GENERAL PROVISIONS

ARTICLE I Declaration of Policy. Students are the most important assets of the nation. Appropriate efforts should be exerted to promote their welfare and enhance their opportunities for a useful and productive life

Section 1. The holistic development of students should be the primary concern of the University. Hence, the formulation of rules governing University Student relations, particularly those pertaining to student discipline is a vital factor in promoting harmonious and cooperative co-existence between the University Administration and the Student Body. Consequently, every University official, faculty member, employee, and student should strive to make ISAT University a conducive place for the achievement of the students' optimum development.

Section 2. Corollarily, the establishment of University rules and regulations are necessary not only for the maintenance of an orderly educational environment but likewise equally important for the protection of the students, faculty members, employees and government property.

Section 3. The university has an exclusive jurisdiction and right to define standards and norms of proper conduct of students, and therefore considers departure from said standards as acts of misconduct or violation of this Code.

Section 4. The University prescribes the procedure in handling cases of student discipline, duly recognizing the right of students to due process. The disciplinary proceedings are administrative in nature, not open to the public, and the Rules of Court does not strictly apply.

Section 5. The University has the right to stipulate standards of intellectual honesty among students and set norms of academic scholarship. Any act of intellectual dishonesty as defined by this Code shall be considered inimical to academic integrity and shall be dealt with accordingly by the University.  
  
Section 6. Moreover, the University considers discipline as its means in carrying out its responsibility of helping students grow and develop into mature, responsible, effective, productive and worthy citizens of the community.

ARTICLE II. Rights of Students. All students shall be entitled to the rights herein set forth without distinction as to gender, social, economic, religious or political affiliation.

Section 1. Students have the right to quality, affordable education relevant to the needs of the people in the community;

Section 2. Students have the right to form and join associations or societies

for purposes not contrary to law and duly recognized by the University. They have the right to invite resource persons during assemblies, symposia and other activities provided these do not interfere or disrupt classroom instructions and other academic activities, nor designed, directly or indirectly, to overthrow the government or its duly constituted authorities;

Section 3. Students have the right of access to their school records, the confidentiality of which the University shall maintain in consonance with the provisions of the Data Privacy Act;

Section 4. Students have the right to a wholesome environment conducive to learning coupled with guidance and counseling; and

Section 5. Students have the right against involuntary contributions except those approved by their own organizations and sanctioned by the University.

ARTICLE III. Responsibilities of Students The following are the responsibilities of the students:

Section 1. Strive to study conscientiously and endeavour to achieve academic excellence;

Section 2. Uphold the basic principles and ideals of the University and contribute in the fulfilment of its objectives;

Section 3. Exercise their rights in a manner not prejudicial to the rights of others and the welfare of the public;

Section 4. Promote and maintain peace and order in the University by complying with its rules and regulations, develop harmonious relationships with fellow students, faculty members, non-teaching employees and University officials;

Section 5. Maintain an eco-friendly, gender sensitive and culturally interactive environment and protect the same;  
  
Section 6. Be sensitive, responsive and respectful to fellow students coming from the marginalized sector, indigenous communities, mentally and physically challenged and students with special needs.

Section 7. Be responsible in the use of social media within the context of academic freedom.

Section 8. Be responsible and conscientious in their participation to extracurricular activities in order not to prejudice their academic duties and responsibilities.

Rule 1

APPLICABILITY AND INTERPRETATION

Section 1. Title and Scope of this Code.

This Code shall be known and cited as the Student Code of Discipline. It shall apply to all cases brought to the Office of the Student Affairs and Services or Committee on Student Discipline involving students with infractions of the University's ethical standards, rules and regulations.

Section 2. Coverage. This Code shall apply to all officially enrolled students of Iloilo Science and Technology University in Iloilo City. Miagao, Leon, Dumangas and Barotac Nuevo Campuses.

Section 3. Interpretation. These Rules shall be liberally interpreted in order to promote their objective of obtaining just, speedy, impartial and inexpensive disposition of case/s against any student of this University.

Section 4. Definition of Terms.

4.1. Academic year - comprised of two (2) semesters with one (1) semester composed of 5 months or as maybe determined by the University.

4.2. Academic Activity - any activity that involves academic undertakings such as, but not limited to, classes, tutorials, seminars, conferences, lectures, examinations, fulfilment of academic requirements and others.

4.3. Academic Program - any program offered by the University leading to the granting of a baccalaureate degree upon completion by the student.

4.4. Non-Academic Program - refers to short term courses aimed at preparing technicians, para-professionals and other categories of middle level workers by providing them with theoretical, scientific and technological studies and related job skills training.

4.5. Appointing Authority - refers to the University President

4.6. University Official - for purposes of this Code, includes all University teaching and non-teaching employees regardless of whether regular or contractual.

4.7. Student-refers to a student who is currently and officially enrolled in any academic and non- academic program of the University.

4.8. Complaint for purposes of this code, this refers to any issue/concern raised by a student in asserting his/her right or privilege against his/her fellow student/s or by a University personnel against a student or group of students who violated the university rules and regulations.

4.9. Valid Complaint - refers to a verified complaint in writing following the requisites provided for by the Revised Rules on Administrative Cases in the Civil Service, (RRACS).

4.10. Student Complained of refers to the student who is officially enrolled in the current semester, and who is the subject of a complaint but who is not yet issued a formal charge by the proper disciplining authority.

4.11. Respondent - refers to the student who is issued a formal charge by the proper disciplining authority.

4.12. Party Adversely Affected- refers to the respondent against whom a decision in a disciplinary case has been rendered or to the proper disciplining authority in an appeal from a decision reversing or modifying the original decision.

4.13. Proper Disciplining Authority - refers to the person or body duly authorized to impose the penalty provided for by these rules.

