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SECTION I: Student Government
The 2016 Constitution of the Undergraduate Students of the Ateneo de Manila Loyola Schools

Preamble

We, the Undergraduate Students of the Ateneo de Manila Loyola Schools, asserting our capacity to represent ourselves through an autonomous body that shall safeguard our dignity, uphold our academic freedom, advance our interests, inspire us to collaborate towards the development of a just and inclusive society, and strive for the greater glory of God, do ordain and promulgate this Constitution.

ARTICLE I

Loyola Schools Student Body

All undergraduate students of the Loyola Schools are members of the Loyola Schools Student Body. Auditors, Cross-registrants, Public Servants, and Special Students are not under the jurisdiction of this Constitution, but may seek its protection with policies and bodies instituted in this Constitution.

ARTICLE II

Student Rights

Section 1. Every student has the right to invoke the provisions found in the Magna Carta of Undergraduate Student Rights of the Ateneo de Manila Loyola Schools.

Section 2. Every student has the right to invoke other rights, privileges, and immunities that the student possesses and reserves inherently or through laws and issuances.

Section 3. Every student has the right to representation in and through the Sanggunian ng mga Mag-aaral ng mga Paaralang Loyola ng Ateneo de Manila.

1 Exchange students and part-time students are now a part of the Loyola Schools student body.
2 Students taking non-credit (audit) classes in the Loyola Schools.
3 Students from other Colleges and Universities taking up classes in the Loyola Schools towards a degree in their home institution.
4 Government employees studying in the Loyola Schools under programs between the Ateneo and the Philippine government.
5 The specific rights contained in this Article (Sections 2-8) are in addition to those enshrined within the Magna Carta of Undergraduate Student Rights.
Section 4. Every student has the right to vote members of the student body into Sanggunian through a fair and just elections.

Section 5. Every student who meets the requirements on candidacy stipulated by the Commission on Elections has the right to run for office in the Sanggunian.

Section 6. Every student has the right to directly initiate veto action against undesirable acts of the governing bodies of the Sanggunian through a student’s initiative that is approved by majority (50% + 1) of the concerned constituency;

Section 7. Every student has the right to directly initiate the recall and impeachment of appointed and elected officials of the Sanggunian on any of the following grounds:
7.1 Any willful violation of the Constitution or its by-laws;
7.2 Gross neglect of duty;
7.3 Abuse of power, usurpation of authority, or insubordination
7.4 Misuse of funds, unconscionable expenditures, or fraud committed in the course of official duties;
7.5 Mismanagement, inefficiency, or incompetence;
7.6 Graft and corruption;
7.7 Gross moral misconduct in the course of official duties.

Section 8. Every student has the right to seek accountability from its Sanggunian through the actions of the Student Judicial Court, Office of the Ombudsman, and Commission on Audit.

**ARTICLE III**

_Sanggunian ng mga Mag-aaral ng mga Paaralang Loyola ng Ateneo de Manila_

Section 1. The student government instituted under this constitution shall be known as the Sanggunian ng mga Mag-aaral ng mga Paaralang Loyola ng Ateneo de Manila; which shall hereinafter be referred to as the Sanggunian.

Section 2. All undergraduate students of the Loyola Schools shall be under the jurisdiction of the Sanggunian. Auditors, Cross-registrants, Public Servants, and Special Students are not under the jurisdiction of the Sanggunian, but may avail of its protection and services.

Section 3. The Sanggunian is the sole autonomous government of the Loyola Schools Student Body and all of its powers emanate from and belong ultimately to the said body. Such powers are exercised through the governing bodies instituted in this Constitution.
Section 4. The Sanggunian shall commit itself to:

4.1 Protecting the rights and advancing the general welfare of the Ateneo Student Body;
4.2 Raising the Ateneo student body’s critical awareness of and proactive response to issues affecting society and the environment;
4.3 Striving to develop a cultural sense of University spirit and effective student participation in its activities.

Section 5. The Sanggunian shall fulfill the aforementioned commitments through:

5.1 Ensuring fair and effective representation in all University bodies whose activities and decisions concern the welfare of the students;
5.2 Establishing essential, effective, and adequate student services;
5.3 Espousing reforms toward relevant education and a continuing public review of the undergraduate curriculum;
5.4 Pursuing a policy of dialogue and solidarity with movements, student councils, and marginalized sectors of society;
5.5 Creating stands on different local, national, and global issues;
5.6 Encouraging issue-based and vision-oriented party pluralism;
5.7 Mobilizing student power when necessary;
5.8. Serving as the official coordinating channel of the Loyola Schools student body with the University Administration, Faculty, Non-academic personnel, parents, and other sectors of the society.

ARTICLE IV

The Composition and Functions of the Sanggunian

Section 1. The Sanggunian shall be composed of the President, Vice-President, School Representatives, Course Representatives, Sectoral Representatives, and other special units.

1.1 The President shall:

1.1.1 Act as the Official Representative of the Student Body and overseer of its affairs;
1.1.2 Act as also the Official Spokesperson of the Sanggunian at any function, meeting or assembly;
1.1.3 Call and preside for meetings of the entire Sanggunian or any part thereof as necessary;
1.1.4 Create or dissolve departments, committees, projects, and/or task forces, that s/he may deem necessary to discharge the functions of the Sanggunian;
1.1.5 Oversee the performance of the departments, committees, projects, and task forces created by the Sanggunian.

1.1.6 The President may veto the decisions of the Sanggunian Assemblies, or any fraction or member thereof. 

1.1.6.1 The President has three (3) regular school days after the decision is made to communicate the veto to the involved party.

1.1.6.2 If no action is made within this time, the decision is considered approved.

1.2 The Vice-President shall:

1.2.1 Act as the Official Chairperson of the Central Assembly;

1.2.2 Supervise the internal affairs of the Sanggunian and determine necessary structures and procedures to fulfill this function;

1.2.3 Create or dissolve committees that s/he may deem helpful to discharge his/her functions as Vice-President;

1.2.4 Assume the responsibilities of the President if the President is absent or incapacitated;

1.2.5 Automatically assume the Presidency in the event that such office is permanently vacated;

1.2.6 Serve such other functions the President may direct.

1.3 School Representatives shall:

1.3.1 Act as the Official Representative of their school constituency;

1.3.2 Act as the Official Chairperson of their School Assembly;

1.3.3 Oversee affairs involving their respective school including Committees and/or projects initiated by the course representatives of their respective school;

1.3.4 Call and preside for meetings of the course representatives of their school;

1.3.5 Formulate and implement policies, stands, resolutions, and programs concerning their constituency and/or the entire university;

1.3.6 Create or dissolve committees and/or projects that they may deem helpful to discharge the functions of their respective schools;

1.3.7 Aid and participate in the committees and/or the project teams of the Sanggunian.

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6 The following special units: Commission on Elections, Student Judicial Court, Office of the Ombudsman, Commission on Audit, Council of Organizations of the Ateneo, and Ateneo Resident Students Association shall enjoy separability from this clause to maintain their autonomy.

7 The Vice Presidents duties in Internal Affairs are outlined in, but not limited to, this document.

8 The Vice President may appoint his/her own staff and deputy necessary to operate this function;
1.4 Course Representatives shall:
1.4.1 Act as the Official Representative of their courses’ constituency;
1.4.2 Maintain liaison between their constituency and their respective home/course department.
1.4.3 Formulate and implement policies, stands, resolutions, and programs concerning their constituency;
1.4.4 Create or dissolve committees that they may deem helpful to discharge their functions;
1.4.5 Aid and participate in the committees and/or the project teams of the Sanggunian.

1.5 Sectoral Representatives shall:
1.5.1 Act as the Official Representative of the students and groups belonging to their sector;
1.5.2 Maintain liaison between their sector and the Sanggunian;
1.5.3 Formulate and implement policies, stands, resolutions, and programs concerning their constituency and/or the entire university;
1.5.4 Create or dissolve committees and/or projects that they may deem helpful to discharge their functions;
1.5.5 Aid and participate in the committees and/or the projects teams of the Sanggunian;
1.5.6 Take charge in the application of renewing their status as a recognized unit in the Sanggunian.

1.6 Council of Organizations of the Ateneo (COA) Representative shall:
1.6.1 Act as the Official Representative of the accredited organizations of the Ateneo;
1.6.2 Be the highest ranking officer of Council of Organizations of the Ateneo Central Board;
1.6.3 Formulate and implement policies, stands, resolutions, and programs concerning their constituency and/or the entire university;
1.6.4 Create or dissolve committees and/or projects that they may deem helpful to discharge their functions;
1.6.5 Aid and participate in the committees and/or the projects teams of the Sanggunian;

1.7 Ateneo Resident Students Association (ARSA) Representative shall:
1.7.1 Act as the Official Representative of the Ateneo Resident Students Association.

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9 A group from the student body, organized and pursuing representation, with distinct needs.
1.7.2 Be the highest ranking officer of Ateneo Resident Students Association;

1.7.3 Formulate and implement policies, stands, resolutions, and programs concerning their constituency and/or the entire university;

1.7.4 Create or dissolve committees and/or projects that they may deem helpful to discharge their functions;

1.7.5 Aid and participate in the committees and/or the project teams of the Sanggunian;

Section 2. Other Units

2.1 Departments

2.1.1 Units created only by the President wherein its composition shall be of non-elected members of the student body and upon the discretion of the President;

2.1.2 The creation of such departments must be communicated by the President to the student body;

2.1.3 Shall take up administrative functions within the Sanggunian.

2.2 Committees

2.2.1 Units created by and composed of elected members of the Sanggunian and its Sectoral Representatives;

2.2.2 The creation of such departments must be communicated by the involved member/s to the student body;

2.2.3 Shall take up agenda or policy-based functions.¹⁰

2.3 Project Teams

2.3.1 Units created by elected members of the Sanggunian or its Sectoral Representatives;

2.3.2 Shall be composed of elected and/or non-elected members of the student body;

2.3.2.1 The Project Head is to be appointed by the said elected member or Sectoral Representative and;

2.3.2.2 The composition of the Project Team shall be upon the discretion of the Project Head;

2.3.3 The creation of such project teams must be communicated by the involved member/s to the student body;

2.3.4 Shall take up the functions of executing directed projects.

¹⁰ Agenda or policy-based functions could also refer to representative (Standards, Nutrition, Curriculum, Discipline, etc.), advocacy-oriented (Persons-With-Disabilities, Gender, Scholar, Multi-faith, etc.), and other important functions.
2.4 Task Forces
2.4.1 Units created only by the President wherein its composition shall be upon the discretion of the President (may be of elected or non-elected members of the student body);
2.4.2 Shall take up the functions of university-wide efforts as response to external needs.¹¹

2.5 The existence of the abovementioned units is coterminous with the President and Vice-President.

**ARTICLE V**

**Attainment of Office and Tenure**

**Section 1.** All electoral procedures and requirements for candidacy shall be governed by the rules and regulations set by the Commission on Elections.

**Section 2.** Number of Officers to be Elected

2.1 The President and Vice-President are to be elected at large. There shall only be one (1) President and one (1) Vice-President of the Sanggunian.

2.2 The School Representatives are to be elected by their respective Constituencies. There shall only be one (1) School Representative per Loyola School.

2.3 The Course Representatives are to be elected by their respective Constituencies. There shall be at least one (1) Course Representative per year level per course.

**Section 3.** Elections

3.1 The officers of the Sanggunian except the Sectoral Representative shall be elected. The election of an officer may be rendered invalid by a protest of a majority (50% + 1) of the constituency no later than two (2) weeks following the regular elections.

3.2 In case of a tie, the Commission on Elections shall organize a special election for the involved candidates no later than two (2) weeks following the regular elections.

3.3 The student body’s right to abstain must always be respected in all electoral exercises. Should abstentions garner the majority (50% + 1) of votes, the contested position shall remain vacant.

**Section 4.** Recognition of Sectors ¹²

4.1 The members of recognized sectors shall be free to choose their own representatives.

4.2 There shall only be one (1) Sectoral Representative per sector.

¹¹ Any external needs (e.g. disaster-relief, sociopolitical campaigns) that warrant *ad hoc* effort.

¹² A group from the student body, organized and pursuing representation, with distinct needs and whose interests are consonant with the commitments, thrusts, and vision of the Sanggunian.
4.3 Sectors are recognized through a referendum, a petition signed by ten percent (10%) of the student population.

4.3.1 A referendum may be initiated anytime during the school year and shall be resolved by the Commission on Elections.

4.3.2 A referendum should be completed within thirty (30) days of its initiation. If the referendum does not pass, the sector may not seek another referendum for another thirty (30) days.

4.3.3 Resolutions made by the Commission on Elections through such referendum shall be recognized by the Sanggunian and the remaining student body.

4.4 For a sector to maintain their recognized status in the Sanggunian, the Sectoral Representative shall adhere with the renewal process subject to the guidelines prescribed by the Commission on Elections and the Electoral Code.

Section 5. Term of Office

The term of office of an officer of the Sanggunian shall commence upon taking their oath of office and shall end upon the induction of the officer.

\[ \text{ARTICLE VI} \]

Vacancies

Section 1. Abstention

In the case of vacant positions due to abstention, Special Elections shall be held.

Section 2. Rule of Succession

2.1 In the case of a vacant presidency due to death, unfortunate disability, resignation, impeachment or disposition from the University, the Vice President shall assume Office and appoint a new Vice President from the pool of School Representatives subject to the approval of majority (50% + 1) of all Course Representatives.

2.2 The vacant position of a School Representative shall be filled by appointment from the pool of Course Representatives by the President subject to the approval of majority (50% + 1) of the Course Representatives of the involved school.

2.3 The vacant position of a Course Representative shall be filled by Special Elections, or upon arrangement with a representative of the same year level from the recognized Home Organization\(^{14}\) of that course.\(^{15}\)

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13 Guidelines for Sectors are reviewed and revised regularly through the Commission on Elections and its Electoral Code. See Article 12, Section 4.

14 Home organizations are those recognized by Course Departments as a representative collection of all members of that course. The names of these recognized Home Organizations may be collated in a document for reference upon consultation with the departments.

15 The inclusion of an option for a representative from a Home organization was done in recognition of the already working structures between Home Organizations and their Course Departments. This however does not limit representative power as the chosen representative shall also be understood to take on the responsibility of a Course Representative of that year level, which shall not be limited to his organization.
2.4 In the case of vacancies for both President and Vice President due to death, unfortunate disability, resignation, impeachment or disposition from the University, the School Representatives shall decide among themselves who will fill the aforementioned offices, and the rule of succession shall apply accordingly.

**ARTICLE VII**

**Sanggunian Assemblies**

Section 1. The Central Assembly and School Assembly are the Official Deliberating Bodies of the Sanggunian.

1.1 The Central Assembly shall be composed of the Vice President, School Representatives, Sectoral Representatives, the COA Representative, the ARSA Representative, and appointed Committee Heads from the Course Representatives.

1.1.1 The Central Assembly shall be chaired by the Vice President. S/he cannot vote, except to break ties.\(^{16}\)

1.1.2 The Central Assembly shall meet as often as necessary to discharge their functions.

1.2 Each School Assembly shall be composed of its respective Course Representatives and the School Representative of their constituency.

1.2.1 The School Assemblies shall be chaired by its respective School Representative. S/he cannot vote, except to break ties.\(^{17}\)

1.2.2 The School Assemblies shall meet as often as necessary to discharge their functions.

Section 2. The Central Assembly shall:

2.1 Review, approve and/or reject decisions of Creation of Committees and Projects made by any member of the Central Assembly;

2.2 Review, approve and/or reject submissions of Resolutions, Policies, Programs, and Stands made by any member of the Central Assembly;

2.3 Try, investigate and impeach magistrates of the Student Judicial Court;

2.4 Have the power to override a presidential veto against a decision made in university or sectoral-level shall be repealed through the vote of majority (50% + 1) consolidating all elected representative of the Sanggunian overriding the veto. This overriding action must be made following the communication of the veto.

\(^{16}\) All members specified are entitled to a vote.

\(^{17}\) All members specified are entitled to a vote.
Section 3. The School Assembly shall:

3.1 Review, approve and/or reject decisions of Creation of Committees and Projects made by any members of the School Assembly;

3.2 Review, approve and/or reject submissions of Resolutions, Policies, Programs, and Stands made by any member of the School Assembly;

3.3 Have the power to override a presidential veto against a decision made in school-wide or course-level shall be repealed through a two-thirds (⅔) vote consolidating all elected representatives from the involved school overriding the veto. This overriding action must be made following the communication of the veto.

