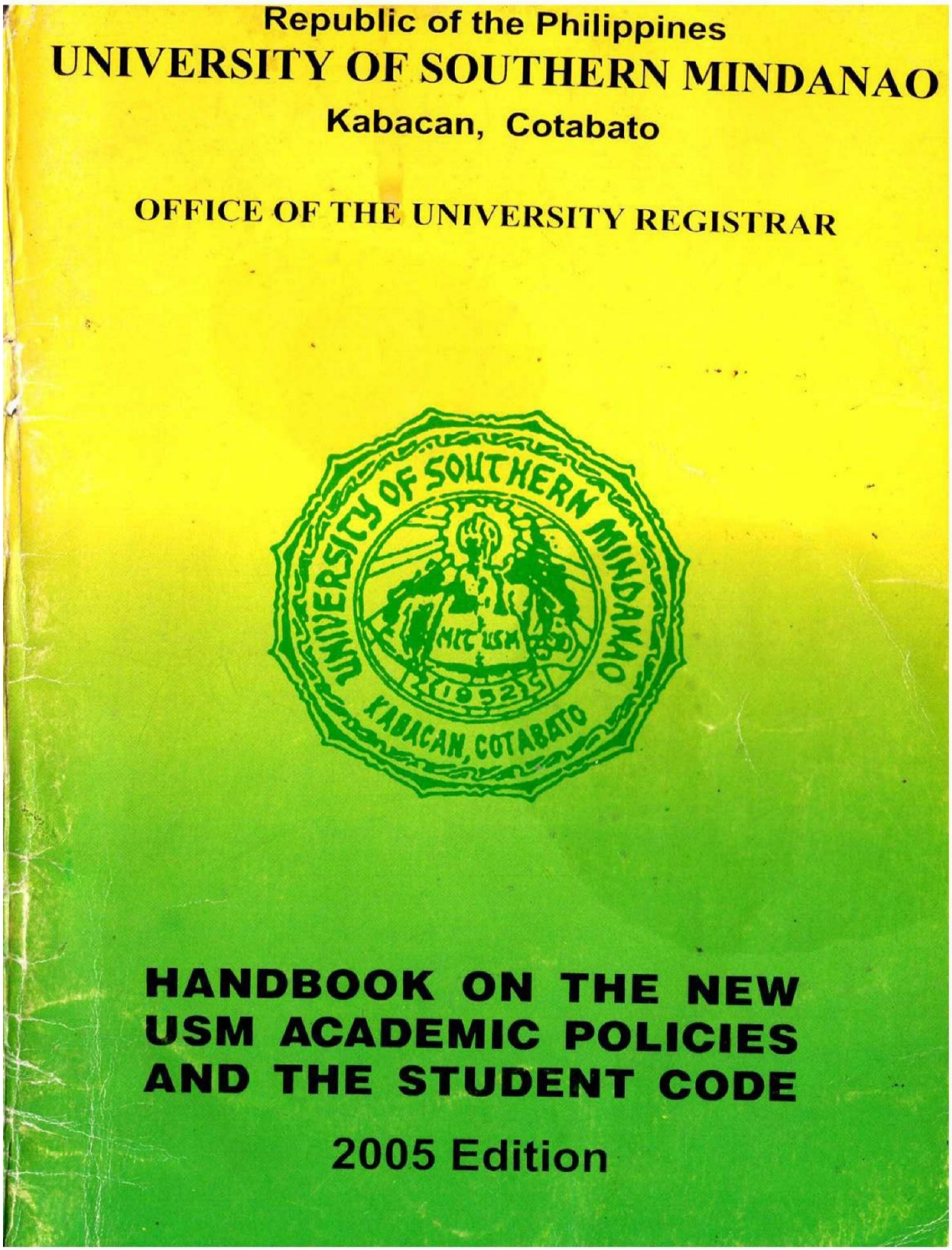


AACCUP LEVEL 1 ACCREDITATION

AREA X
ADMINISTRATION

S.1. The institution has an approved and printed Student Handbook/Manual containing policies and guideline on the following aspects of student life;

S.1.10. code of conduct and discipline;



FOREWORD

It has been well settled under existing laws and jurisprudence that an educational institution has the inherent right and legal authority to promulgate rules and regulations which are necessary for the maintenance of an orderly educational program, creation of an educational environment conducive to learning and the protection of its students, employees and property. All matters of academic import, however, have to be attuned to the circumstances under which an educational institution operates. This is to make such matters responsive to the needs of the institution and its clientele, at large. In light of this consideration, the recent updating and upgrading of the academic policies, rules and regulations and the student code of the University cannot be over-emphasized.

For quite sometime, the University had been utilizing the old MIT Code for the proper governance of the institution and to discipline its students for them to adhere to generally accepted standards of conduct. With the advent, however, of the Education Act of 1982 and later, Republic Act No. 8292, otherwise known as the Higher Education Modernization Act of 1997, the MIT Code, including its provisions on Academic Policies and the Student Code, has become obsolete and no longer applicable.

As a matter of records, the first attempt of the University of Southern Mindanao to amend the provisions of the old MIT code on academic policies, rules and regulations had been done in 1988. This was when the Board of Regents approved the draft-proposal that had been prepared on these policies at its 58th Meeting on April 14, 1988. Largely adopted from those of the University of the Philippines System's, this initial set of revised academic policies and related matters had been used as a basic reference in resolving problems encountered along the line in the local setting until some revisions were made thereon a decade after its implementation. The old student code, however, had never been amended for more than forty (40) years since its promulgation despite the long overdue need to update the same.