4.14. College-refers to the different colleges of the ISAT U such as College of Engineering and Architecture (CEA), College of Education (COE), College of Arts and Sciences (CAS) and College of Industrial Technology (CIT) and all academic units within the ISAT University System.

4.15. Campus-refers to the different campuses of ISAT U in La Paz, Iloilo City, Miagao, Leon, Dumangas and Barotac Nuevo, Iloilo.  
  
4.16. Committee - refers to the Committee on Student Discipline

4.17. Student Discipline - refers to the procedure of imposing the appropriate sanction/penalty to a bona fide student found guilty of violating this Code of Discipline.

4.18. Organization - refers to a student organization, club, association, society and interest group duly accredited or recognized by the Office of Student Affairs and Services and granted a Certificate of Accreditation

4.19. University premises - areas covered and defined by the University's certificate of title, including those of its satellite campuses.

4.20. Suspension an involuntary, temporary leave from the University which is a form of penalty wherein a student shall be prohibited from:

4.20.1. attending classes and academic activities;

4.20.2. using campus facilities, including but not limited to athletic facilities, libraries, computer laboratories and dormitories.

4.20.3. entering academic buildings and their premises;

4.20.4. participating in University activities;

4.20.5. holding jobs in the university;

4.20.6. Availing of any privilege attendant to being a student of ISAT-U.

4.21. Expulsion refers to the highest form of penalty for any bonafide student found guilty of repeated violations of this Code of Discipline wherein the student shall be immediately and permanently prohibited from enrolling and attending classes in any campus of the ISAT University system.

4.22. Exclusion - refers to a temporary form of penalty for any student found guilty of violating this Code of Discipline where in he/she shall be allowed to finish the semester during which the penalty was imposed but shall be prohibited to enrol during the succeeding semester while the penalty of exclusion is in effect.  
  
4.23. Forum Shopping - refers to the filing of several administrative actions or complaint either simultaneously or successively before another agency or any tribunal having jurisdiction over the case against the same party involving the same essential facts circums-tances, acts, causes of action or relief, and all raising substantially the same issues either pending in, or already resolved adversely by some other tribunal or agency.

4.24. Clearance a written certification from the university that the student is cleared of all money, academic and property accountabilities.

4.25. Community Service any rehabilitative activity provided by the proper disciplining authority as a sanction imposed against a party adversely affected by its decision, designed to provide for the public good in keeping with the over-all goals of the university/community.

4.26. Day, week, month, year -" It shall be understood that years are of three hundred and sixty- five days each; months of thirty days; days of twenty- four hours; and nights from sunset to sunrise. If months are designated by their name, they shall be computed by the number of days which they respectively have. In computing a period, the first day shall be excluded and the last day included."

4.27. Hearing-an opportunity for the parties complained of to present evidence and defend themselves against formal charges filed against them.

4.28. Intellectual Property - as defined by the University Intellectual Property Rights Policy.

4.29. Opt-Out Mechanism - The mechanism required by CHED for all SUCs to enable students with financial capacity to pay for their education and voluntarily opt out of the subsidy for tuition and other school fees.

4.30. Bullying-shall refer to any severe or repeated use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof directed at another student that has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property, creating a hostile environment at school for such student.

4.31. Fraud-deliberately making a false statement and practicing any deception for financial or personal gain,

4.32. Gambling any activity that involves wagering of money or something of material value on an event with uncertain outcome with the primary intent of winning additional money and/or material goods, without prejudice to authorized fund raising activities by student organizations expressly allowed by the University, such as bingo and raffle.

4.33. Hazing as defined by RA 11053 and used in this Code, refers to an initiation rite or practice as a prerequisite for admission into membership in a fraternity, sorority or organization by placing the recruit, neophyte or applicant in some embarrassing or humiliating situations such as forcing him to do menial, silly, foolish or other tasks or activities or otherwise subjecting him to physical or psychological suffering or injury.

4.34. Intellectual Dishonesty any fraudulent act performed by a student to achieve academic advantage or gain for oneself or others, including but not limited to:

4.34.1. Plagiarism, defined as "the appropriation of another person's ideas, processes, results or" without giving appropriate credit."

4.34.2. Fabrication, defined as "making up data or results," falsification, or "manipulating research materials, equipment, or processes or changing or omitting data or results such that the research is not accurately represented in the research record; distortion and/or destruction of data;

4.34.3. Copying or providing the means or accessing means to copy examination answers, homework, projects, laboratory requirements, term papers, etc.; possession and/or use of cheating devices during an examination; allowing another person to take an examination in one's name or impersonating another student and/or allowing someone to impersonate oneself in an academic activity; and changing the score in a corrected examination paper;

4.34.4. Other acts analogous to the above.

Rule 2

THE COMMITTEE ON STUDENT DISCIPLINE

Section 5. Creation of the Committee on Student Discipline. - There shall be a Committee on Students Discipline composed of a Chairman who is a member of the Bar or shall have a legal background and four (4) members to be designated by the University President. Of the four (4) members, one (1) shall be a representative of the University's Student Republic Federation, one (1) shall be recommended by the College Dean or Campus Administrator of the college/campus where the administrative matter or case originated, one (1) from the faculty association and another one (1) from the employees association. The Committee Chairman, the Representative of the Faculty Association and the Representative of the Employees Association shall have a term of office of two (2) years. The Representative of the Student Republic Federation shall serve for one (1) year. The remaining member to be recommended by the College Dean/Campus Administrator where the administrative matter or case originated shall serve as member of the committee on a case to case basis only.

The Committee on Student Discipline shall be under the administrative supervision of the Director of Student Affairs and Services of the University.  
  
In any disciplinary case/s brought before the Committee on Student Discipline, a student respondent may request that two (2) officially enrolled students of the university be designated to sit with the committee without the right to vote.