**ARTICLE VIII**

**The Student Judicial Court**

Section 1. The Student Judicial Court is the Official Judicial Arm of the Sanggunian. The Official Judicial Arm shall enjoy fiscal autonomy.

1.1 There shall only be seven (7) Magistrates of the Student Judicial Court and one (1) Chief Magistrate to be elected from them.

1.2 The Student Judicial Court shall:

   1.2.1 Sit *en banc*, hear, try, and resolve complaints involving matters of constitutionality, legality, and jurisdiction over acts, policies, and resolutions committed by the Sanggunian;

   1.2.2 Adopt its own Code of Internal Procedures and Rules of Court, determine its own necessary structures and procedures concurrent with this Constitution;

   1.2.3 Appoint Court Officers necessary to operate the different offices of the Student Judicial Court;

   1.2.4 Work together with the Office of the Ombudsman and the Commission on Audit as necessary to render the accountability of the Sanggunian, its units and its members;

   1.2.5 Review, approve and/or reject decisions of appointments made by any members of the Sanggunian;

   1.2.6 Summon and order investigations, suspensions, and impeachments/recalls of Sanggunian Officials;

1.3 The Chief Magistrate of the Student Judicial Court shall:

   1.3.1 Preside over all proceedings of the Student Judicial Court and;

   1.3.2 Act as the official spokesperson of the Student Judicial Court.

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18 Whether an act, policy, or resolution violates any provisions of this constitution.
19 Whether an act violates any previous resolution or legally binding agreement.
20 Whether an act does not fall within the jurisdiction of a particular body of the Sanggunian.
Section 2. Attainment of Office and Tenure

2.1 Qualifications

A student shall only serve as Magistrate if they have not committed any major offense as defined by the Loyola Schools’ Student Handbook and carry the minimum university load requirement for regular students.

2.2 Non-affiliation Clause

All Magistrates shall be prohibited from appointed or elected positions in any Sanggunian unity or instrumentality, or from being members of any political party or coalition.

2.3 Appointment

2.3.1 Magistrates of the Student Judicial Court are to be appointed into office by all outgoing magistrates, not seeking reappointment.

2.3.2 The Chief Magistrate is to be elected by all magistrates of the Student Judicial Court and chosen from among them. The Chief Magistrate should be a second (2nd) term Magistrate unless any of the following should occur, in which case any Magistrate shall be qualified for the position:

2.3.3.1 All Magistrates are first time appointees; or
2.3.3.2 All 2nd term Magistrates decline the position of Chief Magistrate.

2.3.3 Should the Chief Magistrate take a leave of absence, the remaining magistrates may elect an acting Chief Magistrate of the Student Judicial Court from among themselves.

2.3.4 The completion of appointment of the Magistrates shall be at most ten (10) regular school days after the General Elections.

2.4 Term of Office

2.4.1 The term of the Magistrates shall be from the end of the second semester of the current school year up to the end of the second semester of the succeeding school year.

2.4.2 No student may serve as Magistrate for more than two (2) terms of office.

Section 3. Procedures on Accountability

3.1 The Student Judicial Court shall order investigations of cases of impeachment and recall at its own discretion or on the basis of written complaints from any member of the student body within seven (7) regular school days. The Court shall then decide whether to initiate impeachment or recall proceedings or not. Should the Court fail to meet this deadline, complaints shall be automatically dismissed.

3.2 The Student Judicial Court shall serve a notice of impeachment or recall to the official concerned at least seven (7) days before the set hearing date. Any Ateneo
Sanggunian official must take a leave of absence once notice of impeachment or recall is served.

3.3 The Student Judicial Court shall impose necessary sanctions and all its decisions on matters of impeachment and recall are final.

3.4 Should any Magistrate of the Student Judicial Court be the subject of an impeachment complaint, he or she must take a leave of absence before any investigation of the complaint is conducted. The Central Assembly shall try the magistrate/s concerned and resolve the matter within three (3) weeks.

3.5 In the event that a Magistrate of the Student Judicial Court has been filed an impeachment complaint during a period where the Student Judicial Court is hearing another complaint, it is ruled that the current complaint placed before the Court be settled first.

Section 4. Decision Rules

4.1 For non-impeachment cases, the Court shall sit en banc or in divisions and resolve the matter by a simple majority vote; and

4.2 For impeachment cases, the Court shall sit en banc or in divisions and resolve the matter by a vote of 50%+1.\(^\text{21}\)

**ARTICLE IX**

**The Office of the Ombudsman**

Section 1. The Office of the Ombudsman is the Official Investigative\(^\text{22}\) Arm of the Sanggunian. The Official Investigative Arm shall enjoy fiscal autonomy.

1.1 There shall be only be one (1) Ombudsman and at least six (6) Prosecutors to be appointed by the Student Judicial Court.

1.2 The Office of the Ombudsman shall:

1.2.1 Be charged to facilitate the check and balance of the Sanggunian and ensure accountability from its members and offices;

1.2.2 Work together with the Student Judicial Court and the Commission on Audit as necessary to render the accountability of the Sanggunian, its units and its members;

1.2.3 Adopt its own Code of Internal Procedures and determine its own necessary offices and procedures concurrent with this Constitution;

1.2.4 Delegate to its members authorities to ensure the effective exercise of powers, duties, and responsibilities of the Office of the Ombudsman;

\(^{21}\) Simple majority does not count the votes of Magistrates who inhibit.

\(^{22}\) Investigative power refers to the essentially discretionary ability to request official documents and/or testimony from members of the Sanggunian.
1.2.5 Investigate at its own discretion or on complaint, request official documents and/or testimony from members of the Sanggunian;

1.2.6 Initiate legal action \(^{23}\) for the recovery of ill-gotten wealth and recommend removal, suspension, censure, and/or prosecution when acts or omission appears to be unconstitutional, illegal, unjust, inefficient, or outside respondent body's jurisdiction.

1.3 The Ombudsman shall:

1.3.1 Preside over all proceedings of the its Office and;

1.3.2 Act as the Chief Executive Officer and official spokesperson of the Office of the Ombudsman.

Section 2. Attainment of Office and Tenure

2.1 Qualifications

A student shall only serve as Ombudsman or prosecutor if they have not committed any major offense as defined by the Loyola Schools’ Student Handbook and carry the minimum university load requirement for regular students.

2.2 Non-affiliation Clause

All member of Office the Ombudsman shall be prohibited from appointed or elected positions in any Sanggunian unit or instrumentality, or from being members of any political party or coalition.

2.3 Appointment

2.3.1 The Ombudsman and the Prosecutors of the Office shall be appointed by all outgoing magistrates of the Student Judicial Court, not seeking reappointment.

2.3.2 Should the Ombudsman take a leave of absence, the magistrates of the Student Judicial Court shall appoint an acting Ombudsman from among the remaining prosecutors.

2.3.3 The completion of appointment of the Ombudsman shall be at most ten (10) regular school days after the General Elections.

2.4 Term of Office

2.4.1 The term of members of the Office of the Ombudsman shall be from the end of the second semester of the current school year up to the end of the second semester of the succeeding school year.

2.4.2 No student may serve as Ombudsman for more than two (2) terms of office.

\(^{23}\) To initiate and enforce punishments in full concordance to University Administrative rules, the Sanggunian’s Code of Internal Procedures and this Constitution.
Section 3. Procedures on Accountability

3.1 To initiate legal action\(^{24}\) against a member or unit of the Sanggunian implicated or found negligent of duty;

3.2 To investigate inefficiencies, red tape, mismanagement, fraud, and corruption in the Sanggunian;

3.3 To take testimony in investigations and bring evidence for any petition or inquiry at the request of the Student Judicial Court;

3.4 To file subpoena and/or subpoena for production of evidence for any petition or inquiry at the request of the Student Judicial Court;

3.5 To direct any unit or member of the Sanggunian to furnish official documents and copies of documents relating to contracts or transactions entered into by office, involving the disbursement or use of Sanggunian funds or properties and report imprudence to the Commission on Audit for legal actions;

3.6 To publicize matters covered by its investigation when circumstances so warrant and with due discretion determine what cases may not be made public: Provided further, that any publicity issued by the Office shall be balanced, fair, and true;

3.7 To call for the Student Judicial Court to accept an ex parte motion\(^{25}\) for preventive suspension of an implicated party for the duration of not more than fourteen (14) regular school days.\(^{26}\) Noncompliance of the said party will be considered an offense and may be brought up to the Student Judicial Court;

3.8 Should any members of the Office of the Ombudsman be the subject of an impeachment complaint, he or she must take a leave of absence before any investigation of the complaint is conducted. The Student Judicial Court shall initiate impeachment proceedings on the units concerned and resolve the matter within three (3) weeks.

**ARTICLE X**

The Commission on Audit

Section 1. The Commission on Audit is the Official Auditing Arm of the Sanggunian. The Official Auditing Arm shall enjoy fiscal autonomy.

1.1 There shall be only be one (1) Commissioner on Audit and at least six (6) Auditors to be appointed by the Student Judicial Court.

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\(^{24}\) To initiate and enforce punishments in full concurrence to University Administrative rules, the Sanggunian’s Code of Internal Procedures and this Constitution.

\(^{25}\) A motion that is made in a court with no notice being given to the implicated party.

\(^{26}\) The Preventive Suspension is the time period given for the Ombudsman to investigate with full access to the Sanggunian official’s cooperation and files, such suspension would be to ensure that pertinent evidence remains uncorrupted.
1.2 The Commission on Audit shall:
   1.2.1 Work together with the Student Judicial Court and the Office of the Ombudsman as necessary to render the accountability of the Sanggunian, its units and its members.
   1.2.2 Monitor the financial expenditures of the Sanggunian and ensure that the latter maintains its transparency. All complaints, discrepancies, and reports made shall be turned over to the Ombudsman for proper action.

1.3 The Commission on Audit shall:
   1.3.1 Work together with the Student Judicial Court and the Commission on Audit as necessary to render the accountability of the Sanggunian, its units and its members;
   1.3.2 Adopt its own Code of Internal Procedures and determine its own necessary offices and procedures concurrent with this Constitution;
   1.3.3 Be charged with ensuring accountability in the management of funds, revenues, expenditures, and disbursements of every Sanggunian unit;
   1.3.4 File a petition or complaint to the Student Judicial Court against any Sanggunian official accused of misappropriating funds;
   1.3.5 Publicize and submit semestral reports to the President, Chief Magistrate, and Ombudsman.

1.4 The Commissioner on Audit shall:
   1.4.1 Preside over all proceedings of the Commission on Audit and;
   1.4.2 Act as the Chief Executive Officer and official spokesperson of the Commission on Audit.

Section 2. Attainment of Office andTenure

2.1 Qualifications
   A student shall only serve as Commissioner or auditor if they have not committed any major offense as defined by the Loyola Schools’ Student Handbook and carry the minimum university load requirement for regular students.

2.2 Non-affiliation Clause
   All members of the Commission on Audit shall be prohibited from appointed or elected positions in any Sanggunian unit or instrumentality, or from being members of any political party or coalition.

2.3 Appointment
   2.3.1 The Commissioner on Audit and the Auditors shall be appointed by all outgoing magistrates of the Student Judicial Court, not seeking reappointment.
2.3.2 Should the Commissioner on Audit take a leave of absence, the magistrates of the Student Judicial Court shall appoint an acting commissioner from among the remaining auditors.

2.3.2 The completion of appointment of the Commission on Audit shall be at most ten (10) regular school days after the General Elections.

2.4 Term of Office

2.4.1 The term of members of Commission on Audit shall be from the end of the second semester of the current school year up to the end of the second semester of the succeeding school year.

2.4.2 No student may serve as Commissioner for more than two (2) terms of office.

Section 3. The Audit Manual

The Commission on Audit shall create an Audit Manual in full concurrence with this Constitution. In the event of non-concurrence, this Constitution shall supersede the particular article or section in question of the Audit Manual.

Section 4. The Commission on Audit shall review the Audit Manual for possible amendments every year. Revisions and amendments made upon the Audit Manual are subject to the approval of the Student Judicial Court.

ARTICLE XI

The Commission on Elections

Section 1. The Commission on Elections is the Official Electoral Body of the Sanggunian.

1.1 There shall only be five (5) Commissioners of the Commission on Elections and one (1) Chief Commissioner to be elected from them.

1.2 The Commission on Elections shall:

1.2.1 Adopt its own Code of Internal Procedures and determine its own necessary structures and procedures concurrent with this Constitution;

1.2.2 Be charged with the administration and facilitation of Sanggunian elections, special elections, plebiscites, and/or referenda;

1.2.3 Hear and resolve all protests, appeals, and complaints pertaining to the conduct of candidacy, campaign, elections, and referenda;

27 Commissioners may appoint their own deputy commissioners and staff necessary to operate the different offices of the commission. The Commission on Elections may discharge offices and functions similar to that of Human Resources, Logistics, Communications, and Finance.
1.2.4 Interpret and enforce the Electoral Code and exercise the body’s powers, duties, and responsibilities to assure free honest and clean elections, plebiscites, and/or referenda;

1.2.5 Be granted access, during the election period, to all lines of communication to the student body held by the Sanggunian for uses limited to promotion and information dissemination.

1.3 The Chief Commissioner on Elections shall:

1.3.1 Preside over all proceedings of the Commission on Elections and;

1.3.2 Act as the Chief Executive Officer and official spokesperson of the Commission on Elections.

Section 2.  Attainment of Office and Tenure

2.1 Qualifications

A student shall only serve as Commissioner if they have not committed any major offense as defined by the Loyola Schools’ Student Handbook and carry the minimum university load requirement for regular students.

2.2 Non-affiliation Clause

All members of the Commission on Elections shall be prohibited from appointed or elected positions in any Sanggunian unit or instrumentality, or from being members of any political party or coalition.

2.3 Appointment

2.3.1 Commissioners on Elections are to be appointed into office by all outgoing magistrates of the Student Judicial Court, not seeking reappointment, and all outgoing commissioners of the Commission on Elections, not seeking reappointment.

2.3.2 The Chief Commissioner on Elections is to be elected by all commissioners of the Commission on Elections and chosen from among them. The Chief Commissioner on Elections should be a second (2nd) term Commissioner unless any of the following should occur, in which case any Commissioner shall be qualified for the position:

2.3.2.1 All Commissioners are first time appointees; or

2.3.2.2 All 2nd term Commissioners decline the position of Chief Commissioner on Elections.

2.3.3 Should the Chief Commissioner take a leave of absence, the remaining commissioners may elect an acting Chief Commissioner on Elections from among themselves.
2.3.4 The completion of appointment of the Commissioners shall be at most ten (10) regular school days after the General Elections.

2.4 Term of Office

2.4.1 The term of members of the Commission on Elections shall be from the end of the second semester of the current school year up to the end of the Second semester of the succeeding school year.

2.4.2 No student may serve as Commissioner for more than two (2) terms of office.

Section 3. The Electoral Code

The Commission on Elections shall create an Electoral Code in full concurrence with this Constitution. In the event of non-concurrence, this Constitution shall supersede the particular article or section in question of the Electoral Code.

Section 4. The Board of Commissioners shall review the Electoral Code for possible amendments every year. Revisions and amendments made upon the Electoral Code are subject to the approval of the Student Judicial Court.

**ARTICLE XII**

**Amendments**

Section 1. A group composed of members from the Sanggunian and capable third party individuals shall review this Constitution for possible amendments every year.

Section 2. Amendments to or revisions of this constitution may be proposed by:

2.1 Any member from the Sanggunian upon a vote of three-fourths (3/4) of all its elected members and the Sectoral Representatives;

2.2 At least ten percent (10%) of the student body;

2.3 A Constitutional Commission 28 called by any member from the Sanggunian; or

2.4 A Constitutional Convention 29 called by any member from the Sanggunian;

Section 3. Any such proposed amendments or revisions shall be ratified by a majority (50% + 1) of the votes cast in a plebiscite.

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28 Composed of members who have been elected or appointed into position in the governing bodies of the Sanggunian or any of its affiliate units.

29 Composed of members who have not been elected or appointed into position in the governing bodies of the Sanggunian or any of its affiliate units.
Section 4. No member of the Sanggunian, Constitutional Commission, and/or the Constitutional Convention may run for newly created positions passed through amendments:

4.1 During their term of office; and/or
4.2 During the first year of implementation of the newly-created position.

ARTICLE XIII

Separability Clause

If any provision of this Constitution is declared invalid, the remainder thereof not affected thereby shall continue in full force and effect.