Finally, on August 22, 1995, USM President Virgilio G. Oliva constituted the Committee to amend and update the old Code chaired by the Director for Administrative Services, Rasul M. Buisan. After a long and tedious process, the USM Board of Regents approved the New USM Code, which includes Book III on Academic Policies and Book IV on the Student Code, on September 19, 1998. The Code took effect upon the completion of its University-wide publication through the special issue of the USM Newsletter on November 14, 1998. Considering, however, that USM is a dynamic institution, it has been expected that this new Code will still be revised and updated from time to time as the need arises.

The first revision of the New USM Code on academic policies, rules and regulations was undertaken in accordance with a PASUC-model then recommended to be used as guide in upgrading the same at the time. The draft-proposal on the matter, which had been prepared by Dr. Nicolas R. Bautista, the Director for Instruction at the time, was

incorporated under Book III in the USM Code -- approved by the Board of Regents at its 51st Meeting on March 13, 1998.

The second and latest revision on the academic policies of the University was done to integrate therein additional related provisions, in conformity with the objective of the National Association of Registrars of State Universities and Colleges (NARSUC) ". . . to consolidate admissions and registration-related policies and procedures among SUC institutions in order to arrive at common, uniform, and standardized policies applicable to all SUCs." The Board of Regents finally approved the draft-proposal of this, after having been deferred twice, at its 67th Meeting on February 27, 2004 – again, as had been prepared by Dr. Nicolas R. Bautista (in cooperation with Dr. Elpidio R. Bautista, University Registrar) and confirmed in a meeting by the Council of Deans of the institution.

In view therefore of the need to have a handy reference material for the proper guidance of the students and concerned personnel of the University, the incumbent University Registrar, Dr. Samson L. Molao, pursued the final printing of this book which contains only Book III and Book IV of the New USM Code (Articles 163 to 252). Undoubtedly more comprehensive, it is held that this new document, aptly entitled "Handbook on the New USM Academic Policies and The Student Code" – should be more adequate than ever to address problems that may arise within the ambit of academic matters and student discipline in the University.

VIRGILIO G. OLIVA
President

TABLE OF CONTENTS

BOOK III
THE ACADEMIC AFFAIRS

TITLE EIGHT - ACADEMIC POLICIES 1

CHAPTER 43 - COVERAGE 1

Article 163. General Provisions 1

CHAPTER 44 - ACADEMIC CALENDAR, SCHEDULE, AND SIZE OF CLASSES 1

Article 164. Academic Calendar 1
Article 165. Schedule of Classes 2
Article 166. Class Size 2

CHAPTER 45 - DISMISSAL/SUSPENSION OF CLASSES AND CHANGE OF SCHEDULE 3

Article 167. Dismissal of Classes 3
Article 168. Suspension of Classes 3
Article 169. Change of Class Schedule 3

CHAPTER 46 - ADMISSION AND REGISTRATION 3

Article 170. Entrance Requirements 3
Article 171. Admission 4
Article 172. Registration 6
Article 173. Cross-Registration 7

CHAPTER 47 - STUDENTS AND THEIR CLASSIFICATION 7

Article 174. Student Defined 7
Article 175. Classification of Students 7

CHAPTER 48 - STUDENT ACADEMIC LOAD 9

Article 176. Number of Hours Per Unit of Credit 9
Article 177. Normal Load of Students 9

CHAPTER 49 - CLASS ATTENDANCE **10**

Article 178. General Provision 10
Article 179. Rules on Attendance of Students 10

CHAPTER 50 - SCHOOL FEES **11**

Article 180. General Provision 11
Article 181. Classification of School Fees 11
Article 182. Schedule of Allowable Refunds 11

CHAPTER 51 - CURRICULAR CHANGES **12**

Article 183. Dropping of Subject 12
Article 184. Withdrawal from Program 12
Article 185. Substitution of Subjects 12
Article 186. Changing/Adding of Subjects 13
Article 187. Shifting of Course/Enforcing a New Curriculum 13
Article 188. Changing of Section 14

CHAPTER 52 - TRANSFER OF STUDENTS AND VALIDATION OF SUBJECTS **14**

Article 189. Transfer of Students 14
Article 190. Validation of Subjects 14

CHAPTER 53 - EXAMINATION AND GRADES **15**

Article 191. Examination 15
Article 192. Grading System and Removal of Grades of "INC" and "4" 16

CHAPTER 54 - SCHOLARSHIPS, GRANT-IN-AID, AND SPECIAL ENROLLMENT PRIVILEGES **19**

Article 193. Scholarship Program 19
Article 194. Grant-In-Aid and Other Enrollment Privileges 20

CHAPTER 55 - RULES ON SCHOLASTIC DELIQUENCY AND MAXIMUM RESIDENCE **20**

Article 195. General Provision 20
Article 196. Rules on Scholastic Delinquency 20
Article 197. Rules on Maximum Residence Rule 21

CHAPTER 56 - LEAVE OF ABSENCE AND HONORABLE DISMISSAL **22**

Article 198. Policies on Leave of Absence 22
Article 199. Issuance of Honorable Dismissal 22

