

**REVISED RULES AND REGULATIONS
GOVERNING FRATERNITIES, SORORITIES
AND OTHER STUDENT ORGANIZATIONS**

(Approved at the 1091st BOR Meeting, October 24, 1995)



Whereas, the University aims to create an environment that promotes constructive meaningful interaction among students, fraternities, sororities and other student organizations;

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

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

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

Whereas, the University impresses upon the members of fraternities, sororities and other student organizations that it condemns the continued existence of the culture of violence and finds the presence of erring students on campus reprehensible;

Whereas, there is a need to adopt clear-cut guidelines on the imposition of penalties, in addition to the definition of possible actionable misconduct by the members of fraternities, sororities and other student organizations in order that University authorities may be more effective in dealing with fraternities, sororities and other student organization-related misconduct, and impress upon the members of fraternities, sororities and other student organizations that the University is all out against hooliganism and violence on campus and that it would not tolerate the continued presence of these erring students on campus.

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

Rule I
ACTIONABLE MISCONDUCT AND PENALTIES

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

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

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

1. Participating in any rumble, engaging in fisticuffs with, or physically attacking a member of other

fraternities, sororities or student organizations, or

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

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

- B. Any such member or officer who engages in any form of physical initiation or hazing, resulting in or causing physical injury, as well as the neophyte who allows himself/herself to be subjected to hazing, shall be expelled, unless the student concerned agrees to become a witness for the University.
- C. Any such member or officer who commits acts of provocation which result in heated confrontation between fraternities, sororities and other student organizations shall be suspended for one year; provided, however, that in case the provocation results in a rumble, fisticuffs or physical attack, the erring student shall be expelled from the University;

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

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

- D. Any such member or officer who exhibits gross or deliberate discourtesy to any University official, faculty member, employee, disciplining authorities or their agents, in connection with fraternity, sorority and other student organization-related incident, shall be suspended for at least one year.
- E. Any such member or officer found carrying or possessing within the University premises any firearm, molotov bomb, pillbox or other explosives, knife with a blade longer than two and a half inches, metal pipe, or any other dangerous or deadly weapon, and banned substances enumerated under the Dangerous Drugs Acts (RA No. 6425, as amended) shall be expelled from the University; Provided, however, that stones, baseball bats, nightstick, rattan stick or similar wooden instruments, paper cutters, teargas, scalpels, icepicks and other similar objects capable of causing physical injuries shall be deemed dangerous and deadly weapon if the erring person possesses them in preparation for or immediately before, during, or after an attack, confrontation, or rumble; provided, further that possession of such objects by two or more members or officers shall be deemed to be in preparation for an attack, confrontation or rumble.
- F. Any such member or officer who willfully fails to comply with summons issued by the Vice Chancellor for Student Affairs, or equivalent official in the autonomous university, the Student Disciplinary Tribunal, Deans or their representatives for the purposes of investigation and other proceedings conducted in connection with fraternity, sorority and other student organization-related misconduct shall be automatically suspended by the Chancellor until the person concerned complies therewith; Provided, that such suspension shall not exceed 60 calendar days.
- G. Any such member or officer who causes damage to University property, or property of private persons located within University premises, on the occasion of a rumble, hazing, tumultuous affray or any similar disturbance shall be suspended for at least one year; provided, that, if any death, or serious or less serious physical injury is caused to another person by reason of, or on the occasion of said destruction of property, the erring student shall be expelled from the University; Provided, further, that if University property is damaged, he/she shall be required to repair the damage done at his/her expense or to reimburse the University for costs incurred in repairing such damage, and no clearance shall be issued until such damaged is fully compensated by the

respondent.

- H. Any such member or officer of fraternities or sororities who recruits a first year student taking a first undergraduate degree shall be suspended for at least one year and the student recruited as well as all officers of the fraternities or sororities concerned shall likewise be suspended for a similar period.

The recruitment of two or more first year students, in any manner, shall be taken as evidence of the fraternities' or sororities' policy of recruitment in violation of the foregoing provision; in which case, all the officers of the fraternities or sororities concerned shall be suspended for at least one year.