ARTICLE XIV

Transitory Provisions

Section 1. To facilitate the transition of powers within the Sanggunian after the ratification of this constitution:

1.1 All incumbent and elected members of the Sanggunian shall remain in office until after the newly-elected set of Sanggunian officers shall have taken their oaths of office.

1.2 All incumbent members of the Commission on Election shall remain in office until the end of their term under the previous constitution.

Section 2. All By-laws of the Sanggunian, including the Constitution and Codes of Internal Procedures of its bodies, are immediately repealed, amended or modified accordingly.

Section 3. This constitution shall take effect immediately after its ratification and shall supersede all previous Sanggunian constitutions.

ARTICLE XV

Effectivity

This Constitution shall take effect the school year following the ratification by a majority of fifty percent plus one votes cast by the members of the Sanggunian at a plebiscite called for by this purpose and shall supersede all previous constitutions.
DEFINITION OF TERMS

PRESIDENT
The official representative of the student body and overseer of all of the Sanggunian’s affairs. He/she oversees and may create or dissolve departments, committees, projects, and task forces. He/she has the power to veto decisions of either assembly, or a faction or member of either assembly.

VICE PRESIDENT
The Vice President oversees the internal affairs of the Sanggunian, and serves as chair of the Central Assembly. He/she fills in for the President when the latter is otherwise indisposed.

SCHOOL REPRESENTATIVES
The official representatives of their respective schools. They oversee course representatives from their respective school, and serves as chairs of their respective school assemblies.

COURSE REPRESENTATIVES
The official representatives of their respective courses. They liaison between their constituents and their home department. They create and execute policies, stands, resolutions, and programs concerning their respective course.

SECTOR REPRESENTATIVES
The official representatives of their respective sectors. They liaison between their sector and the Sanggunian. They create and execute policies, stands, resolutions, and programs concerning their constituents.

CENTRAL ASSEMBLY
The official deliberating body of the Sanggunian for University-wide concerns and issues. They review, approve, and/or reject the creation of new projects, committees, resolutions, policies, programs, and stands in the University level.

SCHOOL ASSEMBLIES
The official deliberating bodies of the Sanggunian for school-wide concerns and issues. They review, approve, and/or reject the creation of new projects, committees, resolutions, policies, programs, and stands for their respective schools.

DEPARTMENTS
They are composed of non-elected members of the student body. They are mainly concerned with administrative functions of the Sanggunian.
STUDENT JUDICIAL COURT (SJC)*
The official judiciary arm of the Sanggunian. They hear, try, and resolve matters of constitutionality, legality, and jurisdiction over acts, policies, and resolutions created by the Sanggunian. They also review, approve, and/or reject appointments made by Sanggunian members. They may order investigations, suspensions, and impeachments/recalls of Sanggunian officers.

CHIEF MAGISTRATE
The Chief Magistrate is tasked to preside over proceedings of the SJC. He/she is also the official spokesperson of the SJC.

COMMISSION ON ELECTIONS (COMELEC)
The official electoral body of the Sanggunian. They organize free, honest, and clean elections, plebiscites, and/or referenda.

CHIEF COMMISSIONER ON ELECTIONS
The chief executive officer and official spokesperson of the Commission on Elections presides over all proceedings of the COMELEC.

OFFICE OF THE OMBUDSMAN*
The official investigative arm of the Sanggunian. They facilitate check and balance of the Sanggunian and ensure the accountability of its members.

OMBUDSMAN
The chief Executive officer of the Office of the Ombudsman. He/she is the official spokesperson of the Office of the Ombudsman.

COMMISSION ON AUDIT*
The Commission on Audit is tasked with monitoring financial accountability in the handling of funds, revenues, expenditures, and disbursements of every transaction in order to ensure transparency.

COMMISSIONER ON AUDIT
The chief executive officer of the Commission on Audit. He/she presides over the proceedings of the Commission on Audit.

* The Student Judicial Court, Commission on Audit, and Office of the Ombudsman work closely together in order to ensure that all Sanggunian members and units are accountable in their performance of duty.
SECTION II:
Student-related laws, ordinances, administrative acts and implementing guidelines
EXEMPLARY FROM
THE EDUCATION ACT OF 1982

Students’ Responsibilities

SECTION 15. Duties and Responsibilities of Students. In addition to those provided for under existing laws, every student shall:

1. Exert his utmost to develop his potentialities for service, particularly by undergoing an education suited to his abilities, in order that he may become an asset to his family and to society.

2. Uphold the academic integrity of the school, endeavor to achieve academic excellence and abide by the rules and regulations governing his academic responsibilities and moral integrity.

3. Promote and maintain the peace and tranquility of the school by observing the rules and discipline, and by exerting efforts to attain harmonious relationships with fellow students, the teaching and academic staff and other school personnel.

4. Participate actively in civic affairs and in the promotion of the general welfare, particularly in the social, economic and cultural development of his community and in the attainment of a just, compassionate and orderly society.

5. Exercise his rights responsibly in the knowledge that he is answerable for any infringement or violation of the public welfare and of the rights of others.
NATIONAL SERVICE TRAINING PROGRAM ACT
[Republic Act No. 9163]

AN ACT ESTABLISHING THE NATIONAL SERVICE TRAINING PROGRAM (NSTP) FOR TERTIARY LEVEL STUDENTS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077 AND PRESIDENTIAL DECREED NO. 1706, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. This Act shall be known as the “National Service Training Program (NSTP) Act of 2001.”

SECTION 2. Declaration of Policy. It is hereby affirmed the prime duty of the government to serve and protect its citizens. In turn, it shall be the responsibility of all citizens to defend the security of the State and in fulfillment thereof, the government may require each citizen to render personal, military or civil service.

Recognizing the youth’s vital role in nation-building, the State shall promote civic consciousness among the youth and shall develop their physical, moral, spiritual, intellectual, and social well being. It shall inculcate in the youth patriotism, nationalism, and advance their involvement in public and civic affairs.

In pursuit of these goals, the youth, the most valuable resource of the nation, shall be motivated, trained, organized, and mobilized in military training, literacy, civic welfare, and other similar endeavors in the service of the nation.

SECTION 3. Definition of Terms. For purposes of this Act, the following are hereby defined as follows:

a. “National Service Training Program (NSTP)” is a program aimed at enhancing civic consciousness and defense preparedness in the youth by developing the ethics of service and patriotism while undergoing training in any of its three (3) program components. Its various components are specially designed to enhance the youth’s active contribution to the general welfare.

b. “Reserve Officer’s Training Corps (ROTC)” is a program institutionalized under Sections 38 and 39 of Republic Act No. 7077 designed to provide military training to tertiary level students in order to motivate, train, organize, and mobilize them for national defense preparedness.

c. “Literacy Training Service” is a program designed to train students to become teachers of literacy and numeracy skills to school children, out of school youth, and other segments of society in need of their service.
d. “Civil Welfare Training Service” refers to programs of activities contributory to the general welfare and the betterment of life for the members of the community or the enhancement of its facilities, especially those devoted to improving health, education, environment, entrepreneurship, safety, recreation, and morals of the citizenry.

e. “Program component” shall refer to the service components of the NSTP as enumerated in Section 4 of this Act.

SECTION 4. Establishment of the National Service Training Program. There is hereby established a National Service Training Program (NSTP), which shall form part of the curricula of all baccalaureate degree courses and of at least two (2)-year technical-vocational courses and is a requisite for graduation, consisting of the following service components:

1. The Reserve Officer’s Training Corps (ROTC), which is hereby made optional and voluntary upon the effectivity of this Act

2. The Literacy Training Service


The ROTC under the NSTP shall instill patriotism, moral, virtues, respect for rights of civilians, and adherence to the Constitution, among others. Citizenship training shall be given emphasis in all three (3) program components. The Commission on Higher Education (CHED) and Technical Education and Skills Development Authority (TESDA), in consultation with the Department of National Defense (DND), Philippine Association of State Universities and Colleges (PASUC), Coordinating Council of Private Educational Associations (COCOPEA) and other concerned government agencies may design and implement such other program components as may be necessary in consonance with the provisions of this Act.

SECTION 5. Coverage. Students, male and female, of any baccalaureate degree course or at two (2) year technical-vocational courses in public and private educational institutions shall be required to complete one (1) of the NSTP components as requisite for graduation.

SECTION 6. Duration and Equivalent Course Unit. Each of the aforementioned NSTP program components shall be undertaken for an academic period of two (2) semesters.

In lieu of the two (2)-semester program for any of the components of the NSTP, a one (1) summer program may be designed, formulated and adopted by the DND, CHED and TESDA.

SECTION 7. NSTP Offering in Higher and Technical-Vocational Educational Institutions. All higher and technical-vocational institutions, public and private, must offer at
least one (1) of the program components: Provided, That State Universities and Colleges shall offer the ROTC component and at least one (1) other component as provided herein: provided, further, that private higher and technical vocational education institutions may also offer the ROTC if they have at least three hundred and fifty (350) cadet students.

In offering the NSTP whether during the semestral or summer periods, clustering of affected students from different educational institutions maybe done, taking into account logistics, branch of service and geographical considerations. Schools that do not meet the required number of students to maintain the optional ROTC and any of the NSTP components shall allow their students to cross-enroll to other schools irrespective of whether or not the NSTP components in said schools are being administered by the same or another branch of service of the Armed Forces of the Philippines (AFP), CHED and TESDA to which schools are identified.

SECTION 8. Fees and Incentives. Higher and technical vocational institutions shall not collect any fee for any of the NSTP components except basic tuition fees, which shall not be more than fifty percent (50%) of what is currently charged by schools per unit. In the case of the ROTC, the DND shall formulate and adopt a program of assistance and/or incentive to those students who will take the said component. The school authorities concerned, CHED and TESDA shall ensure that group insurance for health and accident shall be provided for students enrolled in any of the NSTP components.

SECTION 9. Scholarships. There is hereby created a Special Scholarship Program for qualified students taking the NSTP, which shall be administered by the CHED and TESDA. Funds for this purpose shall be included in the annual regular appropriations of the CHED and TESDA.

SECTION 10. Management of the NSTP Components. The school authorities shall exercise academic and administrative supervision over the design, formulation, adoption and implementation of the different NSTP components in their respective schools: provided, that in case CHED or TESDA-accredited non-government organization (NGO) has been contracted to formulate and administer a training module for any of the NSTP components, such academic and administrative supervision shall be exercised jointly with that accredited NGO. Provided, further, that such training module shall be accredited by the CHED and TESDA.

The CHED and TESDA regional offices shall oversee and monitor the implementation of the NSTP under their jurisdiction to determine if the trainings are being conducted in consonance with the objectives of the Act. Periodic reports shall be submitted to the CHED, TESDA and DND in this regard.
SECTION 11. **Creation of the National Service Reserve Corps.** There is hereby created a National Service Reserve Corps, to be composed of the graduates of the non-ROTC components. Members of this Corps may be tapped by the State for literacy and civic welfare activities through the joint effort of DND, CHED and TESDA. Graduates of the ROTC shall form part of the Citizens Armed Force pursuant to Republic Act No. 7077.

SECTION 12. **Implementing Rules.** The DND, CHED and TESDA shall have the joint responsibility for the adoption of the implementing rules of this Act within sixty (60) days from the approval of this Act. These three (3) agencies shall consult with other concerned government agencies, the PASCU and COCOPEA, NGOs and recognized student organizations in drafting the implementing rules. The implementing rules shall include guidelines for the adoption of the appropriate curriculum for each of the NSTP components as well as for the accreditation of the same.

SECTION 13. **Transitory Provisions.** Students who have yet to complete the Basic ROTC except those falling under Section 14 of this Act, may either continue in the program component they are currently enrolled in or shift to any of the other program components of their choice.

Provided, that in case he shifts to another program component, the basic ROTC courses he has completed shall be counted for the purpose of completing the NSTP requirement; Provided, further, that once he has shifted to another program component, he shall complete the NSTP in that component.

SECTION 14. **Suspension of ROTC Requirement.** The completion of ROTC training as a requisite for graduation is hereby set aside for those students who despite completing all their academic units as of the effectivity of this Act have not been allowed to graduate.

SECTION 15. **Separability Clause.** If any section or provision of this Act shall be declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SECTION 16. **Amendatory Clause.** Section 35 of Commonwealth Act. No. 1, Executive Order No. 207 of 1939, Sections 2 and 3 of Presidential Decree No. 1706, and Sections 38 and 39 of Republic Act No. 7077, as well as all laws, decrees, orders, rules and regulations and other issuances inconsistent with the provisions of this Act are hereby deemed amended and modified accordingly.

SECTION 17. **Effectivity.** This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of national circulation, but the implementation of this Act shall commence in the school year 2002-2003.
CHED STATEMENT ON FRATERNITIES

The Commission on Higher Education (CHED) strongly condemns any form of violence committed in the name of establishing fraternal bonds. Hazing, and all other forms and/or kinds of violence must be banned.

Fraternities must serve to forge not only brotherhood among their members, but must establish brotherhood as the ultimate bonding of all men and women inside and outside the confines of universities. Their talents and energies must be channeled and utilized for development of the larger collectivity and beyond their immediate small groups.

The universities and all other institutions must fully assume authority and responsibility in dealing with fraternities and all other student aggregations. The CHED supports firmly this position of universities and all institutions of higher education.

Towards this, the CHED would make available to these organizations fora to harness their potentials as development agents in campuses, specifically, and in society generally. These fora would similarly serve to discuss, settle differences, and differing organizations and students views to transform these organizations into constructive and productive entities.
ATENEO DE MANILA UNIVERSITY PRESIDENTIAL REGULATION ON ORGANIZATIONS AND SOCIETIES

Whereas, in the history of Jesuit schools there is a tradition of organizations or societies whose goals include the promotion of excellence on Christian life and various lines of endeavor;

Whereas, there are organizations or societies in the Philippine school system which have the practice of making prospective members undergo initiation rites entailing physical or moral violence on the person of neophytes or affronts on the dignity of the human person;

Whereas, such organizations or societies constitute a serious obstacle to the attainment of the goals of Jesuit and Christian education;

NOW THEREFORE, after having assessed the potential obstacles to the implementation of a regulation on the subject and confident in the moral strength and support of the Ateneo de Manila University community, I hereby promulgate the following disciplinary regulation:

1. After the promulgation of this regulation, any student who knowingly and by overt acts becomes a member, or remains a member of, or recruits prospective members for, any organization or society, whether open or secret, which requires tolerant acts of violence or affronts to personal dignity in any form on any person as part of the initiation rites or of other organization or society activities, or which maintains a tradition which requires or tolerates such acts or affronts as part of initiation rites or of other organization or society activities, shall be dismissed from the Ateneo de Manila University or denied re-enrollment.

2. Every faculty or staff member of the University is expected, as part of his or her responsibility, to respect this regulation and assist in its faithful implementation.

3. Nothing in this regulation shall be interpreted as a restriction on the right of the students to form unions, associations or societies for purposes not contrary to laws and to the ideals and regulations of the University.

4. The school unit heads are hereby instructed to formulate whatever supplemental regulations they may deem needed for purposes of faithful and effective implementation.

5. This regulation shall take effect today, February 28, 1991.
THE ANTI-HAZING LAW
[Republic Act No. 8049]

AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES AND OTHER ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR

SECTION 1. Hazing, as used in this Act, is 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 and other similar tasks or activities or otherwise subjecting him to physical or psychological suffering or injury. The term “organization” shall include any club or the Armed Forces of the Philippines, Philippine National Police, Philippine Military Academy, or officer and cadet corp. of the Citizen’s Military Training and Citizen’s Army Training. The physical, mental and psychological testing and training procedure and practices to determine and enhance the physical, mental and psychological fitness of prospective regular members of the Armed Forces of the Philippines and the Philippine National Police as approved by the Secretary of National Defense and the National Police Commission duly recommended by the Chief of Staff, Armed Forces of the Philippines and the Director General of the Philippine National Police shall not be considered as hazing for the purposes of this Act.

SECTION 2. No hazing or initiation rites in any form or manner by a fraternity, sorority or organization shall be allowed without prior written notice to the school authorities or head of organization seven (7) days before the conduct of such initiation. The written notice shall indicate the period of the initiation activities, which shall not exceed three (3) days, shall include the names of those to be subjected to such activities, and shall further contain an undertaking that no physical violence be employed by anybody during such initiation rites.

SECTION 3. The head of the school or organization or their representatives must assign at least two (2) representatives of the school or organization, as the case maybe, to be present during the initiation. It is the duty of such representative to see to it that no physical harm of any kind shall be inflicted upon a recruit, neophyte or applicant.