CHAPTER 57 - GRADUATION **23**

Article 200. Graduation Requirements 23
Article 201. Graduation with Honors 24
Article 202. Commencement and Baccalaureate Exercises 25
Article 203. Conferment of Doctoral Degrees (Honoris Causa) and Other Honorary Titles 25
Article 204. Academic Costumes 25

BOOK IV
THE STUDENT CODE

TITLE NINE - STUDENT AFFAIRS **27**

CHAPTER 58 - RIGHTS AND DUTIES OF STUDENTS **27**

Article 205. Rights of Students 27
Article 206. Duties and Responsibilities of Students 28

CHAPTER 59 - STUDENT WELFARE SERVICES **28**

Article 207. Guidance and Counseling 28
Article 208. Health Services 29
Article 209. Financial Aids 29
Article 210. Housing and Other Facilities 29

CHAPTER 60 - THE STUDENT ORGANIZATION **30**

Article 211. General Provisions 30
Article 212. University Student Government (USG) 30
Article 213. Supervision of Student Organizations and Activities 31

CHAPTER 61 - SPORTS, PHYSICAL EDUCATION AND RECREATION **31**

Article 214. General Provisions 31

CHAPTER 62 - STUDENT CONVOCATION **31**

Article 215. General Provisions 31

CHAPTER 63 - CO-CURRICULAR AND EXTRA CURRICULAR ACTIVITIES **32**

Article 216. General Provisions 32
Article 217. Policies and Guidelines 32

CHAPTER 64 - STUDENT PUBLICATION **32**

Article 218. Philosophy, Aims and Objectives 32
Article 219. Statement of Principles 32
Article 220. Organization and Recognition 33
Article 221. Selection and Qualification Standards 33
Article 222. Powers, Duties and Privileges of the Publication Staff 33

CHAPTER 65 - STUDENT CONDUCT AND DISCIPLINE **34**

Article 223. General Provisions 34
Article 224. Norms of Conduct and Discipline 34
Article 225. Basis of Discipline 35
Article 226. Grounds for Student Disciplinary Action and Penalties 36
Article 227. Sanctions and Operative Effects 41

CHAPTER 66 - RULES IN THE CONDUCT OF INVESTIGATION OF STUDENT DISCIPLINARY CASES **41**

Article 228. Student Discipline Investigating Bodies 41
Article 229. Authority to Investigate 42
Article 230. Filing of Charges 42
Article 231. Preliminary Inquiry 42
Article 232. Answer 43
Article 233. Notice of Hearing 43
Article 234. Hearing 43
Article 235. Failure to Appear at Hearing 43
Article 236. Postponement 43
Article 237. Investigation Report by a Lower Investigating Body 43
Article 238. Decision by the OSA Director or College/Institute Dean 44
Article 239. Investigation by the University Committee on Student Discipline; Action of the University President 44
Article 240. Finality of Decision 44
Article 241. Appeal to the University President 45

Articl 242. Confirmation by the Board of Regents 45
Article 243. Rights of the Respondent Student 45
Article 244. Summary Investigation by the Dean 45
Article 245. Effectivity of Decision 46
Article 246. Records of Proceedings 46
Article 247. Offenses and Penalties for Non-Student and Non-Campus Residents 46

CONCLUDING TITLE **47**

CHAPTER 67 - ENCLOSURES AND AMENDMENTS **47**

Article 248. Enclosures 47
Article 249. Manner of Amendment 47

CHAPTER 68 - REPEALING, SEPARABILITY AND EFFECTIVITY CLAUSES **47**

Article 250. Repealing Clause 47
Article 251. Separability Clause 47
Article 252. Effectivity Clause 47

Sec. 2. No individual who is not a member of the publication staff shall determine the content of the student publication. The editor and members of the staff are fully responsible for any consequence arising out of the publication of any editorial, comment, article, or other material.

Sec. 3. The staff of the publication shall nominate the faculty board of advisers for approval by the President upon recommendation by the Director of Student Affairs, subject to existing internal policies, rules and regulations. The functions of the Board of Advisers shall be limited to technical guidance.

Sec. 4. Editors shall enjoy security of tenure, which shall not be terminated before a lapse of the prescribed term except for cause as provided by law and regulations and after due process.

Sec. 5. Student papers shall enjoy the right to access to University records unless otherwise provided by law.

Sec. 6. Student publications may be published independently by the students.

CHAPTER 65
STUDENT CONDUCT AND DISCIPLINE

Article 223. General Provisions

Sec. 1. Every student shall obey the laws of the land, the rules and regulations of the University and the accepted standards of society.

Sec. 2. The definition of specification of certain offenses or breaches of discipline, formulated by the Academic Council and approved by the Board of Regents, shall not be construed to exclude other offenses or breaches against the rules of discipline promulgated by the offices of the University President, dean or director or by the Committee on Student Discipline in cases not provided by said University Academic Council.

Sec. 3. The provisions of this Chapter shall apply to all bonafide college students of the University and, by analogy or as far as practicable, to the laboratory school students/pupils, for offenses committed within the University campus and outside if in the latter, the violation was committed while performing a University sponsored or sanctioned activity or where the misconduct affects the student's status or the good name or reputation of the University.