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

- I. Any such member or officer who commits any other form of fraternity, sorority and other student organization-related misconduct whether within or outside University premises, which affects the good order and welfare of the University or which has a direct and immediate effect on the discipline, general welfare or the good name of the University shall be suspended for not less than six months but not more than one year. In case of a second offense committed under paragraphs C, D, G, H and I above, the erring students shall be expelled from the University.

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

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

B. Where the acts prohibited under this rule is committed by a member, officer, or agent of the fraternities, sororities or student organizations who is not a student of, or even if a student is not currently enrolled in the University, all officers of said fraternities, sororities or student organizations shall be suspended for at least one year; Provided that if said acts are committed by bodyguards, domestics or employees of a member or officer, such member or officer and all officers of the fraternities, sororities or student organizations shall be expelled from the University.

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

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

Notice of suspension shall be immediately furnished to the parents and/or guardians of the student and all the colleges and units concerned.

All concerned faculty members shall be immediately notified of the suspension by their respective deans, institute/center directors, and department chairpersons, as the case may be.

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

Rule II JURISDICTION

Section 1. The Student Disciplinary Tribunal shall be composed of a Chairperson, who shall be a member of the Integrated Bar of the Philippines, two other members, all of whom shall be appointed by the Chancellor for a period of one year chosen from among the academic personnel of the respective autonomous universities, as well as the two other members, student and parent jurors provided for under Rule IV, Section 4.

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

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

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

Rule III FORMAL CHARGES

Section 1. No member or officer of a fraternity, sorority or student organization shall be formally charged before the SDT unless a preliminary investigation has been conducted by any member of the SDT, which must be finished not later than five (5) days from the filing of the complaint; provided, that where the misconduct is committed within the premises of a college, it shall be the responsibility of the Dean concerned to ensure that an appropriate complaint is expeditiously filed with the SDT within the same period of five working days. In any other case, such responsibility shall lie with the Vice Chancellor for Student Affairs or the equivalent official in the autonomous university.

Section 2. A fraternity, sorority or student organization member or officer caught *in flagrante* by the disciplining authorities or any faculty member in the course of a fraternity, sorority or other student organization related misconduct shall be formally charged by the SDT without the need for a preliminary inquiry.

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

Rule IV PROSECUTION OF CASES

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

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

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

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

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

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

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

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

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

Section 5. The SDT shall commence the hearing of the case within 5 days after all parties have been duly furnished copies of the formal charge, and the hearing shall continue from day to day until the case is submitted for resolution which shall not be later than 45 days after the commencement of the hearings.

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

Section 7. The filing of the following pleadings and motions is prohibited:

- A. Motion for extension of time to file an answer;
- B. Motion to dismiss or to quash, except on the ground of lack of jurisdiction;
- C. Appeal to higher University authorities on questions of jurisdictions;
- D. Appeal to higher University authorities from interlocutory orders;
- E. Motion for bill of particulars;
- F. Motion for new trial;
- G. Motion for reconsideration of SDT ruling and/or resolutions;
- H. Motion to reopen the case;
- I. Demurrer to evidence;

- J. Motion for postponement;
- K. Reply;
- L. Intervention; and
- M. Other dilatory motions.

Rule V DECISION AND APPEAL

Section 1. The SDT shall render decisions within 15 days from the time cases are submitted for resolution.

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

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

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

Section 5. In imposing the proper penalty, the SDT shall take into consideration the following justifying, exempting or aggravating circumstances:

A. Circumstances that may be considered justifying:

1. **Self-defense** - When the respondent has shown by clear and convincing evidence that there was a previous and immediate unlawful attack or aggressive act against the respondent involved, and that such act placed the respondent in danger and for which s/he was forced to commit the act(s) charged and that in doing so, the respondent employed such reasonable means to resist the unprovoked attack, and there was no sufficient provocation on the part of the respondent.
1. **Defense of Relatives or Strangers** - If the respondent committed the act(s) charged in defense of a spouse, ascendant, descendant or brother or sister and against the aggressor immediately before, during or immediately after the act or aggression being inflicted on the respondent. Such defense may extend to strangers or third parties within any area subject to University jurisdiction, who are being subjected to acts of aggression; Provided, that the conditions required for act(s) of self-defense are present.