SECTION 4. If the person subjected to hazing or other forms of initiation rites suffers any physical injury or dies as a result thereof, the officers and members of the fraternity, sorority or organization who actually participated in the infliction of physical harm shall be liable as principals. The person or persons who participated in the hazing shall suffer:

1. The penalty of reclusion perpetua (life imprisonment) if death, rape, sodomy or mutilation results there from.
2. The penalty of reclusion temporal in its maximum period (17 years, 4 months and 1 day to 20 years) if in consequence of the hazing the victim shall become insane, imbecile, impotent or blind.

3. The penalty of reclusion temporal in its medium period (14 years, 8 months and one day to 17 years and 4 months) if in consequence of the hazing the victim shall have lost the use of speech or the power to hear or to smell, or shall have lost an eye, a hand, a foot, an arm or a leg or shall have lost the use of any such member shall have become incapacitated for the activity or work in which he we habitually engaged.

4. The penalty of reclusion temporal in its minimum period (12 years and one day to 14 years and 8 months) if in consequence of the hazing the victim shall become deformed or shall have lost any other part of his body, or shall have lost the use thereof, or shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of more than ninety (90) days.

5. The penalty of prision mayor in its maximum period (10 years and one day to 12 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of more than thirty (30) days.

6. The penalty of prision mayor in its medium period (8 years and one day to 10 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of ten (10) days or more, or that the injury sustained shall require medical assistance for the same period.

7. The penalty of prision mayor in its minimum period (6 years and one day to 8 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged from one (1) to nine (9) days, or that the injury sustained shall require medical assistance for the same period.

8. The penalty of prision correccional in its maximum period (4 years, 2 months and one day to 6 years) if in consequence of the hazing the victim sustained physical injuries, which do not prevent him from engaging in his habitual activity or work nor require medical attendance. The responsible officials of the school or of the police, military or citizen’s army training organization, may impose the appropriate administrative sanctions on the person or the persons charged under this provision even before their conviction. The maximum penalty herein provided shall be imposed in any of the following instances:

   a. when the recruitment is accompanied by force, violence, threat, intimidation or deceit on the person of the recruit who refuses to join;
b. when the recruit, neophyte or applicant initially consents to join but upon learning that hazing will be committed on his person, is prevented from quitting;

c. when the recruit, neophyte or applicant having undergone hazing is prevented from reporting the unlawful act to his parents or guardians, to the proper school authorities, or to the police authorities, through force, violence, threat or intimidation;

d. when the hazing is committed outside of the school or institution; or

e. when the victim is below twelve (12) years of age at the time of the hazing.

The owner of the place where hazing is conducted shall be liable as an accomplice, when he has actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring. If the hazing is held in the home of one of the officers or members of the fraternity, group, or organization, the parents shall be held liable as principals when they have actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring. The school authorities including faculty members who consent to the hazing or who have actual knowledge thereof, but failed to take any action to prevent the same from occurring shall be punished as accomplices for the acts of hazing committed by the perpetrators. The officers, former officers, or alumni of the organization, group, fraternity or sorority who actually planned the hazing although not present when the acts constituting the hazing were committed shall be liable as principals. A fraternity or sorority’s adviser who is present when the acts constituting the hazing were committed and failed to take action to prevent the same from occurring shall be liable as principal. The presence of any person during the hazing is prima facie evidence of participation therein as principal unless he prevented the commission of the acts punishable herein. Any person charged under this provision shall not be entitled to the mitigating circumstance that there was no intention to commit so grave a wrong. This section shall apply to the president, manager, director or other responsible officer of a corporation engaged in hazing as a requirement for employment in the manner provided herein.

SECTION 5. If any provision or part of this Act is declared invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SECTION 6. All laws, orders, rules or regulations, which are inconsistent with or contrary to the provisions of this Act, are hereby amended or repealed accordingly.

SECTION 7. This Act shall take effect fifteen (15) calendar days after its publication in at least two (2) national newspapers of general circulation.

Approved: June 7, 1995
THE CAMPUS JOURNALISM ACT OF 1991
[Republic Act No. 7079]

ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF CAMPUS JOURNALISM AND FOR OTHER PURPOSES

Be it enacted by the Senate and by the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title. This act shall be known and referred to as the “Campus Journalism Act of 1991.”

SECTION 2. Declaration of Policy. It is a declared policy of the State to uphold and protect the freedom of the press even on the campus level and promote the development and growth of campus journalism as a means of strengthening ethical values, encouraging critical and creative thinking, and developing moral character and personal discipline of the Filipino youth. In furtherance of this policy, the State shall undertake various programs and projects aimed at improving the journalistic skills of the students concerned and promoting responsible and free journalism.

SECTION 3. Definition of terms.

School — An institution for learning in the elementary, secondary or tertiary level comprised of the studentry, administration, faculty, and non-faculty personnel.

Student Publication — The issue of any printed material that is independently published by, and which meets the needs and interests of the studentry.

Student Journalists — Any bonafide student enrolled for the current semester or teen who has passed or met the qualifications and standards of the editorial board. He must likewise maintain a satisfactory academic standing.

Editorial Board — In the tertiary level, the editorial board shall be composed of student Journalists who have qualified in the placement examinations. In the case of the elementary and high school levels, the editorial board shall be composed of a duly appointed faculty adviser, the editor who qualified and a representative of the Parents-Teachers Association, who will determine the editorial policies to be implemented by the editor and staff members of the student publication concerned. At the tertiary level, the editorial board may include a publication adviser at the option of its members.

Editorial Policies — A set of guidelines by which a student publication is operated and managed, taking into account any pertinent laws as well as the
school administration policies. Said guidelines shall determine the frequency of publication, the manner of selecting the articles and features and other similar matters.

**SECTION 4. Student Publications.** A student publication is published by the student body through an editorial board and publication staff composed of students selected by fair and competitive examinations. Once the publication is established, its editorial board shall freely determine its editorial policies and manage the publication funds.

**SECTION 5. Funding of Student Publication.** Funding for the student publication may include the savings of the respective school’s appropriations, student subscriptions, donations and other sources of funds. In no instance shall the Department of Education, Culture and Sports or the school administration concerned withhold the release of funds sourced from the savings of the appropriations of the respective schools and other sources intended for the student publication. Subscription fees collected by the school administration shall be released automatically to the student publication concerned.

**SECTION 6. Publication Adviser.** The publication adviser shall be selected by the school administration from a list of recommendations submitted by the publication staff. The function of the adviser shall be limited to one of technical guidance.

**SECTION 7. Security of Tenure.** A member of the publication staff must maintain his other status as a student in order to retain membership in the publication staff. A student shall not be expelled or suspended solely on the basis of articles he or she has written, or on the basis of performance of his or her duties in the student publication.

**SECTION 8. Press Conferences and Training Seminars.** The Department of Education, Culture and Sports shall sponsor periodic competitions, press conferences, and training seminars in which student editors/writers and teacher advisers of student publications in the elementary, secondary and tertiary levels shall participate. Such competitions, conferences, and seminars shall be held at the institutional, divisional and regional levels, culminating with the holding of the annual national elementary, secondary, or tertiary School Press Conference in places of historical and/or cultural interest in the country.

**SECTION 9. Rules and Regulations.** The Department of Education, Culture and Sports, in coordination with the officers of the national elementary, secondary, and tertiary organizations or official advisers of student publications, together with journalists at the tertiary level and existing organizations of student journalists, shall promulgate the rules and regulations necessary for the implementation of this act.
AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN,
PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS,
PREScribing Penalties Therefore, and for Other Purposes

SECTION 1. Short Title. - This Act shall be known as the “Anti-Violence Against Women and Their Children Act of 2004”.

A. “Physical Violence” refers to acts that include bodily or physical harm;

B. “Sexual violence” refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:
   a. rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;
   b. acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion;
   c. Prostituting the woman or child.

SECTION 5. Acts of Violence Against Women and Their Children.- The crime of violence against women and their children is committed through any of the following acts:
   a. Causing physical harm to the woman or her child;
   b. Threatening to cause the woman or her child physical harm;
   c. Attempting to cause the woman or her child physical harm;
   d. Placing the woman or her child in fear of imminent physical harm;
   e. Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm,
or intimidation directed against the woman or child. This shall include, but not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or conduct:

1. Threatening to deprive or actually depriving the woman or her child of custody to her/his family;
2. Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;
3. Depriving or threatening to deprive the woman or her child of a legal right;
4. Preventing the woman in engaging in any legitimate profession, occupation, business or activity or controlling the victim's own money or properties, or solely controlling the conjugal or common money, or properties;
5. Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;
6. Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape, by force or threat of force, physical harm, or through intimidation directed against the woman or her child or her/his immediate family;
7. Engaging in purposeful, knowing, or reckless conduct, personally or through another, that alarms or causes substantial emotional or psychological distress to the woman or her child. This shall include, but not be limited to, the following acts:
   1. Stalking or following the woman or her child in public or private places;
   2. Peering in the window or lingering outside the residence of the woman or her child;
   3. Entering or remaining in the dwelling or on the property of the woman or her child against her/his will;
   4. Destroying the property and personal belongingness or inflicting harm to animals or pets of the woman or her child; and
   5. Engaging in any form of harassment or violence;
8. Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children of access to the woman's child/children.
SECTION 6. Penalties. The crime of violence against women and their children, under Section 5 hereof shall be punished according to the following rules:

a. Acts falling under Section 5(a) constituting attempted, frustrated or consummated parricide or murder or homicide shall be punished in accordance with the provisions of the Revised Penal Code.

If these acts resulted in mutilation, it shall be punishable in accordance with the Revised Penal Code; those constituting serious physical injuries shall have the penalty of prison mayor; those constituting less serious physical injuries shall be punished by prison correccional; and those constituting slight physical injuries shall be punished by arresto mayor.

Acts falling under Section 5(b) shall be punished by imprisonment of two degrees lower than the prescribed penalty for the consummated crime as specified in the preceding paragraph but shall in no case be lower than arresto mayor.

b. Acts falling under Section 5(c) and 5(d) shall be punished by arresto mayor;

c. Acts falling under Section 5(e) shall be punished by prison correccional;

d. Acts falling under Section 5(f) shall be punished by arresto mayor;

e. Acts falling under Section 5(g) shall be punished by prison mayor;

f. Acts falling under Section 5(h) and Section 5(i) shall be punished by prison mayor.

If the acts are committed while the woman or child is pregnant or committed in the presence of her child, the penalty to be applied shall be the maximum period of penalty prescribed in the section.

In addition to imprisonment, the perpetrator shall (a) pay a fine in the amount of not less than One hundred thousand pesos (P100,000.00) but not more than three hundred thousand pesos (300,000.00); (b) undergo mandatory psychological counseling or psychiatric treatment and shall report compliance to the court.
Excerpts from
THE ANTI-SEXUAL HARASSMENT ACT OF 1995
[Republic Act No. 7877]

AN ACT DECLARING SEXUAL HARASSMENT UNLAWFUL IN THE EMPLOYMENT,
EDUCATION OR TRAINING ENVIRONMENT, AND FOR OTHER PURPOSES.

SECTION 1. **Title.** This Act shall be known as the “Anti-Sexual Harassment Act of 1995.”

SECTION 2. **Declaration of Policy.** The State shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, and uphold the dignity of workers, employees, applicants for employment, students or those undergoing training, instruction, or education. Towards this end, all forms of sexual harassment in the employment, education, or training environment is hereby declared unlawful.

SECTION 3. **Work, Education, or Training-Related, Sexual Harassment Defined.** Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainor, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said Act.

   a. In a work-related or employment environment, sexual harassment is committed when:

      1. The sexual favor is made as a condition in the hiring or in the employment, reemployment or continued employment of said individual, or in granting said individual favorable compensation, terms of conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee, which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee

      2. The above acts would impair the employee's rights or privileges under existing labor laws, or

      3. The above acts would result in an intimidating, hostile, or offensive environment for the employee.

   b. In an education or training environment, sexual harassment is committed:

      1. Against one who is under the care, custody, or supervision of the offender
2. Against one whose education, training, apprenticeship, or tutorship is entrusted to the offender

3. When the sexual favor is made a condition to the giving of a passing grade, or the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or consideration, or

4. When the sexual advances result in an intimidating, hostile, or offensive environment for the student, trainee, or apprentice.

Any person who directs or induces another to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another, without which it would not have been committed, shall also be held liable under this Act.

**SECTION 4.** Duty of the Employer or Head of Office in a Work-related, Education, or Training Environment. It shall be the duty of the employer or the head of the work-related, educational or training environment or institution, to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement, or prosecution of acts of sexual harassment. Towards this end, the employer or head of office shall:

a. Promulgate appropriate rules and regulations in consultation with and jointly approved by the employees or students or trainees, through their duly designated representatives, prescribing the procedure for the investigation of sexual harassment cases and the administrative sanctions therefore.

Administrative sanctions shall not be a bar to prosecution in the proper courts for unlawful acts of sexual harassment. The said rules and regulations issued pursuant to this subsection (a) shall include, among others, guidelines on proper decorum in the workplace and educational or training institutions.

Administrative sanctions shall not be a bar to prosecution in the proper courts for unlawful acts of sexual harassment. The said rules and regulations issued pursuant to this subsection (a) shall include, among others, guidelines on proper decorum in the workplace and educational or training institutions.

b. Create a committee on decorum and investigation of cases on sexual harassment. The committee shall conduct meetings, as the case may be, with officers and employees, teachers, instructors, professors, coaches, trainers, and students or trainees to increase understanding and prevent incidents of sexual harassment. It shall also conduct the investigation of alleged cases constituting sexual harassment.

In the case of a work-related environment, the committee shall be composed of at least one (1) representative each from the management, the union, if any, the employees from the supervisory rank, and from the rank and file employees.
In the case of the educational or training institution, the committee shall be composed of at least one (1) representative from the administration, the trainers, instructors, professors, or coaches, and students or trainees, as the case may be.

The employer or head of office, educational, or training institution shall disseminate or post a copy of this Act for the information of all concerned.

**SECTION 5. Liability of the Employer, Head of Office, Educational, or Training Institution.** The employer or head of office, educational, or training institution shall be solitarily liable for damages arising from the acts of sexual harassment committed in the employment, education, or training environment, if the employer or head of office, educational, or training institution is informed of such acts by the offended party and no immediate action is taken.

**SECTION 6. Independent Action for Damages.** Nothing in this Act shall preclude the victim of work, education, or training-related sexual harassment from instituting a separate and independent action for damages and other affirmative relief.

**SECTION 7. Penalties.** Any person who violates the provisions of this Act shall, upon conviction, be penalized by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not less than Ten thousand pesos (P10,000) nor more than Twenty thousand pesos (P20,000), or both such fine and imprisonment at the discretion of the court. Any action arising from the violation of the provisions of this Act shall prescribe in three (3) years.

**SECTION 10. Effectivity Clause.** This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

*Approved: February 14, 1995*
ATENEO DE MANILA UNIVERSITY’S
IMPLEMENTING RULES AND REGULATIONS
ON THE ANTI-SEXUAL HARASSMENT ACT OF 1995

Policy Statement on Sexual Harassment

The Loyola Schools of the Ateneo de Manila University believes that every member of the academic community must be treated with respect and dignity in accordance with Christian values. Sexual harassment impairs the pursuit of the ideals of the Loyola Schools of the Ateneo de Manila University. The Ateneo University regards sexual harassment as unacceptable behavior, because it is a violation of the foregoing policy and the Sexual Harassment Act of 1995.

Any administrator, faculty member, employee, or student who engages in sexual harassment is subject to disciplinary action, which may include termination of employment or dismissal.

Rules and Regulations Implementing the Anti-Sexual Harassment Act of 1995

Pursuant to the provision of Section 4 of Republic Act No. 7877 entitled “Anti-Sexual Harassment Act of 1995”, the following rules and regulations are hereby promulgated for the purpose of prescribing the proper decorum for administrators, faculty members, employees, and students of Loyola Schools of the Ateneo de Manila University and for the resolution, settlement, and disposition of cases of sexual harassment.

RULE I.

