

**BOOK IV
THE STUDENT CODE**

**TITLE NINE
STUDENT AFFAIRS**

**CHAPTER 58
RIGHTS AND DUTIES OF STUDENTS**

Articles 208 . Rights of Students

Section 1. In addition to the fundamental rights under the Constitution, and subject to the limitations prescribed by law and regulations, students of USM shall enjoy the following rights:

- receive, primarily through competent instruction, relevant quality education in line with national goals and conducive to full development as persons with human dignity;
- freely choose a field of study subject to existing admission and retention policies of the University;
- access guidance and counseling services;
- access own scholastic records;
- receive pertinent certificates, diplomas, transcript of records, grades, transfer credentials, and other similar documents upon compliance of the requirements set by USM within thirty (30) days from the date of request;
- establish student publication and invite resource persons during assemblies, symposia and other activities of similar nature;
- freely express opinions and suggestions and channels of communication with appropriate bodies of USM;
- join, form, establish, and participate in organizations and societies recognized by USM to foster intellectual, cultural, spiritual, and physical development;
- be free from involuntary contributions except those approved by his/her organization or society;
- participate in the formulation and development of policies affecting USM;
- receive reasonable protection and security within the premises of USM;
- be informed of the rules and regulations affecting him/her;
- participate in relevant curricular and co-curricular activities duly authorized and recognized by USM;
- be given due process of law;
- be assisted by USM through current and adequate information on work opportunities;
- receive medical and dental services as well as first-aid services; and
- be exposed and learn from the operations of the income generating projects and other available avenues for learning at USM for free , even if this is outside the program, subject to the approval of the Project-in-Charge/Manager.

Article 209. Duties and Responsibilities of Students

Section 1. In addition to those provided for under existing laws, every student shall:

- a. exert utmost diligence in pursuing an education suited to his or her abilities in order to develop his/her potential for service and, eventually, become an asset to his/her family and the society;
- b. uphold the academic integrity of the University and endeavor to achieve academic and moral integrity;
- c. promote and maintain peace and tranquility in USM by observing the rules on discipline and exerting efforts to attain harmonious relationships with fellow students, academic staff, and other school personnel;
- d. actively participate in civic affairs that promote social, economic, cultural development, and general welfare of the community to attain a just, compassionate, and orderly society; and
- e. exercise rights responsibly.

CHAPTER 59 STUDENT WELFARE SERVICES

Article 210. Guidance and Counseling

Section 1. USM shall provide guidance and counseling services to students in connection with their programs of studies.

Section 2. The University Guidance Center shall be composed of personnel who shall provide the following services:

- Individual Inventory Service
- Information Service
- Counseling Services
- Academic Follow-up
- Testing Service
- Other Guidance Programs such as, but not limited to, Group-Growth Program, University Orientation Program, Student Work Assistance Program (SWAP), and Tutorial Program.

Article 211. Health Services

Section 1. USM shall provide and maintain health facilities and services to students in terms of the following:

- Medical
- Dental
- First Aid

Article 212. Financial Aid

Section 1. Scholarship grants, assistance, grants-in-aid, and other forms of financial aid shall be provided and awarded to deserving students under the supervision of the Office of Student Affairs and in accordance with the provisions stated in the Academic Policies (Book III, USM Code of Governance).

Section 2. The Office of Student Affairs shall provide opportunities to deserving and promising students.

The total number of scholars, however shall depend on the financial capability of the University.

Article 213. Housing and other Facilities

Section 1. USM shall provide residence hall/dormitories for students. Students not living in this residence halls/dormitories shall be advised to reside in USM-accredited boarding houses, homes, or dormitories.

Section 2. The residence halls/dormitories shall be governed by the policies promulgated by the Dormitory Manager.

Sec 3. USM shall provide services to cater to the other needs of the students, most especially the differently abled students.

CHAPTER 60 THE STUDENTS ORGANIZATION

Article 214. General Provisions

Section 1. A duly recognized student organization of USM is an organization that is registered and accredited in accordance with existing rules and regulations of the University.