Article 224. Norms of Conduct and Discipline

Sec. 1. For the guidance of all concerned, the following Norms of Conduct and Discipline of students are hereby promulgated:

a. Moral character. A student of USM is imbued with moral character if among other qualities:

i. He has learned to act, live and think as a person whose values, attitudes and convictions are in accord with the University Ethical Norms of Right Reason and the accepted values and approved levels of conduct in the society where he lives;

ii. He is honest to himself, accepting his shortcomings, striving to improve and change;
iii. He is fair and just in his dealings with his fellowmen;
iv. He lives by the precepts of love, justice, equality, compassion and concern for others; and
v. He respects the right of others as he would want his rights to be respected.

b. Personal Discipline. A student of USM is imbued with personal discipline, if among other qualities:

i. He devotes himself to the fulfillment of his obligations and consider rights as means to or rewards for the same;
ii. He learns to forego the enjoyment of certain rights and privileges that others more needy may be benefited and for the greater good of society;
iii. He resolves his problem and conflicts without prejudicing others;
iv. He is tolerant of others, and humble to accept what is better than his;
v. He has developed temperance and propriety in words and in action, especially against vices, e.g. gambling, drinking liquor, drugs, sexual excesses and aberrations, etc; and
vi. Right reason guides and controls his life, actions and emotions.

c. Civic Conscience and Patriotism. A student of USM is imbued with civic conscience and patriotism, if among other qualities:

i. He devotes himself to the growth and development of the Philippines;
ii. He puts the welfare of the entire country above his personal, family and regionalistic interest;
iii. He settles all disputes, problems, and conflicts through the channels provided by law and society; and
iv. He strives to bring about necessary changes through peaceful means.

Article 225. Basis of Discipline

Sec. 1. At all times, every student must observe, follow, abide by all the laws of the land and all the policies and regulations adopted by the University. The investigation, disposition and corresponding sanction on a student disciplinary case shall follow the procedures set in this Code, and as far as practicable, the Philippine Constitution, the Revised Penal Code, the Civil Code, the Revised Rules of Court and other applicable laws and regulations as suppletory to this Code.

Sec. 2. Every student shall observe at all times the pledge of loyalty and discipline to the University.

The maintenance of student conduct and discipline is anchored on the willful acceptance by the student of all policies, rules and regulations prescribed by the University as signified by their enrolment pledge and the guidance and counseling provided by the faculty exercising substitute parental authority.

Sec. 3. All University personnel are mandated to enforce and supervise overall compliance to this Code in their respective areas of responsibility. For the purpose of implementing University policies, rules and regulations and the provisions of this Code, the President, Vice Presidents, Deans, Directors, Chairmen, High School Principals, and members of the faculty and security force are all deemed persons in authority and/ or agents of persons in authority.

Article 226. Grounds for Student Disciplinary Action and Penalties

Sec. 1. No student or pupil of this University shall be subjected to disciplinary action except for cause as provided in the Code and other existing pertinent laws and regulations and after due process.

Sec. 2. Grounds for student disciplinary action with its corresponding penalties are classified into grave, less grave, and light, depending on the gravity of its nature and effects of said acts.

Sec. 3. The penalties under this rules shall be without prejudice to the filing of appropriate civil or criminal charges against the respondent(s).

Sec. 4. The following are grave offenses with its corresponding penalties:

1. Prohibited drug trafficking
   - *1st offense* - Expulsion from the University and turn-over of the accused to proper law enforcing authority.
2. Use or possession of prohibited drug
   - *1st offense* - Suspension for one (1) school year
   - *2nd offense* - Expulsion from the University and turn-over of the accused to proper law enforcing authorities.
3. Malversation of University or Student funds or property.
   a. Involving a total amount of not more than P10,000.00
      - *1st offense* - Suspension of one (1) semester to one (1) year and restitution of funds/property stolen
      - *2nd offense* - Expulsion from the University and restitution of funds/ property stolen.
   b. Involving a total amount of more than P10,000.00
      - *1st offense* - Suspension for one (1) year to expulsion and restitution of funds/property stolen.
      - *2nd offense* - Expulsion from the University and restitution of funds/ property stolen. The restitution of the misappropriated funds or property is a prerequisite to readmission if suspended or issuance of clearance from the University if expelled.
4. Sexual Harassment; Act of Lasciviousness; Seduction
   - *1st offense* - Suspension of one (1) semester to one (1) year
   - *2nd offense* - Expulsion from the University
5. Rape at any stage of execution
   - *1st offense* - Expulsion from the University

6. Hazing such as those committed during military training or initiation rites of fraternities or organizations
   - *1st offense* - Suspension for one (1) semester to one (1) year for the respondent(s) and suspension of the recognition/accreditation of the concerned organization, for a similar period
   - *2nd offense* - Expulsion from the University of the respondent(s) and banning of the concerned organization from the University.

Where the hazing committed shall cause the death of a neophyte, the respondent(s) shall be meted with expulsion on the first offense without prejudice to the filing of appropriate court charges against the respondent(s).