SECTION 1. Definition of Terms. As used in the Rules and Regulations, the following terms shall mean and be understood as indicated below:

a. Loyola Schools refers to the College and Graduate School of the Loyola Schools of the Ateneo de Manila University.

b. Vice President refers to the Vice President for the Loyola Schools of the Ateneo de Manila University.

c. Administrator refers to the Vice President, Deans, Associate Deans, Heads of Administrative Offices, Department Chairs, and Program Directors.

d. Faculty Member refers to any member of the faculty of Loyola Schools of the Ateneo de Manila University, whether on a full-time or part-time basis, and shall include any lecturer in classes entrusted with the supervision or training of students.
e. **Professional** refers to non-teaching personnel of the Loyola Schools that are responsible for providing specific student services for the needs and welfare of the students.

f. **Employee** refers to the non-teaching personnel belonging to the administrative, secretarial, and maintenance staff of the Loyola Schools including casuals, contractuals, etc.

g. **Student** refers to any person officially enrolled in Loyola Schools of the Ateneo de Manila University either as a student in the regular/special course, whether in a credit or audit basis, part-time or full-time, or thesis writer.

h. **Applicant Employee** refers to a person seeking employment in Loyola Schools of the Ateneo de Manila University.

i. **Applicant Student** refers to a person seeking admission in the Loyola Schools of the Ateneo de Manila University as a student in the regular and special courses.

j. **Complainant** refers to any administrator, faculty member, employee, applicant employee, student or applicant student who claims that an act of sexual harassment has been committed.

**RULE II. COVERAGE**

**SECTION 1. Officials and Employees.** These Rules and Regulations shall apply to any administrator, faculty member, non-teaching personnel, or applicant employee of the Loyola Schools who complains of or against whom a complaint for sexual harassment is filed.

**SECTION 2. Students and Applicant Students.** These Rules and Regulations shall also apply to students and student applicants who complain of sexual harassment committed by any administrator, faculty member, employee, or student.

**SECTION 3.** If it is the Vice President who complains of or against whom a complaint for sexual harassment is filed, the case shall be referred to the University President.

**RULE III. SEXUAL HARASSMENT**

**SECTION 1. Persons Liable.** Sexual harassment is committed by an administrator, faculty member, student, or against someone over whom he or she has authority, influence or moral ascendancy, whether or not the demand, request, or requirement for submission to any act of sexual harassment is accepted by the alleged victim.

**SECTION 2. Other Parties Liable.** Any person who directs or induces another to commit any act of sexual harassment under Section 1 or who cooperates in the commission of
any such act, without which such act would not have been committed, shall also be liable for sexual harassment.

**SECTION 3. Acts of Sexual Harassment in Employment.** Sexual harassment is committed in a work-related environment whether or not the demand, request, or requirement for submission is accepted by the alleged victim, when:

a. A sexual favor is made as a condition in hiring or in the employment, re-employment, or continued employment, or in granting favorable compensation, terms, conditions, promotion, or privilege, and any other terms or condition of employment

b. The refusal to grant a sexual favor, demand, request or requirement results in limiting, segregating, or classifying an administrator, faculty member, employee or applicant employee which in any way will discriminate against, deprive or diminish the employment opportunities or otherwise adversely affect the alleged victim

c. The above acts will violate or impair the rights or privileges of the victim under existing labor laws

d. The above acts will result in an intimidating, hostile, or offensive environment for the victim.

**SECTION 4. Sexual Harassment against Students and Applicant Students.** Sexual harassment is committed against a student or applicant student, whether or not the demand, request, or requirement for submission is accepted by the victim, when:

a. The act of sexual harassment is committed against one who is under the care, custody, or supervision of the offender

b. The act of sexual harassment is committed against one whose education, training, apprenticeship, or tutorship is entrusted to the offender

c. A sexual favor is made a condition for admission to the school's regular or special courses; to the giving of a passing grade, or a higher grade; granting of honors and scholarships; the payment of a stipend; allowance or other benefits, privilege or consideration; the recommendation or appointment of a student as an officer of a student organization engaged in extracurricular activities; or for graduate studies or for employment; the approval of a thesis or the recommendation that a grade of a student be considered

d. The above acts will result in an intimidating, hostile or offensive environment for the victim.

**SECTION 5. Place of Commission.** Sexual Harassment may be committed in any work or education environment. It may include, but is not limited to, the acts of sexual harassment committed:
a. Within or outside the campus  
b. At the school or training-related or education-related social functions  
c. In the course of work assignments or course assignments outside the campus  
d. During work-related, training-related or education-related conference, seminars, studies or sessions  
e. During work-related, training related, or education-related travel.

Rule IV. FORMS OF SEXUAL HARASSMENT

Acts of sexual harassment. Sexual harassment may be committed in any of the following forms:

a. Overt sexual advances  
b. Unwelcome or improper gestures of affection  
c. Request or demand for sexual favors including but not limited to going out on dates, outings, or the like for the same purpose  
d. Any other act or conduct of a sexual nature or for purposes of sexual gratification.

Rule V. PROCEDURE

SECTION 1. The Office of the Vice President for the Loyola Schools will receive all complaints regarding alleged sexual harassment in the Loyola Schools, subject to the limitation of Section 3 of Rule II.

SECTION 2. The Vice President will then constitute a Committee to investigate and hear the case, to prepare and submit reports, and to recommend a course of action. The Committee shall have at least five members representing the different sectors of the LS Community.

SECTION 3. The Committee shall promptly, thoroughly and fairly investigate the complaint, submit a report and recommend a course of action to the Vice President.

SECTION 4. The Vice President shall decide on the case.

SECTION 5. The decision of the Vice President may be appealed to the President of the Ateneo de Manila University whose decision shall be considered final.

SECTION 6. The proceedings of all sexual harassment cases shall be private and confidential.

Rule VI. EFFECTIVITY

These Rules and Regulations shall take effect upon approval of the Vice President.
Excerpts from
SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT
[Republic Act No. 7610]

AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES

ARTICLE I.

TITLE, POLICY, PRINCIPLES, AND DEFINITIONS OF TERMS

SECTION 1. Title. This Act shall be known as the “Special Protection of Children against Abuse, Exploitation and Discrimination Act.”

SECTION 2. Declaration of State Policy and Principles. It is hereby declared to be the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty exploitation and discrimination and other conditions, prejudicial to their development; provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation, and discrimination. The State shall intervene on behalf of the child when the parent, guardian, teacher, or person having care or custody of the child fails or is unable to protect the child against abuse, exploitation, and discrimination or when such acts against the child are committed by the said parent, guardian, teacher, or person having care and custody of the same. It shall be the policy of the State to protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development and over which they have no control. The best interests of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, and legislative bodies, consistent with the principle of First Call for Children as enunciated in the United Nations Convention of the Rights of the Child. Every effort shall be exerted to promote the welfare of children and enhance their opportunities for a useful and happy life.

SECTION 3. Definition of Terms.

a. “Children” refers to persons below eighteen (18) years of age or those over, but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.
b. “Child abuse” refers to the maltreatment, whether habitual or not, of the child, which includes any of the following:

1. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment
2. Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being
3. Unreasonable deprivation of his basic needs for survival, such as food and shelter, or
4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his growth and development or in his permanent incapacity or death.

c. “Circumstances which gravely threaten or endanger the survival and normal development of children” include, but are not limited to, the following:

1. Being in a community where there is armed conflict or being affected by armed conflict-related activities
2. Working under conditions hazardous to life, safety, and normal development which unduly interfere with their normal development
3. Living in or fending for themselves in the streets of urban or rural areas without the care of parents or a guardian or basic services needed for a good quality of life
4. Being a member of a indigenous cultural community and/or living under conditions of extreme poverty or in an area which is underdeveloped and/or lacks or has inadequate access to basic services needed for a good quality of life
5. Being a victim of a man-made or natural disaster or calamity, or
6. Circumstances analogous to those above-stated which endanger the life, safety, or normal development of children

d. “Comprehensive program against child abuse, exploitation, and discrimination” refers to the coordinated program of services and facilities to protect children against:

1. Child Prostitution and other sexual abuse
2. Child trafficking
3. Obscene publications and indecent shows
4. Other acts of abuses
5. Circumstances which threaten or endanger the survival and normal development of children.
ARTICLE II.

PROGRAM ON CHILD ABUSE, EXPLOITATION, AND DISCRIMINATION

SECTION 4. Formulation of the Program. There shall be a comprehensive program to be formulated by the Department of Justice and the Department of Social Welfare and Development, in coordination with other government agencies and private sector concerned, within one (1) year from the effectivity of this Act, to protect children against child prostitution and other sexual abuse; child trafficking, obscene publications and indecent shows; other acts of abuse; and circumstances which endanger child survival and normal development.

ARTICLE III.

CHILD PROSTITUTION AND OTHER SEXUAL ABUSE

SECTION 5. Child Prostitution and Other Sexual Abuse. Children, whether male or female, who for money, profit, or any other consideration, or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

SECTION 6. Attempt to Commit Child Prostitution. There is an attempt to commit child prostitution under Section 5, paragraph (a) hereof when any person who, not being a relative of a child, is found alone with the said child inside the room or cubicle of a house, an inn, hotel, motel, pension house, apartelle or other similar establishments, vessel, vehicle or any other hidden or secluded area under circumstances, which would lead a reasonable person to believe that the child is about to be exploited in prostitution and other sexual abuse.

ARTICLE VI.

OTHER ACTS OF ABUSE

SECTION 10. Other Acts of Neglect, Abuse, Cruelty or Exploitation and Other Conditions Prejudicial to the Child’s Development.

a. Any person who shall commit any other acts of child abuse, cruelty or exploitation or to be responsible for other conditions prejudicial to the child’s development including those covered by Article 59 of Presidential Decree No. 603, as amended, but not covered by the Revised Penal Code, as amended, shall suffer the penalty of prison mayor in its minimum period.

b. Any person, owner, manager or one entrusted with the operation of any public or private place of accommodation, whether for occupancy, food, drink or otherwise, including residential places, who allows any person to take along
with him to such place or places any minor herein described shall be imposed a penalty of prison mayor in its medium period and a fine of not less than Fifty thousand pesos (P50,000.00), and the loss of the license to operate such a place or establishment.

**ARTICLE X.**

**CHILDREN IN SITUATIONS OF ARMED CONFLICT**

**SECTION 22. Children as Zones of Peace.** Children are hereby declared as Zones of Peace. It shall be the responsibility of the State and all other sectors concerned to resolve armed conflicts in order to promote the goal of children as zones of peace. To attain this objective, the following policies shall be observed.

a. Children shall not be the object of attack and shall be entitled to special respect. They shall be protected from any form of threat, assault, torture or other cruel, inhumane, or degrading treatment.

...  

b. Delivery of basic social services such as education, primary health and emergency relief services shall be kept unhampered.

...  

c. Public infrastructure such as schools, hospitals, and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments, and supply depots.

...

**ARTICLE XI.**

**REMEDIAL PROCEDURES**

**SECTION 27. Who May File a Complaint.** Complaints on cases of unlawful acts committed against the children as enumerated herein may be filed by the following:

a. Offended party

b. Parents or guardians

c. Ascendant or collateral relative within the third degree of consanguinity

d. Officer, social worker, or representative of a licensed child-caring institution

e. Officer or social worker of the Department of Social Welfare and Development

f. Barangay chairman, or

g. At least three (3) concerned responsible citizens where the violation occurred.
SECTION 28. **Protective Custody of the Child.** The offended party shall be immediately placed under the protective custody of the Department of Social Welfare and Development pursuant to Executive Order No. 56, series of 1986. In the regular performance of this function, the officer of the Department of Social Welfare and Development shall be free from any administrative, civil, or criminal liability. Custody proceedings shall be in accordance with the provisions of Presidential Decree No. 603.

SECTION 29. **Confidentiality.** At the instance of the offended party, his name may be withheld from the public until the court acquires jurisdiction over the case. It shall be unlawful for any editor, publisher, and reporter, or columnist in case of printed materials, announcer or producer in case of television and radio broadcasting, producer and director of the film in case of the movie industry, to cause undue and sensationalized publicity of any case of violation of this Act which results in the moral degradation and suffering of the offended party.

SECTION 30. **Special Court Proceedings.** Cases involving violations of this Act shall be heard in the chambers of the judge of the Regional Trial Court duly designated as Juvenile and Domestic Court. Any provision of existing law to the contrary notwithstanding and with the exception of habeas corpus, election cases, and cases involving detention prisoners and persons covered by Republic Act No. 4908, all courts shall give preference to the hearing or disposition of cases involving violation of this Act.

*Approved: June 17, 1992*
STUDENTS’ RIGHT AGAINST UNREASONABLE SEARCHES AND SEIZURES

Except for the following instances, no search and seizures of students shall be deemed valid:

a. Searches made at the point of ingress and egress in the University and in the buildings of the University by authorized personnel of the school

b. Searches and seizures of the illegal articles as defined by the Revised Penal Code and other related penal laws and the Student Handbook

c. Searches and seizures of articles falling in plain view of duly authorized personnel

d. Searches made when the student is attempting to commit, is committing, has just committed, or has been committing a crime or a serious infraction of the school’s rules and regulations

e. Searches made with a valid search warrant

f. Searches under any circumstance conducted on reasonable grounds.

NOTES

a. U.S. v. Arceo, 3 Phil. 381
b. Revised Penal Code and Pertinent Penal Statutes.
d. People v. Delos Santos, 200 SCRA 431, and People v. Gerente, 219 SCRA 756 e. Alvaro v. Dizon, 76 Phil. 837; Rules of Court, Rule 113
f. Terry v. Ohio
Excerpts from the
Electronic Commerce Act of 2000”.
[REPUBLIC ACT NO. 8792]

An act providing for the recognition and use of electronic commercial and non-commercial transactions and documents, penalties for unlawful use thereof and for other purposes

PART I:

SHORT TITLE AND DECLARATION OF POLICY

SECTION 1. **Short Title.** – This Act shall be known as the “Electronic Commerce Act of 2000”.

SECTION 2. **Declaration of Policy.** – The State recognizes the vital role of information and communications technology (ICT) in nation-building; the need to create an information-friendly environment which supports and ensures the availability, diversity and affordability of ICT products and services; the primary responsibility of the private sector in contributing investments and services in telecommunications and information technology; the need to develop, with appropriate training programs and institutional policy changes, human resources for the information technology age, a labor force skilled in the use of ICT and a population capable of operating and utilizing electronic appliances and computers; its obligation to facilitate the transfer and promotion of adaptation technology, to ensure network security, connectivity and neutrality of technology for the national benefit; and the need to marshal, organize and deploy national information infrastructures, comprising in both telecommunications network and strategic information services, including their interconnection to the global information networks, with the necessary and appropriate legal, financial, diplomatic and technical framework, systems and facilities.

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SECTION 31. **Lawful Access.** – Access to an electronic file, or an electronic signature of an electronic data message or electronic document shall only be authorized and enforced in favor of the individual or entity having a legal right to the possession or the use of the plain text, electronic signature or file and solely for the authorized purposes. The electronic key for identity or integrity shall not be made available to any person or party without the consent of the individual or entity in lawful possession of that electronic key.
SECTION 32. **Obligation of Confidentiality.** - Except for the purposes authorized under this Act, any person who obtained access to any electronic key, electronic data message, or electronic document, book, register, correspondence, information, or other material pursuant to any powers conferred under this Act, shall not convey to or share the same with any other person.

SECTION 33. **Penalties.** - The following Acts shall be penalized by fine and/or imprisonment, as follows:

(a) Hacking or cracking which refers to unauthorized access into or interference in a computer system/server or information and communication system; or any access in order to corrupt, alter, steal, or destroy using a computer or other similar information and communication devices, without the knowledge and consent of the owner of the computer or information and communications system, including the introduction of computer viruses and the like, resulting in the corruption, destruction, alteration, theft or loss of electronic data messages or electronic document shall be punished by a minimum fine of one hundred thousand pesos (P100,000.00) and a maximum commensurate to the damage incurred and a mandatory imprisonment of six (6) months to three (3) years
Excerpts from

COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002
[Republic Act No. 9165]

AN ACT INSTITUTING THE COMPREHENSIVE
DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425,
OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS
AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

SECTION 1. **Short Title.** This Act shall be known and cited as the “Comprehensive Dangerous Drugs Act of 2002.”

SECTION 2. **Declaration of Policy.** It is the policy of the State to safeguard and integrity of its territory and the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation. In view of the foregoing, the State needs to enhance further the efficacy of the law against dangerous drugs, it being one of today’s more serious social ills. Toward this end, the government shall pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning and implementation and enforcement of anti-drug abuse policies, programs, and projects. The government shall however aim to achieve a balance in the national drug control program so that people with legitimate medical needs are not prevented from being treated with adequate amounts of appropriate medications, which include the use of dangerous drugs. It is further declared the policy of the State to provide effective mechanisms or measures to reintegrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation.