Section 6. Local Committee on Student Discipline. Each ISAT U Campus

outside La Paz, Iloilo City shall have their own local Committee on Student Discipline composed of a Chairman, who is of proven integrity and character to be designated by the Campus Administrator and four (4) members. Of the four (4) members, one (1) shall be a representative of the Campus Student Republic, one (1) shall be recommended by the Program Chair/Coordinator where the administrative matter or case originated, one (1) from the faculty and employees association, and one (1) from the Student Council where the student respondent belongs.

The Chairman, the recommendee of the Program Chair/Coordinator and the representatives of the Faculty and Employees Association, shall have a term of two (2) years, while the representatives of the Student Republic and the Student Council where the student respondent belongs shall have a term of one (1) year.

In any disciplinary case/s brought before the Local Committee on Students Discipline, a student respondent may request that two (2) officially enrolled students of the university be designated to sit with the committee without the right to vote.

Rule 3

JURISDICTION

Section 7. Jurisdiction of the Committee on Students Discipline. The Committee on Students Discipline shall have original and exclusive jurisdiction in all campuses of ISAT University over the following:

7.1. Cases instituted by or brought before it directly by any person against a student/s or organization alleged to have committed an act or omission punishable by suspension, exclusion or expulsion from the university; and

7.2. Offenses committed not only within, but also beyond the ISAT U campuses whenever:

7.2.1. The violation of the University policies, rules or regulations was committed in connection with a University sponsored activity, and,

7.2.2. The misconduct of the student complained of affects the name, image or reputation of the University.

Section 8. Referral of Complaint or Matter to the Proper Office. Any complaint or matter filed before ISAT University, La Paz, Iloilo City Campus or any of its campuses, the imposable penalty of which is higher than community service, jurisdiction over such complaint or matter properly belongs to the University Student Discipline Committee, hence the same shall be forwarded to the Committee for appropriate action.

Section 9. Jurisdiction of the College Dean/Campus Administrator. - In cases of offenses wherein the imposable sanction is community service, the College Dean or Administrator of the Campus where the offending student is enrolled, has the exclusive jurisdiction to hear and try the case.

Rule 4

DISCIPLINARY CASES

COMPLAINT

Section 10. Who may initiate. A complaint may be initiated by the disciplining authority motu proprio or upon complaint by any other person.

Section 11. Requisites of a Valid Complaint. Except when initiated by the disciplining authority, no complaint against a student shall be given due course unless the same is in writing, subscribed and sworn to by the complainant. In cases initiated by the proper disciplining authority, a show cause order is sufficient.

No anonymous complaint shall be entertained unless there is obvious truth or merit to the allegation therein or supported by documentary or direct evidence, in which case the student complained-of, may be required to comment.

The complaint in triplicate shall be written in a clear, simple and concise language and in a systematic manner as to apprise the student complained-of, of the nature and cause of the accusation against him/her and to enable him/her to intelligently prepare his/her defense or answer/comment.

However, should there be more than one (1) student being complained-of, the complainant is required to submit additional copies corresponding to the number of student respondents.

The complaint shall contain the following:

11.1. Full name and address of the complainant;

11.2. Full name and address of the student/s complained-of as well as his/her/their course/year and the college where they belong;

11.3. A narration of the relevant and material facts which shows the acts or omissions allegedly committed;

11.4. Certified true copies of documentary evidence and affidavits of his/her witnesses, if any, and

11.5. Certification or statement of non-forum shopping.

The absence of any of the aforementioned requirements may cause the dismissal of the complaint without prejudice to its refiling upon compliance of the above requirements

Section 12. When and Where to File a Complaint. Except when otherwise provided by these Rules, a complaint may be filed at any time with the Office of the Director of Student Affairs and Services or any of its satellite offices in the different campuses of the university.

Section 13. Withdrawal of the Complaint - The withdrawal of the complaint does not result in the outright dismissal nor discharge of the student complained-of from any liability. Where there is obvious truth or merit to the allegation in the complaint or where there is documentary evidence that would tend to prove the guilt of the student/s complained-of, the same should be given due course motu proprio.

Section 14. Action on the Complaint. - Upon receipt of a complaint which is sufficient in form and substance, the disciplining authority shall require the student/s complained-of to submit a Counter-Affidavit/Comment under oath within five (5) days from receipt of order requiring him/her/their comment/s.

Rule 5

PRELIMINARY INVESTIGATION

Section 15. Preliminary Investigation; Definition. A Preliminary Investigation is a proceeding undertaken to determine whether a prima facie case exists to warrant the issuance of formal charge. It involves a fact finding investigation or an ex-parte examination of records and documents submitted by the complainant and the student/s complained-of, as well as documents readily available from other government offices.

Section 16. How Conducted. Within five (5) days from receipt of the complaint sufficient in form and substance, the students/s complained-of shall be required to submit his/her/their counter affidavit/comment. Where the complaint is initiated by the disciplining authority, the disciplining authority shall issue a show-cause memorandum directing the student/s complained-of to explain why no administrative case should be filed against him/her/them. The latter's failure to submit comment/counter-affidavit/explanation shall be considered a waiver thereof and the preliminary investigation may be completed even without his/her counter-affidavit/comment.

If necessary, the parties may be summoned to a conference where the investigator may propound clarificatory and other relevant questions.

Section 17. Duration of the Investigation. - A preliminary Investigation shall commence not later the five (5) days from receipt of the complaint by the disciplining authority and shall be terminated within twenty (20) days thereafter.

Section 18. Decision or Resolution after Preliminary Investigation. If a prima facie case is established during the investigation, the disciplining authority may issue a formal charge.

In the absence of a prima facie case, the complaint shall be dismissed.