7. Forging of signatures, falsification of public documents, perjury, false testimony, misrepresentation of facts, tampering of official records and documents, unauthorized solicitation, other acts of fraud and illegal exaction or transaction.
   - *1st offense* - Suspension for one (1) semester to one (1) year
   - *2nd offense* - Expulsion from the University
8. Serious physical injuries
   - *1st offense* - Suspension for one (1) year
   - *2nd offense* - Expulsion from the University
9. Assault upon a person in authority and/or their agents
   - *1st offense* - Suspension for one (1) semester to one (1) year
   - *2nd offense* - Expulsion from the University
10. Robbery at any stage of execution
    - *1st offense* - Suspension for one (1) year to expulsion, restitution of things stolen and/or payment of damages
11. Theft
    a. Where the value of the thing stolen does not exceed P10,000.00
       - *1st offense* - Suspension for one (1) semester to one (1) year and restitution of the thing stolen
       - *2nd offense* - Expulsion from the University and restitution of the thing stolen

    b. Where the value of the thing stolen exceeds P10,000.00
       - *1st offense* - Suspension for one (1) year to expulsion and restitution of the thing stolen
       - *2nd offense* - Expulsion from the University and restitution of the thing stolen
12. Grave misconduct, being notoriously undesirable or conduct grossly prejudicial to the best interest of the University.
    - *1st offense* - Expulsion from the University
13. Unauthorized possession of firearms and/or other deadly weapons
    - *1st offense* - Suspension for one (1) semester to one (1) year
    - *2nd offense* - Expulsion from the University

Sec. 5. The following are less gave offenses with its corresponding penalties:

1. Offenses against decency and good customs such as immoral doctrines, obscene publications and exhibitions, other disgraceful or immoral conduct
   - *1st offense* - Suspension for thirty (30) days to one (1) semester
   - *2nd offense* - Suspension for one (1) semester to one (1) year
   - *3rd offense* - Expulsion from the University
2. Less Serious Physical Injuries
   - *1st offense* - Suspension for thirty (30) days to one (1) semester
   - *2nd offense* - Suspension for one (1) semester to one (1) year
   - *3rd offense* - Expulsion from the University
3. Vandalism including destruction of University property and other malicious mischief
   - *1st offense* - Suspension for thirty (30) days to one (1) semester and payment of damages
   - *2nd offense* - Suspension for one (1) semester to one (1) year and payment of damages
   - *3rd offense* - Expulsion from the University and obligation to pay damages
4. Illegal assembly/association as defined by law
   - *1st offense* - Suspension for thirty (30) days to one (1) semester
   - *2nd offense* - Suspension for one (1) semester to one (1) year
   - *3rd offense* - Expulsion from the University
5. Resistance and disobedience to persons in authority and/or their agents
   - *1st offense* - Suspension for thirty (30) days to one (1) semester
   - *2nd offense* - Suspension for one (1) semester to one (1) year
   - *3rd offense* - Suspension for one (1) year to expulsion
6. Libel or unlawful use of means of publication and unlawful false utterances as defined by law
   - *1st offense* - Suspension for thirty (30) days to one (1) semester
   - *2nd offense* - Suspension for one (1) semester to one (1) year
   - *3rd offense* - Expulsion from the University

Sec. 6 . The following are light offenses with its corresponding penalties:

1. Insulting, uttering defamatory or derogatory remarks or flagrant indecency in language against a fellow student
   - *1st offense* - Suspension for one (1) week to one (1) month
   - *2nd and subsequent offenses* - Suspension for thirty (30) days for each offense

2. Drinking of alcoholic or intoxicating beverages and/or drunken behavior within the University jurisdiction
   - *1st offense* - Suspension for one (1) week to one (1) month
   - *2nd offense* - Suspension for thirty (30) days to one (1) semester
   - *Subsequent offenses* - Suspension for one (1) semester for each offense

3. Slight physical injuries
   - *1st offense* - Suspension for one (1) week to one (1) month
   - *2nd offense* - Suspension for thirty (30) days to one (1) semester
   - *3rd offenses* - Suspension for one (1) year to expulsion
4. Fighting or resorting to physical force or violence to settle dispute
   - *1st offense* - Suspension for two (2) weeks to one (1) month
   - *2nd offense* - Suspension for thirty (30) days to one (1) semester
   - *3rd and subsequent offenses* - Suspension for one (1) semester to one (1) year for each offense

Provided, that the party who shall be proven to have acted in self-defense shall be exempted from the punishment.

5. Gambling/Betting
   - *1st offense* - Suspension for one (1) week to one (1) month
   - *2nd offense* - Suspension for thirty (30) days to one semester to one (1) year for each offense
6. Cheating in examination or quiz
   - *1st offense* - Invalidation of the examination paper in the subject concerned
   - *2nd offense* - Automatic failing grade in the subject concerned
7. Tumults and other scandalous disturbance to University activity
   - *1st offense* - Suspension for one (1) week to one (1) month
   - *2nd offense* - Suspension for thirty (30) days to one semester
   - *3rd and subsequent offenses* - Suspension for one (1) semester to one (1) year for each offense
8. Undue noise and disturbance in classroom, library quarters, and other University premises
   - *1st offense* - Ejection from the classroom and be declare absent or from the premises with censure
   - *2nd offense* - Suspension from one (1) week to one (1) month
   - *3rd and subsequent offenses* - Suspension for one (1) month for each offense
9. Acts of bribery to gain favor in violation of the standards of instruction
   - *1st offense* - Suspension for one (1) week to one (1) month
   - *2nd offense* - Suspension for thirty (30) days to one semester
   - *3rd and subsequent offenses* - Suspension for one (1) semester to one (1) year for each offense
10. Littering or scattering of trash
    - *1st offense* - Picking up of litters or cutting of grasses or cleaning the University premises for one (1) hour
    - *2nd offense* - Picking up of litters or cutting of grasses or cleaning the University premises for two (2) hours
    - *3rd and subsequent offense* - Picking up of litters or cutting of grasses or cleaning the University premises for three (3) hours