Section 2. Only duly recognized student organizations shall be allowed to assume their functions in USM

Article 215. University Student Government (USG)

Section 1. There shall be a USM Student Government with the following functions:

- a. help promote the general welfare of the University students;
- b. foster the intellectual, cultural, spiritual and physical growth and development of the students in consonance with the ideals and aspirations of the University;
- c. serve as an active forum for exchange of students' ideas and sentiments and as a training ground for future leaders of the nation;

- d. promote unity and solidarity among USM students;
- e. help instill in the minds of students the values of academic excellence, social awareness, culture sensitivity, and moral responsiveness;
- f. develop a sense of ethics in public service;
- g. organize and direct students activities in accordance with existing rules and regulations; and
- h. inform or consult the University President through the Office of Student Affairs on student matters, affairs, and activities.

Section 2. As provided for by law, the President of the University Student Government shall serve as member of the Board of Regents of USM during his or her term of office.

Section 3. The President of the University Student Government shall also be allowed, by invitation, to represent the students in the Administrative Council of USM during his term.

Section 4. The University Student Government shall adopt its own Constitution and By-laws for the governance of the studentry and for other purposes not contrary to law.

The By-Laws are the rules that govern the relationship between the student organization and the USG.

Article 216. Supervision of Student Organizations and Activities

Section 1. All student organizations shall be under the direct and general supervision of the Director for Student Affairs.

Section 2. A student organization shall choose one (1) or more faculty adviser/s to be confirmed by the University President upon a recommendation of the Director for Student Affairs. Before the appointment of an adviser/s, no student organization shall hold any meeting or undertake any activity for any purpose whatsoever, except for of adopting its own Constitution and By-Laws.

Section 3. No student organization shall be allowed to function without a copy of its By-Laws duly received by the Director of Student Affairs.

CHAPTER 61 SPORTS, PHYSICAL EDUCATION AND RECREATION

Article 217. General Provisions

Section 1. Every student of USM shall be deemed a member of the University's Athletic Association and is entitled to use the University's athletic facilities and equipment during official time for free.

Section 2. There shall be a Sports, Physical Education and Recreation Committee (SPEARC) which shall be headed by the University President, the Vice President for Academic Affairs as Vice

Chairman, ISPEAR Dean as Secretary, and the deans and directors of the different academic units as members.

Section 3.The SPEAR Committee shall formulate and implement the athletic policies of USM and administer its financial requirements.

Chapter 62 STUDENT CONVOCATION

Article 218. General Provisions

Section 1. Student convocations of USM shall be held under the auspices of any of its academic units or student organizations upon approval of the President as recommended by the Vice President for Academic Affairs.

Section 2. Any person, with invitation or permission from the University President or his duly designated representative, may speak before student group(s) or organization (s) of the University.

CHAPTER 63 CO-CURRICULAR AND EXTRA-CURRICULAR ACTIVITIES

Article 219. General Provisions

Section 1. To promote the holistic development of students, participation in co-curricular and extra-curricular activities shall be highly encouraged.

Section 2. Curricular activities shall take precedence over co-curricular and extra curricular activities. However, where the student's participation in such activities is necessary, he/she may be excused from attending class.

Section 3. No co-curricular and extra-curricular activities shall be held one (1) week before the mid-term examination and two (2) weeks before the final examination.

Article 220. Policies and Guidelines

Section 1. The Vice President for Academic Affairs, through the Director for Student Affairs, in consultation with the Deans and the Student Government, shall formulate policies and guidelines on the conduct of co-curricular and extra-curricular activities of students, subject to the approval of the Administrative Council and confirmation of the Board of Regents.

CHAPTER 64

STUDENT PUBLICATION

Article 221. Philosophy, Aims and Objectives

Section 1. The student publication shall define its philosophy, mission orientation, aims, goals, and objectives for the information and guidance of the students, members of the academic community of USM, and the general public.

Section 2. The mission orientation, goals and objectives of the student publication shall aim to support USM in the quest for educational excellence, particularly, in the improvement of instruction, promotion of research, and involvement in meaningful activities of the community.

Section 3. The student publication shall maximize its leadership and influence to foster and enhance the attainment of the goals of institutional, regional, and national development.

Article 222. Statement of Principles

Section 1. Freedom of expression, which subsumes free speech, press and assembly, is an inalienable and cherished right enshrined and guaranteed by the Philippine Constitution, existing laws, as well as, national policies, and democratic traditions.