Formal Charge

Section 19. Issuance of Formal Charge. - After a finding of prima facie case, the disciplining authority shall formally charge the student complained-of, who shall now be called a respondent. The formal charge shall contain a specification of charge/s a brief statement of material or relevant facts, accompanied by certified copies of the documentary evidence, if any, sworn statements covering the testimony of witnesses, a directive to answer the charge/s in writing, under oath in not less than seventy-two (72) hours from receipt thereof, an advice for the respondent to indicate in his/her answer whether or not he/she elects a formal investigation of the charge/s in case his/her answer is found to be not satisfactory, and a notice that he/she may opt to be assisted by a counsel of his/her choice.

Section 20. Prohibited Pleadings. The disciplining authority shall not

entertain requests for clarification, bill of particulars, motion to dismiss, motion to quash or motion for reconsideration. If any of these pleadings are interposed by the respondent, the same shall be considered an answer and shall be evaluated as such.

Formal Investigation

Section 21. Conduct of Formal investigation. A formal investigation shall be conducted by the disciplining authority where the merits of the case cannot be decided judiciously without conducting such investigation or when the respondent elects to have one, in which case, the investigation shall be held not earlier than five (5) days nor later than ten (10) days from receipt of the respondent's answer or upon the expiration of the period to answer. Said investigation shall be finished within thirty (30) days from the issuance of the formal charge unless the period is extended by the disciplining authority in meritorious cases.

Section 22. Rights of Respondent/s. The rights of the student/s against whom a formal charge is issued are the following:

22.1. The student must be informed in writing of the nature and cause of accusation against him;

22.2. He/she shall have the right to answer the charge against him with the assistance of counsel, if desired;

22.3. He/she shall have the right to be informed of the evidence against him;

22.4. He/she shall have the right to adduce evidence in his behalf, the evidence must be duly considered by the Committee.

22.5. He/she shall have the right to a speedy and just resolution of the case; and

22.6. He/she shall have the right to confidentiality of proceedings, documents and records.  
  
Section 23. Submission of Position Paper/Memorandum. At any stage of the proceedings, the parties may, based on mutual consent, submit position paper/memorandum and submit the case for resolution without any need for further hearings.

Section 24. Pre-Hearing Conference. - After the commencement of the formal investigation, the disciplining authority shall conduct a pre-hearing conference for the parties to appear, consider and agree on the following:

24.1. stipulation of facts;

24.2. simplification of issues;

24.3. identification and marking of evidence of the parties;

24.4 waiver of objections to admissibility of evidence;

24.5. limiting the number of witnesses, and their names;

24.6. dates of subsequent hearings,

24.7. such other matters as may aid in the prompt and just resolution of the case.

The agreement entered into during the pre-hearing conference is binding on both parties unless in the interests of justice, the disciplining authority may allow a deviation from the same.

The conduct of a pre-hearing conference is mandatory. The failure of the respondent to attend the pre-hearing conference constitutes a waiver to participate in the pre-hearing conference but may still participate in the formal investigation upon appropriate motion.

Section 25. Continuous Hearing Until Terminated; Postponement - Hearings shall be conducted on the dates set by the disciplining authority or as agreed upon during the pre-hearing conference.

Each party may be granted one (1) postponement upon oral or written request.

If respondent fails or refuses to appear or is not represented by counsel during the scheduled hearings despite notice, the investigation shall proceed and the respondent shall be deemed to have waived his/her right to present evidence in his/her favour during the said hearing.

Section 26. Preliminary Matters. At the start of the hearing, the Committee members shall note the appearance of the parties and shall proceed with the reception of evidence for the complainant.

If after being apprised of the right to counsel and respondent appears without the aid of a counsel, he/she shall be deemed to have waived his/her right thereto.

Before taking the testimony of a witness, the Committee members shall place him/her under oath and then take his/her name, address, civil status, and other personal circumstances.

A sworn statement of the witness/es properly identified and affirmed shall constitute direct testimony, copy furnished the other party. Clarificatory questions may also be asked.

Section 27. Appearance of Counsel. Any counsel who is a member of the Bar appearing before any hearing or investigation shall manifest orally or in writing his/her appearance for either the respondent or complainant, stating his/her full name, Roll number, IBP receipt and complete address which should not be a P.O. box address where he/she can be served with notices and other pleadings. If the lawyer is a government employee, he/she shall be required to present an authority to practice profession which should come from the agency head or the agency head's representative.

Section 28. Order of Hearing. Unless the Committee directs otherwise, the order of the hearing may be as follows;

28.1. The prosecution shall present its evidence subject to the pre-hearing agreement;

28.2. Direct and Cross-examination/clarificatory questions by the parties;

28.3. There may be redirect and re-cross examination;

28.4. The respondent shall present/offer evidence in support of his/her defense following the same order,

28.5. There may be rebuttal or sur-rebuttal.

When the presentation of the witnesses has been concluded, the parties shall formally offer their evidence either orally or in writing and thereafter objections thereto may also be made either orally or in writing. After which, both parties may be given time to submit their respective memorandum which in no case shall be beyond five (5) days after the termination of the investigation. Failure to submit the same within the given period shall be considered a waiver thereof.

Section 29. Objections. All objections raised during the hearing shall be resolved by the Committee. However, objections that cannot be ruled upon by the Committee shall be noted with the information that the same shall be included in the memorandum of the concerned party to be ruled upon by the proper disciplining authority.  
  
The Committee shall admit all evidence formally offered subject to the objection/s interposed against its admission.

Section 30. Markings. - All documentary evidence or exhibits shall be properly marked by letters (A, B, C, etc...) if presented by the prosecution and by numbers (1, 2, 3, etc...) if presented by the respondent. These shall form part of the complete records of the case.

Section 31. Issuance of Subpoena. The Chairman of the Committee may issue subpoena ad testificandum to compel the attendance of witnesses and subpoena duces tecum for the production of documents or things.