11. Violation of, and marring legally posted signs and notices
    - *1st offense* - Reprimand to suspension for one (1) week
    - *2nd offense* - Suspension for one (1) week to one (1) month
    - *3rd offense* - Suspension for one (1) month for each offense
12. Speeding within the University jurisdiction aboard a motorized vehicle beyond the limits prescribed by law and regulations
    - *1st offense* - Reprimand to suspension for two (2) days
    - *2nd offense* - Suspension for three (3) to seven (7) days
    - *3rd and subsequent offenses* - Suspension for seven (7) to thirty (30) days for each offense
13. Non-possession of school ID and/or non-wearing of prescribed school uniform when required
    - *1st and subsequent offenses* - Exclusion from classes and be declared absent or non-admittance to University offices or facilities for each offense
14. Smoking in classroom, library and other "no smoking" areas or premises
    - *1st offense* - Reprimand to suspension for two (2) days
    - *2nd and subsequent offenses* - Suspension for three (3) to seven (7) days for each offense
15. Unauthorized cutting/uprooting of trees/plants. stoning/picking of fruits. hunting and fishing
    - *1st offense* - Reprimand to suspension for two (2) days and payment of damages
    - *2nd offense* - Suspension for three (3) to seven (7) days and payment of damages
    - *3rd , nd subsequent offenses* - Suspension for seven (7) to thirty (30) days and payment of damages for each offense
16. Coming late to class, i.e. beyond 15 minutes after the start of the class with no valid reason
    - *1st offense* - Warning
    - *2nd offense* - Reprimand and be marked with unexcused tardiness
    - *3rd offense* - Be marked with unexcused absence but still to be admitted to class with the requirement to submit an excuse letter.
    - *Subsequent Offense* - Non-admission to class and be marked with unexcused absence with the requirement to submit an excuse letter.

Sec. 7 In the meting of penalties, the counting of the number of days of suspension shall include Saturdays, Sundays and legal holidays. Penalties imposed shall not prejudice the filing of appropriate court action by the University against the offender, if necessary.

Sec. 8 Mitigating, aggravating and other circumstance affecting liability for an offense committed shall be considered in meting penalties.

Article 227. Sanctions and Operative Effects

Sec. 1. Where the suspension is for one semester or more, the student shall move out of the University jurisdiction within 72 hours after the suspension order took effect.

Sec. 2. In the case of those students who reside with their parents inside the University campus, they shall not be allowed to freely roam around the campus during class hours within the period of suspension.

Sec. 3. Any student whose suspension covers an examination period shall have to miss the said examination except the final examination.

Sec. 4. In all cases of suspension, a written promise of future exemplary conduct by the student and countersigned by his parent(s) or guardian(s) is required as a condition for readmission.

Sec. 5. When penalty of expulsion is meted, the student cannot re-enroll in any course in the University.

Sec. 6. Where a prescribed penalty can no longer be imposed, such as in cases where the offender is already declared a candidate for graduation, transferring to other school or dropping his enrollment, penalties such as stripping of title for graduating honor student, delaying the graduation or other appropriate penalties may be meted in lieu of the prescribed penalty there for depending on the gravity of the offense committed.

CHAPTER 66
RULES IN THE CONDUCT OF INVESTIGATION OF STUDENT DISCIPLINARY CASES

Article 228. Student Discipline Investigating Bodies

Sec. 1. There shall be a University Committee on Student Discipline composed of a Chairman, who shall be a member of the Philippine Bar or shall have some legal background, the USG President as Vice Chairman and another member to be appointed, by the University President for a term of one (1) year from among the faculty and staff of the University. In any disciplinary case before the Committee, a respondent may request that two (2) students of his choice be appointed to sit without right to vote, with the Committee.

The OSA Director shall also serve as non-voting member of the Committee.

Sec. 2. The Committee shall be under the general supervision of the Vice President for Academic Affairs, who shall designate, whenever requested, the student members to sit with the Committee.

Sec. 3. The Director of Student Affairs through the Student Discipline Section which is composed of one chairman and two members to be designated by the USM President from among the qualified faculty of the University upon recommendation of the OSA Director, and the College/Institute Deans in their respective unit through an investigating committee duly constituted for the purpose, shall serve as the lower investigating bodies whose respective authorities are hereinafter set forth.

Article 229. Authority to Investigate

Sec. 1. The University Committee on Student Discipline shall have exclusive authority to investigate student disciplinary cases, except the following cases which shall also be within the concurrent authority of the OSA Director through the Student Discipline Section, when it involves students of different Colleges/Institutes, or the College/Institute Dean through an investigation committee, when it involves students of the same College/ Institute, to investigate where the penalty prescribed by these rules for the offense charged does not exceed thirty (30) days suspension irrespective of other imposable penalties, accessory or otherwise:

a. Violation of rules and regulations duly promulgated by the College or Institute; and ,
b. Misconduct committed in the presence of a faculty member or any University official or employee during an official activity or affair of the College or Institute.

Sec. 2. The University Committee on Student Discipline shall review final judgments, decisions, resolutions, orders, or awards of the OSA Director or the College/Institute Deans, as the case may be, and shall submit its findings and recommendations the University President within the period prescribed in these rules.

Sec. 3. For cases which are under the exclusive authority of the University Student Discipline Committee to investigate, the OSA Director through the Student Discipline Section or the College/Institute Dean through the investigating committee, as the case may be, is authorized to conduct the necessary preliminary investigation or inquiry.