Section 2. Freedom of expression is the mother of all human rights. For as long as this freedom exists, violation of other rights can be prevented and denounced.

Section 3. Because freedom of expression, like other human rights, is not absolute or unbounded, it carries with it the correlative duty to exercise the right responsibly with due regard to the rights of others in the larger interest of harmony and welfare of society, and to preclude mob rule.

Article 223. Organization and Recognition

Section 1. There shall be a student publication which shall be the official organ of the students of USM. It shall adhere to the principle of freedom of the press and shall be financed out of the publication fees paid by the students.

Section 2. the student publication and its mechanism for implementation shall be established, organized, and maintained in USM.

Article 224. Selection and Qualification Standards

Section 1. The editor-in-chief, associate editor, section editors and business circulation manager are the chief staff members of the student publication.

Section 2. The reporters, lay-out artist, typists, among others, compose the support personnel, who shall assist the chief staff members in the performance of their functions in the publication.

Section 3. The chief staff members and the support members of the publication shall be chosen through interviews and competitive examinations to be conducted by the Screening Committee headed by the Director of Student Affairs. The result of the selection shall be recommended by the Vice President for Academic Affairs to the University President for approval.

Section 4. To qualify for the examination, the Committee shall determine a general weighted academic average requirement from all candidates and shall include the provision that the candidates must not have failing grades.

Good and unblemished character and reputation and potential experience in campus journalism shall be considered by the Committee.

Section 5. If a vacancy arises by reason of death, illness, transfer, removal from office, resignation, and/or similar causes, the same shall be filled up through succession; otherwise, the screening and appointment shall be made by the editor-in-chief, subject to the approval of the Screening Committee.

Article 225. Powers, Duties and Privileges of the Publication Staff

Section 1. The powers, duties and privileges of the student publication staff, including disciplinary actions, shall be the subject of policy guidelines formulated by the University Student Government subject to the confirmation of the Director for Student Affairs.

Section 2. Only members of the publication staff shall determine the content of the students' publication. The editor and members of the staff are responsible for the consequence that may arise out of the publication, such as, but not limited to, editorial, comment, or article.

Section 3. The publication staff shall nominate the Board of Advisers. The nomination shall be approved by the President upon the recommendation of 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.

Section 4. Editors shall enjoy security of tenure. However, they can be removed for cause as provided by law and regulations and after due process.

Section 5. Unless otherwise provided by law, the student publication staff shall enjoy the right to access to records of USM.

Section 6. Student publications shall be published independently by the students.

Chapter 65

STUDENT CONDUCT AND DISCIPLINE

Article 226. General Provisions

Section 1. Every student shall obey the laws of the land, the rules and regulations of USM, the moral and social norms, and the hallowed traditions and principles of the academe.

Section 2. The provision on Student Conduct and Discipline shall apply to college students of USM for offenses committed within the University campus. For violations committed while performing an activity sponsored or sanctioned by USM or where the misconduct affects the student's status or the good name or reputation of USM, the same rules shall apply.

Section 3. A teacher's responsibility shall end where the rights of the students begin.

Article 227. Norms of Conduct and Discipline

Section 1. The following norms of conduct and discipline shall be expected of USM students:

- Moral character
- Personal discipline
- Ethical behavior
- Civic conscience and patriotism

Article 228. Basis of Discipline

Section 1. Every student shall observe and abide by the laws of the land and the policies and regulations of USM. The investigation, disposition and corresponding sanctions on student disciplinary case shall follow the procedures set in this Code and other applicable laws.

Section 2. Every student shall observe his/her pledge of loyalty to USM.

Section 3. All USM personnel are mandated to enforce and implement policies, rules, and regulations of USM and the provisions of this Code. As such, they are all deemed persons in authority and/ or agents of persons in authority.

Article 229. Grounds for Student Disciplinary Action and Penalties

Section 1. No student or pupils of USM shall be subjected to disciplinary action except for just cause as provided in the Code, other laws, and regulations and only after due process.

Section 2. Grounds for student disciplinary action with its corresponding penalties are classified into grave, less grave, and light, depending on the nature and gravity of their effect.