If a party desires the attendance of a witness and/or the production of documents, he/she shall make a request for issuance of the necessary subpoena ad testificandum and/or subpoena duces tecum, at least seven (7) days before the scheduled hearing.

Section 32. Record of Proceedings. - Records of the proceedings during the formal investigation may be taken in shorthand or stenotype or any other means of recording.

Section 33. Filing of Pleadings. All pleadings filed by the parties with the Committee on Students Discipline shall be copy furnished to the other party with proof of service. Any pleading sent by registered mail shall be deemed filed on the date shown by the postmark on the envelope which shall be attached to the records of the case and in case of personal delivery, the date stamped thereon by the disciplining office.

Rule 6

DECISION

Section 34. When Case is decided. The Committee shall decide the case within thirty (30) days from the termination of the formal investigation.

Section 35. Finality of Decisions. - A Decision rendered by the Committee on Student Discipline whereby a sanction of community service, regardless of the number of hours or suspension for not more than ten (10) days shall be final, executory and non appealable. However, the respondent may file an appeal when the issue raised is violation of due process.

If the penalty imposed is suspension exceeding ten (10) days, exclusion, and expulsion/dismissal from the University, the same shall be final and executory after the lapse of the reglementary period of fifteen (15) days, for filing a motion for reconsideration or appeal and no such pleading has been filed.  
  
Rule 7  
REMEDIES

Section 36. Motion for Reconsideration. The party adversely affected by the decision may file a motion for reconsideration with the University President within Fifteen (15) days from receipt of the decision.

Section 37. When deemed filed. A motion for reconsideration sent by mail shall be deemed filed on the date shown by the postmark on the envelope which shall be attached to the records of the case, and in case of personal delivery, the date stamped thereon by the proper office.

Section 38. Grounds for Motion for Reconsideration. The motion for reconsideration shall be based on any of the following:

38.1. New evidence has been discovered which materially affects the decision rendered, or

38.2. The decision is not supported by the evidence on record, or

38.3. Errors of law or irregularities have been committed prejudicial to the interests of the movant.

Section 39. Limitation. Only one motion for reconsideration shall be entertained.

Section 40. Effect of Filing. The filing of a motion for reconsideration within the reglementary period of Fifteen (15) days shall stay the execution of the decision sought to be reconsidered.

Section 41. Appeal. All decisions imposing a penalty of suspension of more than ten (10) days, exclusion or expulsion from the University, may be appealed to the University President within a period of Fifteen (15) days from receipt thereof.

A notice of appeal including the appeal memorandum shall be filed with the Office of the University President; copy furnished the Committee on Students Discipline, College Dean and the Campus Administrator concerned. The Committee shall submit the records of the case, which shall be systematically and chronologically arranged, paged and securely bound to prevent loss, with its comment, within Ten (10) days, to the Office of the University President.

Section 42. When deemed filed - An appeal sent by mail shall be deemed filed on the date shown by the postmark on the envelope which shall be attached to the records of the case and in case of personal delivery, the date stamped by the proper office.  
  
Section 43. Perfection of an Appeal - To perfect an appeal, the appellant shall within Fifteen (15) days from receipt of the decision submit the following:

A. Notice of Appeal which shall specifically state the date of the decision appealed from and date of receipt thereof,

B. Three (3) copies of appeal memorandum containing the grounds relied upon for the appeal, together with the certified true copy of the decision or resolution appealed from, and certified copies of the documents or evidence;

C. Proof of service of a copy of the appeal memorandum to the Committee on Student Discipline

D. A statement or certificate of non-forum shopping. Failure to comply with any of the above requirements within the reglementary period shall be construed as failure to perfect an appeal and shall cause it's dismissal.

Section 44. Effect of filing. An appeal shall stay the decision from being executory.

Section 45. When Case is Remanded for Violation of Respondent's Right to Due Process If the case on appeal with the University President is remanded to the Committee on Student Discipline for further investigation due to the finding of a violation of the respondent appellant's right to due process, the said Committee shall finish the investigation within fifteen (15) days from the date of receipt of the records from the University President, unless the investigation is delayed due to the fault, negligence or petition of the respondent - appellant, or an extension is granted by the University President in meritorious cases. The period of delay shall not be included in the computation of the prescribed period.

Within fifteen (15) days from the termination of the investigation, the Committee on Student's Discipline shall render the decision. If at the end of the said period, the Committee fails to decide the case, the University President shall vacate and set aside the appealed decision and declare the respondent exonerated of the charge.  
  
Rule 8

SANCTIONS, CLASSIFICATION OF OFFENSES AND THEIR PENALTIES

Section 46. Disciplinary Sanctions. The following are the disciplinary sanctions that may be meted on a student/s or organization/s for any offense/s defined herein:

46.1. Reprimand or Censure with Warning - These are sanctions imposed by way of admonishing or censuring the offending student/s or organization/s with a warning that repetition of the same or analogous offense will be dealt with severely.

46.2. Suspension - The offending student/s may be refused admission for a day or number of days from his/her classes in the University.

46.3. Exclusion-The offending student/s may be allowed to finish the semester or term he/she has enrolled in at the time of his/her conviction of the administrative offense but is not allowed to enrol in the succeeding term.

46.4. Dismissal or Expulsion - This is an extreme form of disciplinary sanction where the erring student/s is immediately dismissed from the University at the time his/her conviction of the administrative offense becomes final and executory tantamount to permanent disqualification from the university. Any disciplinary action initiated against a student shall be relayed immediately to his/her parent/s or guardian by the disciplining authority.

46.5. Cancellation of Certificate of Recognition/Accreditation of Campus Organization - A Certificate of Recognition issued to a student campus organization by the Office of Student Affairs and Services, is cancelled or revoked based on valid grounds, so that the erring organization ceases to enjoy the benefits and privileges accorded to a recognized organization.