Article 230. Filing of Charges

Sec. 1. A disciplinary proceedings may be instituted motu propio by any appropriate authority of the University, upon the filing of written charge specifying the acts or omissions constituting the misconduct of the respondent and subscribed to by the complainant, or upon filing of appropriate complaint or submission of an official report of any violation of existing rules and regulations committed by a student by any aggrieved party with the OSA Director through the Student Discipline Section or the College/Institute Dean concerned, as the case may be, as prescribed in these rules.

Sec. 2. Upon filing of appropriate charge or report with the proper investigating body, an entry shall be made in an official record book kept for the purpose, specifying the person or persons charged, the complainant(s), his/their witnesses, if any, the date of filing, and the substance of the charge.

Article 231. Preliminary Inquiry

Sec. 1. Upon receipt of the complaint or report, which shall be under oath, the, investigating body concerned shall determine whether such complaint or report is sufficient to warrant formal investigation.

Sec. 2. Notice to the respondent(s) is required but presence of the respondent(s) during the preliminary investigation may be waived.

Sec. 3. In cases where the complaint or report is found sufficient, formal charge(s) shall be filed and served upon each respondent and his parents/guardians.

Article 232. Answer

Sec. 1. Each respondent shall be required to answer in writing within three (3) days from receipt of the charge(s). Formal investigation shall be held on notice as provided in the succeeding Articles.

Article 233. Notice of Hearing

Sec. 1. All parties concerned shall be notified of the time, date and place of hearing at least two (2) days before such hearing.

Sec. 2. Notice to counsel of record or duly authorized representative of a party shall be considered sufficient notice to such party for the purpose of this Article.

Article 234. Hearing

Sec. 1. Hearing shall begin not later than three (3) days after the receipt of the respondent's answer or after the expiration of the period within which the respondent shall answer.

Sec. 2. No hearing on any case shall last beyond five (5) calendar days.

Article 235. Failure to Appear at Hearing

Sec. 1. In case either complainant or respondent fails to appear in the place and date set for the initial hearing after due notice and without sufficient justifications, this fact shall be noted and the hearing shall proceed ex parte without prejudice to the party's right of appearance in subsequent hearings.

Article 236. Postponement

Sec. 1. Application for postponement may be granted for good cause for such period as the ends of justice and the rights of parties to a speedy hearing require; provided that not more than two (2) postponements per party to the litigation should be allowed.

Article 237. Investigation Report by a Lower Investigating Body

Sec. 1. The OSA Student Discipline Section shall forward to the OSA Director, or in the case of a College/Institute Investigating Committee, to the Dean concerned, within three (3) days after the termination of the hearing the complete record of the case, with its report and recommendation.

Sec. 2. The report signed by at least a majority of the members of the Section or Committee, as the case may be, shall state the findings or fact, conclusions and recommendations, and the regulations on which the decision is based.

Sec. 3. The OSA Director or the Dean concerned, as the case my be, shall review the recommendation of the Section or Committee, respectively, and render his decision, whether to overrule, sustain or amend the decision of the Section or Committee within three (3) days from receipt thereof. In the case of the OSA Director, however, he shall render his decision in consultation with the Dean of the College/Institute of the respondent student.

Article 238. Decision by the OSA Director or College/Institute Dean

Sec. 1. Where the decision of the OSA Director or College/Institute Dean is not final and executory as provided in this rules, he shall within three (3) days after he has rendered his decision, transmit the same together with his decision to the University President.

Sec. 2. Within three (3) days after receipt, the University President shall transmit the records of the case to the University Committee on Student Discipline through the Vice President for Academic Affairs for review.

Article 239. Investigation by the University Committee on Student Discipline; Action of the University President

Sec. 1. Within three (3) days after receiving the records of a case transmitted by the University President, the University Committee on Student Discipline shall convene to review the case on the merits. It may conduct its own investigation, if necessary.

Sec. 2 The University Committee on Discipline shall submit its report on the case to the University President through the Vice President for Academic Affairs seven (7) days after receipt of the records thereof. The report shall be a brief statements of the findings of fact, conclusions and recommendations and the regulations of which the decision is based.

Sec. 3. The University President shall render his decision whether to overrule, sustain or amend the recommendation of the University Committee on Student Discipline within three (3) days after receipt thereof.

Article 240. Finality of Decision

Sec. 1. The decision of the OSA Director or the College/Institute Dean other than expulsion or permanent disqualification from enrollment, stripping of honor or award, or suspension for more than thirty (30) days shall become final and executory, unless a motion for reconsideration of the same is filed, in which case, the decision shall be final and executory within five (5) days after receipt of the denial of the motion, except when an appeal is seasonably filed with the University President.

Sec. 2. The decision of the University President shall become final and executory. Where the penalty imposed for the offense committed is expulsion or permanent disqualification from enrollment, stripping of honor or award, a suspension for more than one (1) semester, or other penalties of equivalent severity, consultation with the Academic Council and confirmation by the Board of Regents are required.

Article 241. Appeal to the University President

Sec. 1. In all cases decided by the OSA Director or the College/Institute Dean, the respondent may file an appeal with the University President, after his motion for a reconsideration has been denied by the former. The University President may sustain or overrule the Decision of the OSA Director or the College/Institute Dean within five (5) days after receipt of the appeal, without prejudice to the required consultation with the Academic Council and confirmation by the Board of Regents in certain cases as prescribed in Section 2 of the preceding Article.