B. Circumstances that may be considered exempting:

1. The act(s) for which the respondent is charged occurred during or was precipitated by a moment of temporary insanity or mental lapse as duly certified by a competent and qualified psychiatrist.
2. In case of accident, where it is established that a) respondent was performing a lawful act with due care; b) inquiry is caused by mere accident; and c) there must be no fault or intent of causing the injury.

C. Circumstances that may be considered aggravating:

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

2. When the respondent is found to have employed such means, i.e., goons, firearms, and dangerous devices to aid him/her in committing the acts which s/he is charged.
3. When it is sufficiently established during the formal investigation that the act was committed with evident premeditation.
4. When the heated confrontation occurs during a drinking (liquor) session within University premises and places where its jurisdiction is exercised.

Section 6. Whenever there are justifying, exempting or aggravating circumstances present and proven during formal investigation, the SDT shall be guided as follows:

- A. The presence of any exempting circumstance will extinguish the liability of the respondent.
- B. The presence of any justifying circumstance will serve to decrease the penalty to that of mere reprimand for a first offense, and to the next higher penalty for succeeding offenses.
- C. Aggravating circumstances shall serve to increase the penalty imposed to that next higher in degree.

Rule VI

SUMMARY ACTION

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

Section 2. In case of violent physical initiation or hazing resulting in physical injuries, all officers of the fraternity, sorority or student organization may be preventively suspended by the Vice Chancellor for Student Affairs or the equivalent officer in the autonomous university for a period not exceeding 30 calendar days, without prejudice to any other liability under these rules.

Section 3. The order of preventive suspension issued by the Vice Chancellor for Student Affairs or the equivalent officer in the autonomous university shall be immediately executory, and may be lifted only upon orders of the Chancellor or the President.

Section 4. Whenever a rumble or an attack occurs, the heads and other officers of the involved fraternities, sororities and student organizations are required to appear without necessity of summons before the Vice Chancellor for Student Affairs or the equivalent official in the autonomous university within 24 hours, from the start of the rumble or attack; provided, that either or both of the top two ranking officers who fail to appear may be preventively suspended by the Vice Chancellor for Student Affairs or the equivalent official in the autonomous university, for not more than 30 calendar days, without prejudice to any other liability under these rules.

Section 5. Each fraternity, sorority or other student organization shall, within 15 days from the start of every academic year, submit to the office of the Vice Chancellor for Student Affairs or the equivalent office in the autonomous university a list duly approved, subscribed and sworn to by the top three ranking officers thereof, containing the names, addresses, and telephone numbers, including recent pictures of all the officers and members thereof, regardless of whether or not they are in good standing; Provided, that any change therein must be reported within one week to said office. Failure to comply with the foregoing provision despite written notice from the Vice Chancellor for Student Affairs or the equivalent official in the autonomous university, including

submission of false information, shall render the fraternities, sororities or other student organizations concerned liable under Rule I, Section 1, (I) of these rules.

Rule VII **SUNDRY PROVISIONS**

Section 1. All other provisions of the SDT Rules approved by the Board of Regents at its 876th Meeting on September 2, 1976, as amended, which are not inconsistent with these rules shall continue to apply the prosecution of administrative disciplinary cases against erring members and officers of fraternities, sororities and other student organizations.

Section 2. The existing summary powers of the Vice Chancellor for Student Affairs, heads of Regional Units of UP Diliman and other disciplining authorities shall continue to apply, in so far as they are not inconsistent with these Rules.

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

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

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

Section 4. The Chancellors of the autonomous university are hereby empowered to create their respective Student Disciplinary Tribunals which shall operate pursuant to these Rules and existing SDT Rules.

Section 5. The Office of the Registrar of the autonomous university shall make a permanent entry in the transcript of records of all members and officers of the fraternities, sororities and student organizations regarding their having been suspended/expelled by reason of having been subjected to administrative disciplinary proceedings under these rules.

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

Rule VIII **EFFECTIVITY**

Section 1. These Rules and Regulations shall take effect upon approval by the Board of Regents and 30 days after these are circularized by the Chancellor of the autonomous universities of the System.