**ARTICLE I.**

**DEFINITION OF TERMS**

SECTION 3. **Definitions.** As used in this Act, the following terms shall mean:

a. **Administer** – Any act of introducing any dangerous drug into the body of any person, with or without his/her knowledge, by injection, inhalation, ingestion or other means, or of committing any act of indispensable assistance to a person in administering a dangerous drug to himself/herself unless administered by a duly licensed practitioner for purposes of medication.

b. **Board** – Refers to the Dangerous Drugs Board under Section 77, Article IX of this Act.
c. **Centers** – Any of the treatment and rehabilitation centers for drug dependents referred to in Section 34, Article VIII of this Act.

f. **Confirmatory Test** – An analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test.

g. **Controlled Delivery.** – The investigative technique of allowing an unlawful or suspect consignment of any dangerous drug and/or controlled precursor and essential chemical, equipment or paraphernalia, or property believed to be derived directly or indirectly from any offense, to pass into, through or out of the country under the supervision of an authorized officer, with a view to gathering evidence to identify any person involved in any dangerous drugs related offense, or to facilitate prosecution of that offense.

h. **Controlled Precursors and Essential Chemicals.** – Include those listed in Tables I and II of the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as enumerated in the attached annex, which is an integral part of this Act.

j. **Dangerous Drugs.** – Include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex which is an integral part of this Act.

k. **Deliver.** – Any act of knowingly passing a dangerous drug to another, personally or otherwise, and by any means, with or without consideration.

l. **Den, Dive or Resort.** – A place where any dangerous drug and/or controlled precursor and essential chemical is administered, delivered, stored for illegal purposes, distributed, sold or used in any form.

m. **Dispense.** – Any act of giving away, selling or distributing medicine or any dangerous drug with or without the use of prescription.

n. **Drug Dependence.** – As based on the World Health Organization definition, it is a cluster of physiological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its onset, termination, or levels of use.

o. **Drug Syndicate.** – Any organized group of two (2) or more persons forming or joining together with the intention of committing any offense prescribed under this Act.
q. *Financier.* – Any person who pays for, raises or supplies money for, or underwrites any of the illegal activities prescribed under this Act.

s. *Instrument.* – Any thing that is used in or intended to be used in any manner in the commission of illegal drug trafficking or related offenses.

v. *Cannabis or commonly known as “Marijuana” or “Indian Hemp” or by its any other name.* – Embraces every kind, class, genus, or specie of the plant *Cannabis sativa* L. including, but not limited to, *Cannabis americana, hashish, bhang, guaza, churrus* and *ganjab*, and embraces every kind, class and character of marijuana, whether dried or fresh and flowering, flowering or fruiting tops, or any part or portion of the plant and seeds thereof, and all its geographic varieties, whether as a reefer, resin, extract, tincture or in any form whatsoever.

w. *Methylenedioxymethamphetamine (MDMA) or commonly known as “Ecstasy”, or by its any other name.* – Refers to the drug having such chemical composition, including any of its isomers or derivatives in any form.

x. *Methamphetamine Hydrochloride or commonly known as “Shabu”, “Ice”, “Meth”, or by its any other name.* – Refers to the drug having such chemical composition, including any of its isomers or derivatives in any form.

y. *Opium.* – Refers to the coagulated juice of the opium poppy (*Papaver somniferum* L.) and embraces every kind, class and character of opium, whether crude or prepared; the ashes or refuse of the same; narcotic preparations thereof or therefrom; morphine or any alkaloid of opium; preparations in which opium, morphine or any alkaloid of opium enters as an ingredient; opium poppy; opium poppy straw; and leaves or wrappings of opium leaves, whether prepared for use or not.

z. *Opium Poppy.* – Refers to any part of the plant of the species *Papaver somniferum* L., *Papaver setigerum* DC, *Papaver orientale, Papaver bracteatum* and *Papaver rhoeas*, which includes the seeds, straws, branches, leaves or any part thereof, or substances derived therefrom, even for floral, decorative and culinary purposes.

aa. *PDEA.* – Refers to the Philippine Drug Enforcement Agency under Section 82, Article IX of this Act.

... 

cc. *Planting of Evidence.* – The willful act by any person of maliciously and surreptitiously inserting, placing, adding or attaching directly or indirectly, through any overt or covert act, whatever quantity of any dangerous drug and/or controlled precursor and essential chemical in the person, house, effects or in the immediate vicinity of an innocent individual for the purpose of implicating, incriminating or imputing the commission of any violation of this Act.
dd. Practitioner. – Any person who is a licensed physician, dentist, chemist, medical technologist, nurse, midwife, veterinarian or pharmacist in the Philippines.

e. Protector/Coddler. – Any person who knowingly and willfully consents to the unlawful acts provided for in this Act and uses his/her influence, power or position in shielding, harboring, screening or facilitating the escape of any person he/she knows, or has reasonable grounds to believe on or suspects, has violated the provisions of this Act in order to prevent the arrest, prosecution and conviction of the violator.

ff. Pusher. – Any person who sells, trades, administers, dispenses, delivers or gives away to another, on any terms whatsoever, or distributes, dispatches in transit or transports dangerous drugs or who acts as a broker in any of such transactions, in violation of this Act.

gg. School. – Any educational institution, private or public, undertaking educational operation for pupils/students pursuing certain studies at defined levels, receiving instructions from teachers, usually located in a building or a group of buildings in a particular physical or cyber site.

hh. Screening Test. – A rapid test performed to establish potential/presumptive positive result.

ii. Sell. – Any act of giving away any dangerous drug and/or controlled precursor and essential chemical whether for money or any other consideration.

jj. Trading. – Transactions involving the illegal trafficking of dangerous drugs and/or controlled precursors and essential chemicals using electronic devices such as, but not limited to, text messages, email, mobile or landlines, two-way radios, internet, instant messengers and chat rooms or acting as a broker in any of such transactions whether for money or any other consideration in violation of this Act.

kk. Use. – Any act of injecting, intravenously or intramuscularly, of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body, and of the dangerous drugs.

SECTION 5. Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals.

The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute dispatch in transit or transport any dangerous drug, including any and all species of opium poppy regardless of the quantity and purity involved, or shall act as a broker in any of such transactions.
The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport any controlled precursor and essential chemical, or shall act as a broker in such transactions. If the sale, trading, administration, dispensation, delivery, distribution or transportation of any dangerous drug and/or controlled precursor and essential chemical transpires within one hundred (100) meters from the school, the maximum penalty shall be imposed in every case. For drug pushers who use minors or mentally incapacitated individuals as runners, couriers and messengers, or in any other capacity directly connected to the dangerous drugs and/or controlled precursors and essential chemical trade, the maximum penalty shall be imposed in every case. If the victim of the offense is a minor or a mentally incapacitated individual, or should a dangerous drug and/or a controlled precursor and essential chemical involved in any offense herein provided be the proximate cause of death of a victim thereof, the maximum penalty provided for under this Section shall be imposed.

The maximum penalty provided for under this Section shall be imposed upon any person who organizes, manages or acts as a “financier” of any of the illegal activities prescribed in this Section. The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a “protector/coddler” of any violator of the provisions under this Section.

**Section 11. Possession of Dangerous Drugs.** The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall possess any dangerous drug in the following quantities, regardless of the degree of purity thereof:

1. Ten (10) grams or more of opium
2. Ten (10) grams or more of morphine
3. Ten (10) grams or more of heroin
4. Ten (10) grams or more of cocaine or cocaine hydrochloride
5. Fifty (50) grams or more of methamphetamine hydrochloride or “shabu”
6. Ten (10) grams or more of marijuana resin or marijuana resin oil
7. Five hundred (500) grams or more of marijuana
8. Ten (10) grams or more of other dangerous drugs such as, but not limited to, methylenedioxymethamphetamine (MDMA) or “ecstasy”, paramethoxy–
amphetamine (PMA), trimethoxyamphetamine (TMA), lysergic acid diethylamine (LSD), gamma hydroxybutyrate (GHB), and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements, as determined and promulgated by the Board in accordance to Section 93, Article XI of this Act.

Otherwise, if the quantity involved is less than the foregoing quantities, the penalties shall be graduated as follows:

1. Life imprisonment and fine ranging from Four hundred thousand pesos (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantity of methamphetamine hydrochloride or “shabu” is ten (10) grams or more but less than fifty (50) grams

2. Imprisonment of twenty (20) years and one day to life imprisonment and a fine ranging from Four hundred thousand pesos (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantities of dangerous drugs are five (5) grams or more but less than ten (10) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin or marijuana resin oil, methamphetamine hydrochloride or “shabu”, or other dangerous drugs such as, but not limited to, MDMA or “ecstasy”, PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic requirements; or three hundred (300) grams or more but less than five (500) grams of marijuana

3. Imprisonment of twelve (12) years and one day to twenty (20) years and a fine ranging from Three hundred thousand pesos (P300,000.00) to Four hundred thousand pesos (P400,000.00), if the quantities of dangerous drugs are less than five (5) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin, or marijuana resin oil, methamphetamine hydrochloride or “shabu” or other dangerous drugs such as, but not limited to, MDMA or “ecstasy”, PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements; or less than three hundred (300) grams of marijuana.

**Section 12. Possession of Equipment, Instrument, Apparatus, and Other Paraphernalia for Dangerous Drugs.** The penalty of imprisonment ranging from six (6) months and one day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed upon any person, who, unless authorized by law, shall possess or have under his/her control any equipment, instrument, apparatus, and other paraphernalia fit or intended for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into the body: Provided, That in the case of medical practitioners
and various professionals who are required to carry such equipment instrument, apparatus and other paraphernalia in the practice of their profession, the Board shall prescribe the necessary implementing guidelines thereof. The possession of such equipment, instrument, apparatus, and other paraphernalia fit or intended for any of the purposes enumerated in the preceding paragraph shall be prima facie evidence that the possessor has smoked, consumed, administered to himself/herself, injected, ingested or used a dangerous drug and shall be presumed to have violated Section 15 of this Act.

**SECTION 13. Possession of Dangerous Drugs during Parties, Social Gatherings or Meetings.** Any person found possessing any dangerous drug during party, or at social gathering or meeting, or in the proximate company of at least two (2) persons, shall suffer the maximum penalties provided for in the Sec. 11 of this Act, regardless of the quantity and purity of such dangerous drugs.

**SECTION 14. Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs during Parties, Social Gatherings or Meetings.** – The maximum penalty provided for in Section 12 of this Act shall be imposed upon any person who shall possess or have under his/her control any equipment, instrument, apparatus and other paraphernalia fit or intended for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into the body, during parties, social gatherings or meetings, or in the proximate company of at least two (2) persons.

**SECTION 15. Use of Dangerous Drugs.** A person apprehended or arrested, who is found to be positive for use of any dangerous drug, after a confirmatory test, shall be imposed a penalty of a minimum of six (6) months rehabilitation in a government center for the first offense, subject to the provisions of Article VIII of this Act. If apprehended using any dangerous drug for the second time, he/she shall suffer the penalty of imprisonment ranging from six (6) years to one day to twelve (12) years and a fine ranging from Fifty thousand pesos (P50,000.00) to Two hundred thousand pesos (P200,000.00): Provided, That this section shall not be applicable where the person tested is also found to have his/her possession such quantity of any dangerous drug provided under Section 11 of this Act, in which case the provisions stated therein shall apply.

**ARTICLE III.**

**DANGEROUS DRUGS TEST AND RECORD REQUIREMENTS**

**SECTION 36. Authorized Drug Testing.** Authorized drug testing shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. The DOH shall take steps in setting the price of the drug test with DOH accredited
drug testing centers to further reduce the cost of such drug test. The drug testing shall employ, among others, two (2) testing methods, the screening test, which will determine the positive result as well as the type of the drug used, and the confirmatory test, which will confirm a positive screening test. Drug test certificates issued by accredited drug testing centers shall be valid for a one-year period from the date of issue and which may be used for other purposes. The following shall be subjected to undergo drug testing:

... 

c. Students of secondary and tertiary schools.- Students of secondary and tertiary schools shall, pursuant to be related rules and regulations as contained in the school’s student handbook and with notice to the parents, undergo a random drug testing: Provided, That all drug testing expenses whether in private or public schools under this Section will be borne by the government.

**ARTICLE IV.**

**PARTICIPATION OF THE FAMILY, STUDENTS, TEACHERS, AND SCHOOL AUTHORITIES IN THE ENFORCEMENT OF THIS ACT**

**SECTION 41. Involvement of the Family.** The family, being the basic unit of the Filipino society, shall be primarily responsible for the education and awareness of the members of the family on the ill effects of dangerous drugs and close monitoring of family members who may be susceptible to drug abuse.

**SECTION 42. Student Councils and Campus Organizations.** All elementary, secondary and tertiary schools’ student councils and campus organizations shall include in their activities a program for the prevention of and deterrence in the use of dangerous drugs, and referral for treatment and rehabilitation of students for drug dependence.

**SECTION 43. School Curricula.** Instruction on drug abuse prevention and control shall be integrated in the elementary, secondary, and tertiary curricula of all public and private schools, whether general, technical, vocational, or agro-industrial, as well as in non-formal, informal and indigenous learning systems. Such instructions shall include:

1. Adverse effects of the abuse and misuse of dangerous drugs on the person, the family, the school and the community
2. Preventive measures against drug abuse
3. Health, socio-cultural, psychological, legal and economic dimensions and implications of the drug problem
4. Steps to take when intervention on behalf of a drug dependent is needed, as well as the services available for the treatment and rehabilitation of drug dependents
5. Misconceptions about the use of dangerous drugs such as, but not limited to, the importance and safety of dangerous drugs for medical and therapeutic use as well as the differentiation between medical patients and drug dependents in order to avoid confusion and accidental stigmatization in the consciousness of the students.

Section 44. Heads, Supervisors, and Teachers of Schools. For the purpose often forcing the provisions of Article II of this Act, all school heads, supervisors, and teachers shall be deemed persons in authority and, as such, are hereby empowered to apprehend, arrest, or cause the apprehension or arrest of any person who shall violate any of the said provisions, pursuant to Section 5, Rule 113 of the Rules Court. They shall be deemed persons in authority if they are in the school or within its immediate vicinity, or even beyond such immediate vicinity if they are in attendance at any school or class function in their official capacity as school heads, supervisors, and teachers. Any teacher or school employee, who discovers or finds that any person in the school within its immediate vicinity is liable for violating any of said provisions, shall have the duty to report the same to the school head or immediate superior who shall, in turn, report the matter to the proper authorities. Failure to do in either case, within a reasonable period from the time of discovery of the violation shall, after due hearing, constitute sufficient cause for disciplinary action by the school authorities.

Section 45. Publication and Distribution of Materials on Dangerous Drugs. With the assistance of the Board, the Secretary of the Department of Education (DepEd), the Chairman of the Commission on Higher Education (CHED), and the Director-General of the Technical Education and Skills Development Authority (TESDA), shall cause the development, publication, and distribution of information and support educational materials on dangerous drugs to students, the faculty, the parents, and the community.

Section 46. Special Drug Education Center. With the assistance of the Board, the Department of Interior and Local Government (DILG), the National Youth Commission (NYC), and the Department of Social Welfare and Development (DSWD), shall establish in each of its provincial offices a special education drug center for out-of-school youth and street children. Such Center, which shall be headed by the Provincial Social Development Officer, shall sponsor drug prevention programs and activities and information campaigns with the end in view of educating the out-of-school youth and street children regarding the pernicious effects of drug abuse. The programs initiated by the Center shall likewise be adopted in all public and private orphanage and existing special centers for street children.

Approved: June 7, 2002
DANGEROUS DRUGS BOARD
BOARD REGULATION No. 3, SERIES OF 2009

SUBJECT : GENERAL GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING
FOR STUDENTS OF SECONDARY, TERTIARY, VOCATIONAL AND TECHNICAL
SCHOOLS, AMENDING BOARD REGULATION NO. 6, SERIES OF 2003

WHEREAS, Section 36 (c), Article III of Republic Act 9165, mandates that the students of
secondary and tertiary schools shall undergo drug testing and that all drug testing expenses
whether in public or private schools under this Section will be borne by the government;

WHEREAS, government already implemented a similar random drug testing activity in 2005
for secondary level students, and in 2007, for tertiary level students;

WHEREAS, there is a need to amend provisions of the implementing guidelines in order to
adopt new policy directives and remedy perceived ambiguities in the previous issuance;

WHEREFORE, be it RESOLVED, as it is hereby RESOLVED, to amend Board Regulation No. 6, Series
of 2003 specifically the following provisions thereof:

SECTION 1. Subject, is hereby amended by including “students of vocational and technical
schools”, as among those covered by the guidelines which should now read as follows:

SUBJECT: “GENERAL GUIDELINES FOR THE CONDUCT OF RANDOM DRUG TESTING
FOR STUDENTS OF SECONDARY, TERTIARY, VOCATIONAL AND TECHNICAL
SCHOOLS”

SECTION 2. Letter A “Guiding Principles in the Implementation of Random Drug Testing in
Schools and Management of Drug Test Results” is hereby amended by adding
another paragraph as paragraph number 12.