Article 242. Confirmation by the Board of Regents

Sec. 1. Where the penalty imposed is expulsion or permanent disqualification from enrollment, stripping of honor or award, suspension for more than one (1) semester, or other penalties of equivalent severity, the decision of the University President in consultation with the Academic Council shall be elevated to the Board of Regents for review and final judgment whether to sustain, amend or overrule the decision.

Article 243. Rights of the Respondent Student

Sec. 1. Every respondent student shall enjoy the following rights:

a. To be subjected to any disciplinary penalty only after the requirements of due process shall have been fully completed and complied with;
b. To be convicted only on the basis of substantial evidences the burden of proof being with the person filing the charge;
c. To be convicted on the basis of evidences introduced at the proceedings or of which the respondent has been properly appraised and given the opportunity to rebut the same;
d. To avail, pending final decision on the charge, of all his rights and privileges as student, subject to the power of the preventive suspension of the University President for not more than fifteen (15) days where such suspension is necessary to maintain the security of the University: and,
e. To defend himself personally or by counsel, or by representative of his own choice. If the respondent desire, but is unable to secure the services of the counsel, he shall manifest that fact at least two (2) days before the date of hearing, and request the University Committee on Student Discipline or the OSA Student Discipline Section to designate a counsel for him from among the faculty members and staff of the University.

Article 244. Summary Investigation by the Dean

Sec. 1. Notwithstanding the provisions of the foregoing Articles, a College Dean, through an Investigating Committee to be constituted by him for the purpose, may proceed summarily against a student of his College for any of these acts:

a. Violation of rules and regulations issued by the Dean of the College; and,
b. Misconduct committed in the presence of a faculty member or any official of the University within the classroom or premises of the college or in the course of an official function sponsored by the college.

Sec. 2. The respondent shall be summoned to appear before the College.Institute Investigating Committee, informed of the charge(s) against him, and afforded the opportunity to present his side.

Sec. 3. The decision of the Committee shall be subject to the confirmation of the Dean.

Sec. 4. Every decision rendered under this Article shall be in writing stating the facts of the case and the basis of the penalty imposed. Such decision shall be final and executory immediately after the issuance of the order; provided, that the penalty imposed shall not exceed a suspension of fifteen (15) days or its equivalent.

Section 5. The Dean concerned shall submit the records of cases decided under this Article to the OSA for records purposes.

Article 245. Effectivity of Decision

Sec. 1. Decision(s) shall take effect as provided in these rules; Provided, that the final decisions of suspensions or dismissals rendered within thirty (30) days prior to any final examination, shall take effect during the semester immediately subsequent to the semester/summer in which such decisions was rendered; Provided, further, that when the respondent is graduating, the penalty shall, as far as practicable, take effect immediately.

Article 246. Records of Proceedings

Sec. 1. All proceedings before any Student Discipline Investigating Body shall be reduced in writing.

Sec. 2. Original records pertaining to student discipline shall be under the custody of the Director for Student Affairs Services. Such records are hereby declared confidential and no person shall have access to the same for inspection or copying unless he is officially involved therein or has a legal right which cannot be protected or vindicated without access to or copying such records.

Sec. 3. Any official or employee of the University who shall violate the confidential nature of the records mentioned in this Article shall be subject to disciplinary action.

Article 247. Offenses and Penalties for Non-Student and Non-Campus Residents

Sec. 1. For the offenses committeed by a non-student and/or non-campus residents and in cases where the provisions of this Code cannot be applied, said case shall be referred/indorsed to the appropriate court of justice or law enforcement agency.

CONCLUDING TITLE

CHAPTER 67
ENCLOSURES AND AMENDMENTS

Article 248. Enclosures

Sec. 1. All existing laws, orders and other government rules and regulations and those which shall hereinafter be promulgated which reinforce any provision of this Code shall be incorporated as integral parts hereof.

Sec. 2. This Code shall also incorporate as integral parts hereof all existing and subsequent pertinent policies and implementing guidelines, rules and regulations promulgated by the Board of Regents, the University President and other competent authorities of this University, provided that the same are not inconsistent with any of its provisions.

Article 249. Manner of Amendment

Sec. 1. The Administrative Council of the University may propose in any of its meetings, amendments to this Code relative to administrative matters, subject to the approval of the Board of Regents.

Sec. 2. The Academic, Research and Extension, and Production Councils of the University may propose in any of its meetings, amendments to this Code relative to academic, research and extension and agri-business production matters, respectively, subject to the approval of the Board of Regents.

Sec. 3. Any approved amendment to this Code shall take effect after the completion of its publication and/or dissemination through a University-wide memorandum issued by the University President or his duly authorized representative.

CHAPTER 68
REPEALING, SEPARABILITY AND EFFECTIVITY CLAUSES

Article 250. Repealing Clause

Sec. 1. All other existing policies, rules and regulations which are not embodied in this Code shall remain in force and effect in so far as they are not inconsistent with any of the provisions hereof.

Sec. 2. This Code shall hereby supercede all existing policies, rules and regulations which are inconsistent with any of its provisions.

Article 251. Separability Clause

Sec. 1. If, for any reason or reasons, any part or provision of this Code shall be declared invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Article 252. Effectivity Clause

Sec. 1. This Code shall take effect immediately upon the completion of its publication in at least one (1) official organ or paper of University-wide circulation.