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

Section 4. The following are grave offenses with their corresponding penalties:

1. Prohibited drug trafficking
1st offense- Expulsion from USM.
2. Use or possession of prohibited drug
1st offense - Suspension for one (1) school year to expulsion from USM,
2nd offense - Expulsion from USM
3. Sexual Harassment: Act of Lasciviousness; Seduction
1st offense- Suspension of one (1) semester to one (1) year
2nd offense- expulsion from USM
4. Rape at any stage of execution
1st offense- Expulsion from USM
5. Hazing, such as, but not limited to, 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 USM of the respondent(s) and banning of the concerned organization from USM.
6. Where the hazing committed shall cause serious physical injury or death to the neophyte, the respondent(s) shall be meted with expulsion on the first offense and the organization shall be banned from USM without prejudice to the filing of appropriate court charges against. the respondent (s).
7. Forging of signatures, falsification of public documents, perjury, false testimony, and misrepresentation of facts, tampering of official records and documents, and unauthorized solicitation, other acts of fraud and illegal exaction or transaction.
1st offense – Suspension for one (1) year to expulsion from USM
2nd offense – Expulsion from USM
8. Serious physical injuries
1st offense – suspension for one (1) year to expulsion from USM and payment for damages
2nd offense – Expulsion from USM and payment for damages
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 USM
10. Robbery at any stage of execution
1st offense – Suspension for one (1) year to expulsion, and restitution of things stolen and/or payment of damages
2nd offense – Expulsion from USM and restitution of the thing(s) stolen/payment of damages
11. Theft
1st offense – Suspension for one (1) semester to one (1) year and restitution of the thing stolen
2nd offense – Expulsion from USM and restitution of the thing(s) stolen

12. Grave Misconduct, being notoriously undesirable or conduct grossly prejudicial to the best interest of the University
 - 1st offense – Expulsion from USM
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 USM
14. Grave threat
 - 1st offense – Expulsion from USM
15. Bribery
 - 1st offense – Expulsion from USM

Section 5. The following are less grave offenses with its corresponding penalties:

1. Offenses against decency and good customs, such as, immoral doctrines, obscene publications and exhibitions, and other similar offenses
 - 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 USM
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, restitution of the whole span of tarnished wall or both
 - 2nd offense – Suspension for one (1) semester to one (1) year and payment of damages, restitution of the whole span of tarnished wall or both
 - 3rd offense – Expulsion from USM and obligation to pay damages, restitution of the whole span of tarnished wall or both
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 USM
5. Disobedience of lawful order of persons on authority and/or their agents or violation of University rules
 - 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 USM

Section 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. Drunkenness within the premises of USM
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 offense – Suspension for one (1) year to expulsion
4. Fighting or resorting to physical force or violence
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
5. Gambling/Betting
1st offense – Suspension for one (1) week to one (1) month
2nd and subsequent offenses – Suspension for thirty (30) days to one (1) semester for each offense
6. Cheating in an examination or quiz
1st offense – Automatic failing grade in the concerned subject
7. Tumults and other scandalous disturbance to University activity
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 offense – Suspension for one (1) semester to one (1) year for each offense
8. Littering or misuse of school property
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 offense and subsequent offenses – Picking up of litters or cutting of grasses or cleaning the University premises for three (3) hours
9. Violation 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 and subsequent offenses – suspension for one (1) month for each offense
10. Over speeding within USM and causing noise pollution
1st offense – Reprimand to suspension for (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

11. Non-possession of school ID and/or non-wearing of school uniform when required
1st and subsequent offenses – Exclusion from classes and be declared absent and non-admittance to University offices or facilities for each offense.
12. Unauthorized cutting/uprooting of trees/plants, stoning/picking of fruits, hunting and fishing
1st offense – Reprimand or suspension for two (2) days and payment of damages
2nd offense – Suspension for three (3) to seven (7) days and payment of damages
3rd offense – Suspension for seven (7) to thirty (30) days and payment of damages for each offense

Section 7. Mitigating, aggravating, and other circumstances affecting liability for an offense shall be considered in determining the penalty to be meted out.

Article 230. Sanctions and Operative Effects

Section 1. The penalty of expulsion shall carry with the accessory penalty of perpetual disqualification from re-enrolling in USM.