12. Random drug testing for students is considered by the government as entirely
a “health” issue and aims to provide appropriate interventions, to those who
will be tested positive for dangerous drug use, which will help the student stop
further use and/or abuse of the substance.

SECTION 3. Letter C “DEFINITION OF TERMS” is hereby amended to include the terms “CHAIN OF
CUSTODY, INTERVENTIONS and LABORATORY, which shall be defined as follows:

CHAIN OF CUSTODY – refers to procedures to account for each specimen by
tracking its handling and storage from point of collection to final disposal. These
procedures require that the applicant’s identity is confirmed and that a Custody
and Control Form is used from time of collection to receipt by the laboratory.
Within the laboratory, appropriate chain of custody records must account for the
samples until disposal.
INTERVENTIONS – are therapeutic programs appropriate for high-risk individuals/students who are using dangerous drugs and who need special assistance to recognize the signs and symptoms of initial drug use and dependency. It may include corrective or rehabilitative actions that may take the form of crisis intervention, peer counseling, peer leadership programs, parent/peer groups, or psychological counseling at the individual or family level and structured rehabilitation programs. It may also include medical intervention of the afflicted student whenever necessary.

LABORATORY – refers to a DOH-Accredited private or government facility that is capable of testing a specimen to determine the presence of dangerous drugs therein.

SECTION 4. Letter D “PROCEDURES IN THE CONDUCT OF RANDOM DRUG TESTING” is hereby amended such that:

Item 2.a. should read as: “The Supervising Agency shall inform all schools on their inclusion in the random drug testing program.”

Item 4. on Treatment of Random Drug Test Results is hereby amended in its entirety such that it shall read as follows:

4. TREATMENT OF RANDOM DRUG TEST RESULTS

a. The results of the test shall be strictly confidential. No school shall publish or post results whether positive or negative.

b. Any person who violates the rules of confidentiality of the results and selection shall be liable under Section 72 of RA9165 and such other appropriate laws.

c. In case the test results are positive at the screening level, the same specimen shall immediately be submitted for confirmation observing all strict chain of custody procedures and confidentiality of records.

d. If a student is “confirmed” to be using a dangerous drug, the following shall be observed:

i. The Laboratory, places results in a sealed envelope for transmission to the Central Office of the Supervising Agency

ii. The Supervising Agency shall then transmit the results to the concerned school/institution by informing the particular school/institution’s random drug testing (RDT) Coordinator previously assigned by the selection board.

1. The Supervising Agency shall remind the RDT Coordinator of the confidential nature of the results and strict handling of the “chain of custody” of the information should be observed.
iii. The school/institution's RDT Coordinator shall then inform the parent and the student of the results and how the information is regarded with utmost secrecy and confidentiality
   1. The Coordinator shall remind the student that divulging the results with anybody will be at his own risk; and
   2. That if possible, the information should remain in the confines of their house.

iv. The parent, the RDT Coordinator and the student shall then prepare for a case conference to discuss issues of drug use and possible dependency.

v. The Drug Testing Coordinator shall refer the student and his/her parent to a government-owned DOH-accredited facility or DOH-accredited government physician to determine the student’s dependency level.

vi. A date and venue shall be selected for the case conference
   1. Date should be agreeable to all concerned in the case conference (Parent, Student, RDT Coordinator and the DOH Accredited Physician).
   2. Venue should have a semblance of privacy (preferably in a room, with an office table where group discussions and individual sessions can be done).
   3. Whichever is more convenient for the student and parent, venue could be as follows:
      a. Regional Office or hospital of the DOH
      b. Regional Office of the Supervising Agency
      c. Other designated venue which can assure privacy

vii. The RDT Coordinator shall inform Supervising Agency Central Office coordinator on the possible dates and venue for further discussions of options.

viii. Once, finalized, the group shall proceed as planned with the case conference.
   1. Drug dependency level of the student shall be evaluated;
   2. Cross reference of information shall be validated from the parent and RDT Coordinator;
   3. Treatment planning for the student shall be discussed and presented to the student and parent;
   4. Options for treatment should be presented to the parent and student;
5. If a student (below 18 years of age) is found to be a drug dependent, the school authority shall refer him/her to the Department of Social Welfare and Development (DSWD) or a local social worker for counseling and other intervention;

6. The parent and the student may choose to enroll the student in a private rehabilitation center or program or opt to avail of the rehabilitation services of the government through a DOH-accredited facility.
   a. If child opts for government service, the DOH treatment and rehabilitation centers nearest to the area can provide services;
   b. If the parent and student would opt for private services, appropriate referrals will be done, taking note of the progress of treatment on a regular basis;

7. Trained guidance counselors can also be utilized.
   e. If a student is “confirmed” negative from dangerous drug use, the following shall be observed:
      1. Names per school/institution of all who tested negative will be summarized in a result form.
      2. The Summarized result form shall be transmitted to the Supervising Agency concerned.
      3. Supervising Agency Central Office shall forward the same to the concerned school/institution's RDT Coordinator.
      4. The RDT Coordinator and/or teacher adviser and/or guidance counselor shall individually inform each student and parent concerned regarding the results.

   f. Positive confirmatory drug test result under this Regulation shall not be a ground for expulsion or any disciplinary action against the student and should not be reflected in any and all academic records. Under no circumstances shall the results be used to incriminate any student for further legal action which may result to administrative/civil/criminal liabilities.

   Likewise, consistent with the requirements of confidentiality, the results of drug tests conducted pursuant to this Board Regulation, shall not be used as evidence in any court or tribunal, where the subject student stands to be accused of any crime or felony, and for any other purpose.

   g. The student shall then undergo the prescribed intervention program under the supervision of the DOH-accredited facility or physician, or private practitioners,
or social worker, in consultation with the parent. Such process of observation and counseling shall be done in coordination with the Drug Counselor of the school.

h. If student shows no signs of improvement, recovery or fails the drug test the second time, the DOH- accredited facility or physician, may make a recommendation to the student, parent, and Drug Testing Coordinator to have the student referred to a DOH- accredited facility suited to the student’s level of dependency. If another drug testing is conducted for another period on the same student population, and the student is found positive the second time, the school shall proceed in accordance with Section 61, R.A. 9165.

i. If the parents refuse to act, the school shall proceed in accordance to Sec. 61 of RA 9165 without prejudice to the provision of Section 73, RA 9165.

SECTION 5. Letter F ”TRAINING OF GUIDANCE COUNSELORS” is hereby amended such that letter F shall read as follows:

F. TRAINING OF GUIDANCE COUNSELORS

The Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), the Philippine Drug Enforcement Agency (PDEA) and Dangerous Drugs Board (DDB) in coordination with each other, shall formulate and conduct the training program for guidance counselors for the purpose of enhancing their skills in handling drug abuse prevention programs and handling drug dependency cases. The school guidance counselors and other qualified medical personnel shall be encouraged to undergo DOH accreditation.

SECTION 6. Letter H ”ENFORCEMENT AND COMPLIANCE” is hereby amended to delete the phrase “impose sanction” and change it with the phrase “implement interventions” and adding as additional sentence “Interventions should be consistent with the provisions of this Board Regulation and it’s guiding principles of the first paragraph and adding as third paragraph thereof the phrase; “Supervising Agencies should encourage institutionalization of Drug Testing Activities in schools/institutions concerned over-and-above the random drug testing program conducted by the government. The Supervising Agencies and the DOH should help build up capacities of schools/institutions to achieve competencies and self-reliance on random drug testing. Schools who initiated the conduct of similar drug testing activities shall submit reports to the Supervising Agencies for proper accreditation of the Department of Health.” So that letter H of the Guidelines should now read as follows;

H. ENFORCEMENT OF COMPLIANCE

Students who refuse to undergo random drug testing shall be dealt with in accordance with the rules and regulations of the schools; provided that at no
time refusal to undergo testing shall not give rise to a presumption of drug use or dependency; provided further that the school may implement interventions on such refusal other than the offense of drug use or dependency. Interventions should be consistent with the provisions of this Board Regulation and its guiding principles.

Schools that refuse to implement the random drug testing program shall be liable under Section 32 of RA 9165 without prejudice to other administrative sanctions imposed by the Supervising Agencies. The Supervising Agency shall report the same to the Philippine Drug Enforcement Agency (PDEA) and the Dangerous Drugs Board (DDB).

Supervising Agencies should encourage institutionalization of Drug Testing Activities in schools/institutions concerned over-and-above the random drug testing program conducted by the government. The Supervising Agencies and the DOH should help build up capacities of schools/institutions to achieve competencies and self-reliance on random drug testing. Schools who initiated the conduct of similar drug testing activities shall submit reports to the Supervising Agencies for proper accreditation of the Department of Health.

Attached is the flow chart of activities which shall be an integral part of this Regulation.

All issuances, including Board Regulation No. 6, s. 2003 or part thereof inconsistent herewith, are deemed repealed or modified accordingly.

SECTION 7. Effectivity – This Regulation shall take effect after fifteen (15) days after its publication in two (2) newspapers of general circulation and after its registration with the Office of the National Administrative Register (ONAR), UP Law Center, Quezon City.

APPROVED and ADOPTED, this 3rd day of June, in the year of Our Lord, 2009 in Quezon City.

(Sgd) Secretary VICENTE C. SOTTO III
Chairman, Dangerous Drugs Board
AN EXCERPT FROM
CHED MEMORANDUM ORDER NO. 19 SERIES OF 2003

SECTION D. PROCEDURES IN THE CONDUCT OF RANDOM DRUG TESTING

1. Notification
   a. The Supervising Agency through an appropriate order that includes these guidelines on random drug testing, shall inform all schools under its supervision about the government’s actions against illegal drugs.

   The schools’ administration shall be required to explain these provisions and their procedures to the school community and when applicable, include these in the schools’ handbook or listing of procedures.

   b. All students and their parents shall be notified in writing on the process and manner by which the random drug testing shall be conducted. Such notification may be sent at any time during the school term. Failure to return the acknowledgment receipt shall not be a bar to the conduct of the drug testing.

2. Samples
   a. The Supervising Agency shall inform randomly selected schools on their inclusion in the random drug testing program.

   b. The whole student population of the school selected shall be included in the random sampling.

   c. The number of samples should yield a statistical 95% confidence level for the whole student population.

3. Selection of Samples
   a. The Drug Testing Coordinator shall convene the Selection Board within five days from the receipt of notice from the Supervising Agency stating that the school is included in the program.

   b. On the day of the testing, the Selection Board shall conduct the random selection of those to be tested.

   c. The Selection Board shall ensure the confidentiality and integrity of the random selection process.

   d. The selection process shall be random through a lottery, which may be computerized, or in any other manner that shall be agreed upon by the Board.

   e. The random selection of students and the drug testing shall be done on the same day. f. Prior to testing, the selected students shall be asked to reveal the prescription medicines, vitamins, food supplements that they had ingested within the past five
(5) days. The Drug Testing Coordinator shall keep the listing and utilize this in the evaluation of the confirmatory drug test.

g. The laboratory shall follow the DOH prescribed guidelines in the collection of urine specimens. Universal precautions shall be observed at all times. DOH Prescribed Guidelines shall be posted in strategic places/visible areas of the school.

h. The monitor assigned to ensure the integrity of the collection process should be of the same sex as the student.

i. The drug testing shall be done in the school and conducted by a duly accredited drug-testing laboratory. The school, through its respective health personnel, shall assist the Drug Testing Laboratory in the conduct of the drug testing.

j. The Drug Testing Coordinator shall ensure the confidentiality and integrity of the random drug testing for the students, teachers, administration and personnel of the school. It is strongly recommended that the drug testing for students, the teachers, administration and personnel be done simultaneously.

4. Treatment of Random Drug Test Results

a. The results of the test shall be strictly confidential. No school shall publish or post results whether positive or negative.

b. Any person who violates the rules of confidentiality of the results and selection shall be liable under Section 72 of RA 9165 and such other appropriate laws.

c. The laboratory shall place the drug test result in a sealed envelope and deliver the same via personal service to the Drug Testing Coordinator. The Drug Testing Coordinator shall then inform all the students tested individually of the test results.

d. In case the test results are positive, the Drug Testing Coordinator shall inform both the student and parent concerned that a confirmatory test shall be conducted. The student shall be told to inform his/her parents of the scheduled conference with the Drug Testing Coordinator. The student shall be advised to refrain from revealing the test results to other persons.

e. During the scheduled conference, the Drug Testing Coordinator shall relay to the parents full information on the process that shall be undertaken for the confirmatory test. In the event that the parents do not appear on the scheduled conference, the student shall be informed of the schedule of the confirmatory test.

f. The confirmatory drug test shall be conducted in the same manner as the initial drug test.

g. The results of the confirmatory test shall be transmitted by the laboratory in a sealed envelope and handed directly to the Drug Testing Coordinator.

h. The Drug Testing Coordinator shall inform both the parents and the student of the results of the test.
i. The Drug Testing Coordinator shall not delegate such task of informing the student and parent to any other person, nor shall the Drug Testing Coordinator reveal the results of the test to any person other than the student and parent.

j. First time positive confirmatory drug test result shall not be a ground for expulsion or any disciplinary action against the student.

k. The Drug Testing Coordinator shall refer the student and his/her parent to government-owned DOH-accredited facility or DOH-accredited government physician to determine the student's dependency level.

l. The student may opt for a private DOH-accredited facility or physician for this initial determination provided it is at his/her own expense.

m. In the event that it is determined that the student is a drug dependent, the school may impose the appropriate sanctions against the student as provided for in the school's Student Handbook and the Manual of Regulations for Private Schools, provided that in the case of public secondary schools, if the student is later on found to have been rehabilitated, the student shall then be allowed to re-enroll.

n. The student shall then undergo a three (3) month observation and counseling period under the supervision of the DOH-accredited facility or physician in consultation with the parent. Such process of observation and counseling shall be done in coordination with the Drug Counselor of the school.

o. At the end of the three months, it is hoped that with the counseling done, the student will be properly rehabilitated.

If student shows no signs of improvement, recovery or fails the drug test the second time, the DOH- accredited facility or physician, may make a recommendation to the student, parent, and Drug Testing Coordinator to have the student referred to a DOH- accredited facility suited to the student’s level of dependency. If another drug testing is conducted for another period on the same student population, and the student is found positive the second time, the school shall proceed in accordance with Section 61, R.A. 9165.

The parent and the student may choose to enroll the student in a private rehabilitation center or program or opt to avail of the rehabilitation services of the government through a DOH-accredited facility.

If the parents refuse to act, the school shall proceed in accordance to Sec. 61 of RA 9165 without prejudice to the provision of Section 73, RA 9165.
Excerpts from
Tobacco Regulation Act of 2003
[REPUBLIC ACT NO. 9211]

AN ACT REGULATING THE PACKAGING, USE, SALE, DISTRIBUTION AND ADVERTISEMENTS OF TOBACCO PRODUCTS AND FOR OTHER PURPOSES

SECTION 1. Short Title. – This Act shall be known as the Tobacco Regulation Act of 2003.

SECTION 2. Policy. – It is the policy of the State to protect the populace from hazardous products and promote the right to health and instill health consciousness among them. It is also the policy of the State, consistent with the Constitutional ideal to promote the general welfare, to safeguard the interests of the workers and other stakeholders in the tobacco industry. For these purposes, the government shall institute a balanced policy whereby the use, sale and advertisements of tobacco products shall be regulated in order to promote a healthful environment and protect the citizens from the hazards of tobacco smoke, and at the same time ensure that the interests of tobacco farmers, growers, workers and stakeholders are not adversely compromised.

SECTION 3. Purpose. – It is the main thrust of this Act to:

a. Promote a healthful environment;

b. Inform the public of the health risks associated with cigarette smoking and tobacco use;

c. Regulate and subsequently ban all tobacco advertisements and sponsorships;

d. Regulate the labeling of tobacco products;

e. Protect the youth from being initiated to cigarette smoking and tobacco use by prohibiting the sale of tobacco products to minors;

f. Assist and encourage Filipino tobacco farmers to cultivate alternative agricultural crops to prevent economic dislocation; and

g. Create an Inter-Agency Committee on Tobacco (IAC-Tobacco) to oversee the implementation of the provisions of this Act.