46.6. Community Service - A sanction where the offending student is directed to report to the Dean/ Administrator of the College/Campus where he/she belongs to render service like performing clerical works, cleaning the office and the likes on a certain number of hours. Compliance with this sanction shall be monitored by the guidance counsellor.

In all cases of disciplinary action against a student, the intervention of the College Guidance counselor shall be required.

| Offenses | Sanctions | | |
| --- | --- | --- | --- |
| 1st Offense | 2nd Offense | 3rd Offense |
| 1. Loitering during class hours, making unnecessary noise such as singing or boisterous conversation causing annoyance and disturbance. | Warning. Refer for counseling. | Warning and summon parent or guardian. | 2 hours community service with counseling. |
| 2. Entering the University wearing prohibited attire. | Warning. Refer for counseling. | Prohibition from entering University premises. | Prohibition from entering University premises, summon parent or guardian and 2 hours community service. |
| 3. Abandoning the class-room without permission from the instructor while the class is going on. | Warning. Refer for counseling. | Prohibition from attending the class. Submit letter of apology signed by the parent/guardian and noted by the OSAS Director. | Prohibition from attending the class. Summon parent/guardian and 2 hours community service. |
| 4. Entering University premises with prohibited haircut, hairstyle and prohibited piercings. | Warning. Refer for counseling. | Prohibition from entering University premises. Summon parent/guardian. | Prohibition from entering University premises and 2 hours community service. |
| 47.2 Major Student Offenses | | | |
| 1. Violent conduct tantamount to alarm and scandal. | Summon parent/guardian. Refer for counseling and 4 hours community service. | Summon parent/guardian. refer for counseling and 8 hours community service. | Summon parent/guardian refer for counseling and 5 days suspension. |
| 2.Grave threat and bullying of fellow student | Summon parent/guardian. Refer for counseling and 4 hours community service. | Summon parent guardian. Refer for counseling and 8 hours community service | Summon parent/guardian refer for counseling and 5 days suspension |
| 3. Assault of fellow student resulting to light physical injury | Summon parent/guardian, refer for counseling, reimbursement of medical expenses of the victim and 8 hours community service. | Summon parent guardian, refer for counseling, payment of damages/reimbursement of medical expenses of the victim and 16 hours community service. | Summon parent guardian, refer for counseling, payment of damages/reimbursement of medical expenses of the victim and 5 days suspension. |
| 4. Assault of fellow student resulting to serious physical injury | Summon parent/guardian, refer for counseling, reimbursement of medical expenses/payment of damages of the victim and 16 hours community service. | Summon parent/guardian, refer for counseling, payment of damages/reimbursement of medical expenses of the victim and 24 hours community service | Payment of damages/reimbursement of medical expenses of the victim and expulsion from the University |
| 5.Grave threat against persons in authority of the University and their agents | Summon parent guardian. Refer for counseling and 4 hours community service. | Summon parent/guardian, refer for counseling, reimbursement of medical expenses of the victim and 8 hours community service | Summon parent guardian refer for counseling and 5 days suspension |
| 6. Assault against persons in authority of the University and their agents resulting to light physical injury | Summon parent/guardian, refer for counseling reinburcement of medical expenses of the victim and 8 hours community service. | Summon parent guardian, refer for counseling, payment of damages/reimbursement of medical expenses of the victim and 16 hours community service. | Summon parent/guardian, refer for counseling. payment of damages/reimbursement of medical expenses of the victim and 5 days suspension. |
| 7. Assault against persons in authority of the University and their agents resulting to serious physical injury | Summon parent/guardian, refer for counseling, reimbursement of medical expenses/payment of damages of the victim and 16 hours community service. | Summon parent guardian, refer for counseling, payment of damages/reimbursement of medical expenses of the victim and 24 hours community service. | Summon parent/guardian. payment of damages/reimbursement of medical expenses of the victim and expulsion from the University. |
| 8. Vandalism and destruction of the University property. | Summon parent/guardian. refer for counseling, clean/restore and replace or pay the university for the damage. | Summon parent/guardian. refer for counseling, clean/restore and replace or pay the university for the damage with 8 hours community service. | Summon parent/guardian. refer for counseling, clean/restore and replace or pay the university for the damage and 5 days suspension |
| 9. Cheating during examinations. | Summon parent/guardian. refer for counseling, a grade of 5.0 or failure in the examination where cheating was committed. | Summon parent/guardian. refer for counseling, a grade of 5.0 or failure in the examination where cheating was committed and 16 hours community service. | Summon parent/guardian. refer for counseling, a grade of 5.0 or failure in the subject where cheating was committed. |
| 10. Taking examinations by proxy. | Summon parent guardian. refer for counseling, If the students who are involved in the act are both students of ISAT U, they shall be subjected to the penalty of suspension for 1 semester. If the proxy is an outsider, he/she shall be perpetually disqualified from seeking admission for any course/employment in the ISAT U System. | Summon parent guardian. refer for counseling, If the students who are involved in the act are both students of ISAT U, they shall be subjected to the penalty of suspension for 1 year. If the proxy is an outsider, he/she shall be perpetually disqualified from seeking admission for any course/employment in the ISAT U System | Summon parent/guardian. refer for counseling, If the students who are involved in the act are both students of ISAT U, they shall be subjected to the penalty of expulsion from the University. If the proxy is an outsider, he she shall be perpertually barred from the University System. |
| 47.3 Other Student Offenses | | | |
| 1. Smoking within the University Premises | Warning followed by counseling | Summon parent/guardians and 2 hours community service | Summon parent guardians and 4 hours community service |
| 2. Littering in the University Campus | Warning followed by counseling. | Summon parent/guardian and 4 hours community service. | Summon parent/guardians and 8 hours community service. |
| 3. Posting printed materials in the University without approval. | Warning followed by counseling. | Summon parents/guardians and 4 hours community service. | Summon parent/guardians and 8 hours community service. |
| 4. Posting of derogatory /seditious materials within the University premises | Warning followed by counseling and 2 hours community service | Summon parent/guardian and 4 hours community service | Summon parent/guardian and 8 hours community service |
| 5.Non-wearing of valid ID/wearing of non-validated ID inside the campus. | Warning followed by counseling. | Summon parent/guardian and 2 hours community service | Summon parent/guardian and 4 hours community service |
| 6. Viewing, reading, distribution of pornographic objects, pictures and literature | Warning followed by counseling. | Summon parent/guardian and 2 hours community service | Summon parent/guardian and 4 hours community service |
| 7. Unauthorized representation of the University. | Warning followed by counseling and 2 hours community service | Summon parents/guardians and 4 hours community service | Summon parent/guardian and 8 hours community service |
| 8. Unauthorized assembly of students within the University during class hours | Warning followed by counseling and 2 hours community service | Summon parents/guardians and 4 hours community service | Summon parent/guardian and 8 hours community service |
| 9. Entering the University under the influence of liquor | Warning followed by counseling and 4 hours community service | Summon parent guardian and 8 hours community service | Summon parent/guardian and 16 hours community service |