Section 2. When suspension is meted out as a penalty, it shall take effect immediately.

CHAPTER 66

RULES IN THE CONDUCT OF INVESTIGATION OF STUDENT DISCIPLINARY CASES

Article 231. University and College Committee on Student Discipline

Section 1. There shall be a University Committee on Student Discipline to be constituted by the University President. The Committee shall be composed of: (a) a legal retainer of USM, as Chairperson; (b) the Senate President of the USG, as Vice Chairman; (c) the OSA director, as member, (d) Dean of the College/Institute where the respondent belongs, as member; (e) Dean of the College/Institute where the complainant belongs, as member; (f) University Guidance Counselor, as non-voting member.

Section 2. There shall be a College/Institute Conciliation, Mediation and Arbitration Committee to be constituted by the Director of Student Affairs. The Committee shall be composed of: (a) Head of the Student Decorum and Discipline Section, as Chairperson; (b) the College Governor, as Vice Chairperson, to be designated by the Chairperson, provided, that none of the parties belong to the College where the College Governor belongs; (c) the Chairperson of the Department where the respondent belongs, as member; (d) Chairperson of the Department where the complainant belongs, as member; and (e) University Guidance Counselor, as non-voting member.

Section 3. The Committees stated in the preceding sections shall be independent from one another. In the conduct of their duties, the chairperson and the members shall foster the characteristics of the “cold neutrality of an impartial judge.” They shall also strictly adhere to procedural and substantive due process.

Article 232. Authority to Investigate

Section 1. The University Committee on Student Discipline shall have the authority to investigate and hear student disciplinary cases forwarded by the College/Institute Conciliation, Mediation, and Arbitration Committee.

Section 2. The University Committee on Student Discipline shall have the authority to resolve or review cases certified by College/Institute Conciliation, Mediation and Arbitration Committee, as provided above, and shall submit its findings and recommendations to the University President for implementation.

Section 3. The College/Institute Conciliation, Mediation and Arbitration Committee shall have primary jurisdiction or authority over all disciplinary student cases. In case the Committee cannot resolve such cases, the same shall be certified by at least majority of the members and the record of the case shall be forwarded to the University Student Discipline Committee

Article 233. Form and Content of Complaint

Section 1. The complaint shall be written in clear, simple, and concise language, and organized as to sufficiently apprise the respondent of the nature of the charge against him/her and to enable him/her to prepare his/her defense.

Section 2. The complaint shall contain:

- the full name and address of the complainant;
- the full name and address of the respondent as well as his/her program, section and college/institute; and
- a brief statement of relevant and material facts, accompanied by certified true copies of the documentary evidence, if any, and sworn statements covering the testimony of his/her witnesses.

Section 3. There shall be a preliminary inquiry to be conducted by the College/Institute Conciliation, Mediation and Arbitration Committee to determine whether a complaint is sufficient in form and substance so as to warrant a formal investigation.

Section 4. Within five (5) days from receipt of the complaint, the College/Institute Conciliation, Mediation and Arbitration Committee shall serve a notice to the respondent. Said notice shall inform the respondent of the charges against him/her and of the conduct of a preliminary inquiry.

Failure of the respondent to appear in the preliminary inquiry shall be deemed as a waiver on his/her right to participate in said inquiry and the same shall proceed ex-parte.

Section 5. In cases where the complaint is found insufficient in form or substance the committee shall dismiss the case and notify the parties involved.

Section 6. If the Committee, after the conduct of preliminary inquiry, finds a prima facie case against respondent, it shall issue a formal charge against respondent.

Article 234. Answer

Section 1. The respondent shall be given three (3) days from receipt of the charge within which to file and answer in writing. Formal investigation shall be held on notice as provided in the succeeding Articles.

Article 235. Notice of Hearing

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

Section 2. For the purpose of this article, notice to counsel of a party or his duly authorized representative shall be considered sufficient notice to such party.

Article 236. Hearing

Section 1. Hearing shall commence 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 have filed his/her answer.

Section 2. The hearings shall be conducted and must be successively within ten (10) calendar days.

Article 237. Failure to Appear at Hearing

Section 1. In case complainant fails to appear in the place and date set for the initial hearing after due notice and without sufficient justification, the case shall be dismissed without prejudice.

Section 2. In case respondent fails to appear in the place and date set for the initial hearing after due notice and without sufficient justification, this fact shall be noted and the case against him shall proceed ex parte.

Section 3. In case both parties fail to appear at the initial hearing despite notice and without justifiable reason, the case shall be dismissed with prejudice to refiling of the same case.

Article 238. Postponement

Section 1. Application for postponement may be granted for a valid cause for such period as the ends of justice and the rights of parties to a speedy hearing require, provided that each party shall only be granted one (1) postponement. Provided, further that notice of postponement shall be filed three (3) days before the scheduled hearing.

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

Section 1. The University Committee on Student Discipline shall formulate and adopt fair and just procedure in the conduct of hearings.

Section 2. Within seven (7) days after the receipt of the records of the case, the University Committee on Student Discipline shall submit its report to the University President through the Vice President for Academic Affairs, for appropriate action.

The report shall contain a brief statement of the facts of the case, the findings, conclusions and recommendations and the laws and regulations upon which the decision is based.

Article 240. Motion for Reconsideration

Section 1. The aggrieved party shall be allowed to file one (1) motion for reconsideration before the University Committee on Student Discipline within three (3) days from receipt of a copy of the decision.

Article 241. Appeal to the Board of Regents

Section 1. In appealable cases stated under paragraph two (2) of section 1, Article 235, the respondent may file an appeal with the Board of Regents within fifteen (15) days from the receipt of the decision denying the motion for reconsideration.

Article 242. Finality of the Decision

Section 1. The decision shall become final and executory: (a) upon the lapse of three (3) days from receipt of a copy of the decision without a motion for reconsideration having been filed with the University Committee on Student Discipline; or (b) when a motion for reconsideration is filed, upon the lapse of fifteen (15) days from receipt of a copy of the decision denying the motion for reconsideration without filing an appeal to the Board of Regents.

Where the penalty imposed for the offense committed is expulsion or permanent disqualification from enrolment, a suspension for more than one (1) semester, or other penalties of equivalent severity, the confirmation of the Board of Regents is required for its finality.

Article 243. Rights of the Respondent Student

Section 1. Every respondent student shall enjoy the cardinal rights accorded to respondents in administrative proceedings.

Article 244. Effectivity of Decision

Section 1. Decision(s) shall take effect immediately without prejudice to the right of appeal. An appeal, however, does not stay the execution of the decision.

Article 245. Records of Proceedings

Section 1. All proceedings on student discipline shall be recorded and reproduced in six (6) copies.

Section 2. Original records pertaining to student discipline shall be under the custody of the Head of the Decorum and Discipline Committee. 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.

Section 3. Any official or employee of the USM who violates the confidentiality of the records shall be subject to disciplinary action.

Article 246. Offenses and Penalties for Non-Student and Non-Campus Residents

Section 1. For the offenses of non-students and non-campus residents and in cases where the provisions of this Code cannot be applied, the same shall be brought to the appropriate court of justice or any other law enforcement agency.

CONCLUDING TITLE

CHAPTER 67

ENCLOSURES AND AMENDMENTS

Article 247. Enclosures

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

Section 2. This Code of Governance shall also incorporate all existing and subsequent policies and implementing guidelines, rules and regulations promulgated by the Board of Regents, the University President and all other competent authorities of USM, provided that the same are not inconsistent with any of its provisions.

Article 248. Manner of Amendment

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

Section 2. The University Academic Council and the Research and Extension and Production Committees may propose amendments to this Code of Governance relative to academic, research extension and production matters in any of its meetings, subject to the approval of the Board of Regents.

Section 3. Any amendment to this Code of Governance shall take effect fifteen (15) days after its publication in at least one (1) official organ of USM.

CHAPTER 68
REPEALING, SEPARABILITY AND EFFECTIVITY CLAUSES

Article 249. Repealing Clause

Section 1. All other existing policies, rules, and regulations of USM which are not embodied in or inconsistent with any of the provision of this Code of Governance are deemed repealed or superseded.

Article 250 . Separability Clause

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

Article 251. Effectivity Clause

Section 1. This Code of Governance shall take effect fifteen (15) days after its publication in at least one (1) official organ of USM.