| 10. Possessing/selling of intoxicating liquor or chemicals in any form within the University Campus | Warning followed by counseling summon parent guardian and 8 hours community service | Summon parent guardian and 16 hours community service | Summon parent guardian and 5 days suspension |
| 11. Possessing/use/selling of prohibited drugs and substances | Warning followed by counseling. summon parent/guardian and 5 days suspension | Summon parent guardian and I semester suspension | Summon parent guardian and expulsion |
| 12. Involvement in Mass action and activities for purposes contrary to law | Warning followed by counseling. summon parent/guardian and 8 hours community service | Summon parent/guardian and 5 days suspension | Summon parent guardian and I semester suspension |
| 13. Bringing outsider/s inside the University premises to commit acts punishable under this Code. | Summon parent guardian, warning followed by counseling, and 8 hours community service | Summon parent/guardian, warning followed by counseling, and 10 days community service | Summon parent guardian and exclusion from the University. |
| 14. Organizing/joining any unaccredited/unrecognized fraternity/ sorority or frasority and other student organizations and whose purpose is to create disorder and distability to the University | Warning followed by counseling. summon parent/guardian and 5 days suspension | Summon parent/guardian and I semester suspension. | Summon parent guardian and expulsion. |
| 15. Participation in initiation rite or any hazing activity resulting in serious physical injury of the victim. | Summon parent guardian, counseling, reimbursement of the medical expenses incurred by the victim and 10 days suspension. | Summon parent/guardian, counseling, reimbursement of the medical expenses incurred by the victim and I semester suspension | Expulsion from the University |
| 16. Carrying deadly and dangerous weapons including explosives and incendiary materials within the premises of the University | Warning followed by counseling, summon parent/guardian and 5 days suspension and restitution of the amount/property taken. | Summon parent/guardian and I semester suspension | Summon parent/guardian and expulsion |
| 17. Extorting money from fellow students. | Warning, summon parent guardian, Counselling, 5 days suspension and restitution of the amount/property taken. | Summon parent/guardian and 1 semester suspension | Summon parent guardian and expulsion |
| 18. Theft committed against any person inside the University premises | Warning, summon parent/guardian, Counselling, 5 days suspension and restitution of the amount/property taken. | Summon parent guardian, Counselling, I semester suspension and restitution of the amount /property taken. | Expulsion from the University |
| 19. Qualified theft committed by student with designations imbued with trust and confidence. | Warning, summon parent/guardian, Counselling, 10 days suspension and restitution of the amount property taken. | Summon parent/guardian, Counselling, 1 semester suspension and restitution of the amount/property taken. | Expulsion from the University |
| 20. Robbery committed within the University premises. | Warning, summon parent/guardian, counselling, 10 days suspension and restitution of the amount/property taken. | Summon parent guardian, counselling, 1 semester suspension and rest restitution of the amount/property taken. | Expulsion from the University |
| 21. Any form of gambling within the University premises | Warning followed by counseling and 4 hours community service | Summon parent/guardian and 8 hours community service | Summon parent/guardian and 16 hours community service |
| 22. Failure to pay a just debt | Warning followed by counselling and payment of the debt | Summon parents/guardians, counselling and payment of the debt | Reprimand, summon parent guardian, payment of the debt. In case of non-payment, deferment of issuance of his/her certificate of good moral character. |
| 23. Uttering defamatory, slanderous and libellous statements, remarks against any University official or his authorized representative, fellow student or any personnel of the University | Warning followed by counseling and 4 hours community service | Summon parent/guardian and 8 hours community service | Summon parent/guardian and 16 hours community service |
| 24. Disrespect of faculty members, employees and other University officials by circulating derogatory remarks and false information, mocking and/or instigating a quarrel among them | Warning followed by counseling and 4 hours community service | Summon parent/guardian and 8 hours community service | Summon parent/guardian and 16 hours community service |
| 25. Forging signatures of authorities, falsifying or tampering University records, documents or credentials or knowingly furnishing the University with false or fraudulent information in connection with an official document. | Warning followed by counseling. summon parent guardian and 5 days suspension | Summon parent/guardian and 1 semester suspension | Summon parent/guardian and expulsion |
| 26. Committing any form of intellectual dishonesty such as, but not limited to plagiarism | Warning followed by counseling, summon parent/guardian and 10 days suspension | Warning followed by counseling, summon parent/guardian and 1 semester suspension | Warning followed by counseling, summon parent/guardian and expulsion |
| 27. Entering the school with fake, tampered or borrowed ID | Warning followed by counseling and 2 hours community service | Warning followed by counseling and 4 hours community service. | Summon parent/guardian and 8 hours community service |
| 28. Violation of any provision of the Data Privacy Act | Warning followed by counseling, summon parent guardian and 10 days suspension | Warning followed by counseling, summon parent guardian and 1 semester suspension | Warning followed by counseling, summon parent/guardian and expulsion |
| 29. Lewd or lascivious conduct between opposite/same sex constituting of but not limited to petting, necking or any obscene exposure of the body or unwelcome lustful advances towards other students, school employees or visitors within the University premises | Warning followed by counseling. summon parent/guardian and 15 days suspension | Summon parent/guardian and I semester suspension | Summon of parent/guardian and expulsion from the University |
| 30. Indulging in sexual intercourse inside the university campus whether with opposite or same sex partner | Summon parent/guardian, counseling with 1 semester suspension | Summon of parent/guardian, counseling with 1 school year suspension | Summon parent guardian and expulsion from the University |
| 31. Involvement in video and photo - voyeurism acts | Summon parent guardian, counseling with 1 semester suspension | Summon parent/guardian, counseling with 1 school year suspension | Summon parent/guardian and expulsion from the University |
| 32. Sexual Harassment which include the following;  a. Unwanted touching or brushing aside against a woman's body;  b. Derogatory or degrading remarks or innuendos directed toward the members of one's Sex or one's sexual orientation or used to describe a person;  c. Verbal abuse or threats with sexual overtones, and,  d. other analogous cases | Community service for ten hours and counseling | Counseling and 5 days suspension | Summon parent guardian and 1 year suspension |
| 33. Cyber bullying and libellous, malicious, derogatory and irresponsible use of the social media | Warning followed by counseling, summon parent guardian and 15 days suspension | Summon parent/guardian and I semester suspension | Summon parent guardian and 1 year suspension |
| 34. Unlawful use and neglectful conduct in the custody of funds | Warning followed by counseling and payment/Restitution of the funds | Summon parents/guardians, counseling and payment/restitution of the funds and 1 semester suspension | Summon of parent/guardian. payment/restitution of the funds. In case of non-payment, deferment of issuance of his/her certificate of good moral character and expulsion. |
| 35. Committing fraudulent acts/any form of deception in connection with: Admission, registration and scholarship application. | Warning followed by counseling, summon parent/guardian and cancellation, revocation of enrolment/scholarship benefits. | NA | NA |
| 36. Committing fraudulent acts/any form of deception in connection with graduation/graduation with Latin Honors | Warning followed by counseling, summon parent/guardian and cancellation of graduation rights and revocation of Latin Honors/awards. | NA | NA |

Section 48. Extenuating, Mitigating, Aggravating, or Alternative Circumstances. In the determination of the penalties to be imposed, mitigating, aggravating and alternative circumstances attendant to the commission of the offense shall be considered.

The following circumstances shall be appreciated:

48.1. Physical illness

48.2. Good faith

48.3. Minority

48.4. Habituality

48.5. Offense is committed during class or office hours and within the University premises or building.

48.6. Employment of fraudulent means to commit or conceal the offense.

48.7. Academic status of the student, or

48.9. Other analogous circumstances.

Nevertheless, in the appreciation thereof, the same must be invoked or pleaded by the proper party, otherwise, said circumstances shall not be considered in the imposition of the proper penalty. The Committee, in the interest of substantial justice may take and consider these circumstances.

Section 49. Penalty for the Most Serious Offense. If the respondent student is found guilty of two or more charges or counts, the penalty to be imposed should be that corresponding to the most serious charge or count and the rest shall be considered as aggravating circumstances.

Section 50. Execution of Decisions. The decisions of the Committee on Student Discipline, the Campus Administrator or the University President/Board of Regents shall be immediately executory after fifteen (15) days from receipt thereof, unless a Motion for Reconsideration or Notice of Appeal is seasonably filed, in which case the execution of the decision is held in abeyance.

Section 51. Implementation of Final Decisions. The Committee on Student Discipline shall monitor the immediate implementation of these decisions.

Section 52. Effect of Pendency of Petition for Review/Certiorari with the Court. The filing and pendency of a petition for review or certiorari with the court shall not stop the execution of the final decision of the University's Board of Regents unless the Court issues a restraining order or injunction.

Section 53. Non-Execution of Decision. Any University official, faculty member or employee who willfully refuses or fails to implement the final resolution, decision, ruling or order of the University to the prejudice of the public service and the aggrieved party, may be cited in contempt of the University and administratively charged with Conduct Prejudicial to the Best Interest of the Service.

Section 54. Computation of Period. In computing any period of time prescribed by these Rules, the first day shall be excluded and the last day included unless it be a Saturday, Sunday or legal holiday, in which case the period shall run until the end of the next working day which is neither a Saturday, Sunday or legal holiday.

Copies of decisions and other communications shall be served on counsel but receipt by either counsel or party shall be deemed to be a valid service. The period to perfect a motion for reconsideration or an appeal shall be reckoned from the date receipt of counsel or party.

Section 55. Effectivity. These Code and Rules shall take effect fifteen (15) days after its Approval by the Board of Regents.

APPROVED by the Student Republic Federated during the public hearing on state date if approval per campus.

APPROVED by the Administrative Council during their meeting on \_\_\_\_\_\_\_\_\_\_\_\_ date.

APPROVED by the Academic Council during a meeting on \_\_\_\_\_\_\_\_\_\_\_\_ date.

APPROVED by the Board of Regents during their meeting on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Section 56. Repealing Clause. - The Students Code of Discipline of the Iloilo Science and Technology University. Approved by the Board of Regents on \_\_\_\_\_\_\_\_\_\_\_\_, and all other office memoranda, circulars, resolutions, rules or regulations inconsistent with the provisions of this Code are hereby repealed or modified accordingly.