SECTION 4. Definition of Terms – As used in this Act:

a. “Advertisement” – refers to any visual and/or audible message disseminated to the public about or on a particular product that promote and give publicity by words, designs, images or any other means through broadcast, electronic, print or whatever form of mass media, including outdoor advertisements, such as but
not limited to signs and billboards. For the purpose of this Act, advertisement shall be understood as tobacco advertisement.

b. “Advertising” – refers to the business of conceptualizing presenting, making available and communicating to the public, through any form of mass media, any fact, data or information about the attributes, features, quality or availability of consumer products, services or credit.

For the purpose of this Act, advertising shall be understood as tobacco advertising. This shall specifically refer to any messages and images promoting smoking; the purchase or use of cigarette or tobacco products; and cigarette or tobacco trademarks, brand names, design and manufacturer’s names;

c. “Advertiser” – refers to a person or entity on whose account or for whom an advertisement is prepared and disseminated by the advertising agency, which is a service established and operated for the purpose of counseling or creating and producing and/or implementing advertising programs in various forms of media;

d. “Cigarette” - refers to any roll or tubular construction, which contains tobacco or its derivatives and is intended to be burned or heated under ordinary conditions of use;

e. “Distributor” - refers to any person to whom a tobacco product is delivered or sold for purposes of distribution in commerce, except that such term does not include a manufacturer or retailer or common carrier of such product;

f. “Mass Media” – refers to any medium of communication designed to reach a mass of people. For this purpose, mass media includes print media such as, but not limited to, newspapers, magazines, and publications; broadcast media such as, but not limited to, radio, television, cable television, and cinema; electronic media such as but not limited to the internet;

g. “Minor” - refers to any person below eighteen (18) years old;

h. “Manufacturer” – refers to any person or entity, including a re-packer, who makes, fabricates, assembles, processes, or labels a finished product;

i. “Package” – refers to packs, boxes, cartons or containers of any kind in which any tobacco product is offered for sale to consumers;

j. “Person” – refers to an individual, partnership, corporation or any other business or legal entity;

k. “Point-of-Sale” – refers to any location at which individual can purchase or otherwise obtain tobacco products;

l. “Promotion” – refers to an event or activity organized by or on behalf of a tobacco manufacturer, distributor or retailer with the aim of promoting a brand of tobacco product, which event or activity would not occur but for the support given to it by
or on behalf of the tobacco manufacturer, distributor or retailer. It may also refer to the display of tobacco product or manufacturer’s name, trademark, logo, etc. on non-tobacco products. This includes the paid use of tobacco products bearing the brand names, trademarks, logos, etc. in movies, television and other forms of entertainment. For the purpose of this Act, promotion shall be understood as tobacco promotion;

m. “Public Conveyances” – refer to modes of transportation servicing the general population, such as, but not limited to, elevators, airplanes, buses, taxicabs, ships, jeepneys, light rail transits, tricycles, and similar vehicles;

n. “Public Places” – refer to enclosed or confined areas of all hospitals, medical clinics, schools, public transportation terminals and offices, and buildings such as private and public offices, recreational places, shopping malls, movie houses, hotels, restaurants, and the like;

o. “Retailer” – refers to any person who or entity that sells tobacco products to individuals for personal consumption;

p. “Smoking” – refers to the act of carrying a lighted cigarette or other tobacco products, whether or not it is being inhaled or smoked;

q. “Sponsorship” – refers to any public or private contribution to a third party in relation to an event, team or activity made with the aim of promoting a brand of tobacco product, which event, team or activity would still exist or occur without such contribution. For the purpose of this Act, sponsorship shall be understood as tobacco sponsorship;

r. “Tobacco” – refers to agricultural components derived from the tobacco plant, which are processed for use in the manufacturing of cigarettes and other tobacco products;

s. “Tobacco Product” – refers to any product that consists of loose tobacco that contains nicotine and is intended for use in a cigarette, including any product containing tobacco and intended for smoking or oral or nasal use. Unless stated otherwise, the requirements of this Act pertaining to cigarettes shall also apply to other tobacco products;

t. “Tobacco Grower” – refers to any person who plants tobacco before the enactment of this Act and classified as such by the National Tobacco Administration (NTA); and

u. “Warning” – refers to the notice printed on the tobacco product or its container and/ or displayed in print or aired in broadcast or electronic media including outdoor advertising and which shall bear information on the hazards of tobacco use.
HEALTHFUL ENVIRONMENT

SECTION 5. Smoking Ban in Public Places. – Smoking shall be absolutely prohibited in the following public places:

a. Centers of youth activity such as play schools, preparatory schools, elementary schools, high schools, colleges and universities, youth hostels and recreational facilities for persons under eighteen (18) years old;

b. Elevators and stairwells;

c. Locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible materials;

d. Within the buildings and premises of public and private hospitals, medical, dental, and optical clinics, health centers, nursing homes, dispensaries and laboratories;

e. Public conveyances and public facilities including airport and ship terminals and train and bus stations, restaurants and conference halls, except for separate smoking areas; and

f. Food preparation areas.

SECTION 6. Designated Smoking and Non-smoking Areas. - In all enclosed places that are open to the general public, private workplaces and other places not covered under the preceding section, where smoking may expose a person other than the smoker to tobacco smoke, the owner, proprietor, operator, possessor, manager or administrator of such places shall establish smoking and non-smoking areas. Such areas may include a designated smoking area within the building, which may be in an open space or separate area with proper ventilation, but shall not be located within the same room that has been designated as non-smoking area.

All designated smoking areas shall have at least one (1) legible and visible sign posted, namely “SMOKING AREA” for the information and guidance of all concerned. In addition, the sign or notice posted shall include a warning about the health effects of direct or secondhand exposure to tobacco smoke. Non-smoking areas shall likewise have at least one (1) legible and visible sign, namely: “NON-SMOKING AREA” or “NO SMOKING.”

PENAL PROVISIONS

SECTION 32. Penalties. – The following penalties shall apply:

a. Violation of Sections 5 and 6. On the first offense, a fine of not less than Five hundred pesos (Php500.00) but not more than One thousand pesos (Php1,000.00) shall be imposed.
On the second offense, a fine of not less than One thousand pesos (Php1,000.00) but not more than Five thousand pesos (Php5,000.00) shall be imposed.

On the third offense, in addition to a fine of not less than Five thousand pesos (Php5,000.00) but not more than Ten thousand pesos (Php10,000.00), the business permits and licenses to operate shall be cancelled or revoked.

PROGRAMS AND PROJECTS

SECTION 33. Programs and Projects. – For a period not exceeding five (5) years, the National Government and the concerned departments and agencies shall provide the following programs and projects:

h. Withdrawal Clinics – The DOH shall establish smoking withdrawal clinics to provide counseling regarding the hazardous health effects of tobacco/cigarette smoking and to rehabilitate smokers from the hazardous effects of such products.

If a smoker-minor voluntarily submits himself for treatment, counseling, or rehabilitation in a smoking withdrawal clinic located in any medical institution in the Philippines, or through his parent/guardian, the expenses incurred shall be a reimbursable outpatient service of the Philippine Health Insurance Corporation.

INFORMATION PROGRAM

SECTION 34. Information Drive. – Consistent with the provisions of this Act, the DOH shall, in cooperation with the DepEd and with the assistance of the Philippine Information Agency (PIA), undertake a continuous information program on the harmful effects of smoking.

The DOH shall enlist the active participation of the public and private sectors in the national effort to discourage the unhealthy habit of smoking.

SECTION 35. Instruction on the Hazardous Effect of Smoking as Part of School Curricula. – Instruction on the adverse effects of cigarette/tobacco smoking, including their health, environmental and economic implications, shall be integrated into the existing curricula of all public and private elementary and high schools.

The DepEd Secretary shall promulgate such rules and regulations as may be necessary to carry out the above stated policy hereof, and, with the assistance of the Secretary of Health, and with the approval of the IAC-Tobacco, shall cause the publication and distribution of materials on unhealthy effects of smoking to students and the general public.

This Act, which is a consolidation of Senate Bill No. 1859 and House Bill No. 5950 was finally passed by the Senate and the House of Representatives on June 3, 2003 and June 2, 2003, respectively.
Excerpts from
Magna Carta for Disabled Persons
[REPUBLIC ACT NO. 7277]

AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DISABLED PERSONS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES.

CHAPTER I: BASIC PRINCIPLE

SECTION 1. Title. — This Act shall be known and cited as the “Magna Carta for Disabled Persons.”

SECTION 2. Declaration of Policy — The grant of the rights and privileges for disabled persons shall be guided by the following principles:

(a) Disabled persons are part of Philippine society, thus the State shall give full support to the improvement of the total well-being of disabled persons and their integration into the mainstream of society. Toward this end, the State shall adopt policies ensuring the rehabilitation, self-development and self-reliance of disabled persons. It shall develop their skills and potentials to enable them to compete favorably for available opportunities.

(b) Disabled persons have the same rights as other people to take their proper place in society. They should be able to live freely and as independently as possible. This must be the concern of everyone — the family, community and all government and non-government organizations. Disabled persons’ rights must never be perceived as welfare services by the Government.

(c) The rehabilitation of the disabled persons shall be the concern of the Government in order to foster their capacity to attain a more meaningful, productive and satisfying life. To reach out to a greater number of disabled persons, the rehabilitation services and benefits shall be expanded beyond the traditional urban-based centers to community based programs, that will ensure full participation of different sectors as supported by national and local government agencies.

CHAPTER II EDUCATION

SECTION 12. Access to Quality Education. — The State shall ensure that disabled persons are provided with access to quality education and ample opportunities to develop their skills. It shall take appropriate steps to make such education accessible to all disabled persons. It shall be unlawful for any learning institution to deny a disabled person admission to any course it offers by reason of handicap or disability.
The State shall take into consideration the special requirements of disabled persons in the formulation of educational policies and programs. It shall encourage learning institutions to take into account the special needs of disabled persons with respect to the use of school facilities, class schedules, physical education requirements, and other pertinent consideration.

The State shall also promote the provision by learning institutions, especially higher learning institutions of auxiliary services that will facilitate the learning process for disabled persons.

SECTION 13. Assistance to Disabled Students. — The State shall provide financial assistance to economically marginalized but deserving disabled students pursuing post secondary or tertiary education. Such assistance may be in the form of scholarship grants, student loan programs, subsidies, and other incentives to qualified disabled students in both public and private schools. At least five percent (5%) of the allocation for the Private Education Student Financial Assistance Program created by virtue of R.A. 6725 shall be set aside for disabled students pursuing vocational or technical and degree courses.
Excerpts from
Ecological Solid Waste Management Act of 2000
[REPUBLIC ACT NO.9003]

AN ACT PROVIDING FOR AN ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM, CREATING THE NECESSARY INSTITUTIONAL MECHANISMS AND INCENTIVES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

CHAPTER I BASIC POLICIES

ARTICLE 1

General Provisions

SECTION 1. Short Title - This Act shall be known as the “Ecological Solid Waste Management Act of 2000.”

SECTION 2. Declaration of Policies - It is hereby declared the policy of the State to adopt a systematic, comprehensive and ecological solid waste management program which shall:

(a) Ensure the protection of the public health and environment;

(b) Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery;

(c) Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery, green charcoal process, and others, before collection, treatment and disposal in appropriate and environmentally sound solid waste management facilities in accordance with ecologically sustainable development principles;

(d) Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practice in ecological waste management excluding incineration;

(e) Promote national research and development programs for improved solid waste management and resource conservation techniques, more effective institutional arrangement and indigenous and improved methods of waste reduction, collection, separation and recovery;

(f) Encourage greater private sector participation in solid waste management;

(g) Retain primary enforcement and responsibility of solid waste management with local government units while establishing a cooperative effort among the national
government, other local government units, non-government organizations, and the private sector;

(h) Encourage cooperation and self-regulation among waste generators through the application of market-based instruments;

(i) Institutionalize public participation in the development and implementation of national and local integrated, comprehensive, and ecological waste management programs; and

(j) Strength the integration of ecological solid waste management and resource conservation and recovery topics into the academic curricula of formal and non-formal education in order to promote environmental awareness and action among the citizenry.

**ARTICLE 2**

**Definition of Terms**

**SECTION 3. Definition of Terms** - For the purposes of this Act:

(a) Agricultural waste shall refer to waste generated from planting or harvesting of crops, trimming or pruning of plants and wastes or run-off materials from farms or fields;

(b) Bulky wastes shall refer to waste materials which cannot be appropriately placed in separate containers because of either its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial, and industrial items such as furniture, lamps, bookcases, filing cabinets, and other similar items;

(c) Bureau shall refer to the Environmental Management Bureau;

(d) Buy-back center shall refer to a recycling center that purchases of otherwise accepts recyclable materials from the public for the purpose of recycling such materials;

(e) Collection shall refer to the act of removing solid waste from the source or from a communal storage point;

(f) Composting shall refer to the controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product;

(g) Consumer electronics shall refer to special waste that includes worn-out, broken, and other discarded items such as radios, stereos, and TV sets;

(h) Controlled dump shall refer to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation;

(i) Department shall refer to the Department of Environment and Natural Resources;
(j) Disposal shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in an land;

(k) Disposal site shall refer to a site where solid waste is finally discharged and deposited; (l) Ecological solid waste management shall refer to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities which do not harm the environment;

(m) Environmentally acceptable shall refer to the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment;

(n) Generation shall refer to the act or process of producing solid waste;

(o) Generator shall refer to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling;

(p) Hazardous waste shall refer to solid waste management or combination of solid waste which because of its quantity, concentration or physical, chemical or infectious characteristics may:

January 26, 2001
CHED Memorandum Order No. 15, Series of 2012

CLARIFICATORY GUIDELINES FOR THE SUSPENSION OF CLASSES IN HIGHER EDUCATION INSTITUTIONS (HEIs) DUE TO TYPHOONS/STORMS, FLOODING AND OTHER WEATHER DISTURBANCES

SUBJECT: AMENDMENT TO CMO 34, SERIES OF 2010 TITLED “CLARIFICATORY GUIDELINES FOR THE SUSPENSION OF CLASSES IN HIGHER EDUCATION INSTITUTIONS (HEIs) DUE TO TYPHOONS / STORMS, FLOODING AND OTHER WEATHER DISTURBANCES”

In accordance with the pertinent provisions of Republic Act (RA) No. 7722, otherwise known as the “Higher Education Act of 1994, and in view of Malacañang Executive Order 66 entitled “PRESCRIBING RULES ON THE CANCELLATION OR SUSPENSION OF CLASSES AND WORK IN GOVERNMENT OFFICES DUE TO TYPHOONS, FLOODING, OTHER WEATHER DISTURBANCES, AND CALAMITIES,” guidelines for the suspension of classes in higher education institutions are hereby updated as follows:

1. CHED does not issue cancellation or suspension of classes.
2. Classes at the collegiate level, including graduate school, in the affected area, are automatically cancelled or suspended when Signal No. 3 is raised by the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAG-ASA) and announced through various media outlets.
3. Classes at the collegiate level, including graduate school, may be cancelled or suspended at the discretion of local chief executives of Local Government Units and/or heads of HEIs if special circumstances in their area such as flooding, road damage, etc. warrant it. HEIs are also advised to monitor National Disaster Risk Reduction and Management Council (NDRRMC) announcements where disasters and calamities are present.
4. Local chief executives and/or HEI heads or their duly authorized representatives shall make the announcement for the cancellation or suspension of classes not later than 4:30AM of the day when cancellation or suspension shall take effect, using all available media outlets, (radio, TV, SMS, website and other forms of social media). For midday suspensions, the announcement shall be made not later than 11:00AM. School heads are advised to use proper discretion since there are times it is safer to keep the students in school rather than expose them to greater danger.
5. Even without the cancellation or suspension of classes, students who are unable to report to class or participate in scheduled activities such as exams due to inclement weather shall be given consideration and be allowed to make up for the missed class or activity.

This guideline shall remain in effect until revoked or amended.

For immediate dissemination and strict compliance of all concerned.

Issued this 1st day of June 2012, Quezon City, Philippines.

For the Commission:
PATRICIA B. LICUANAN, Ph.D.
Chairperson
Republic of the Philippines  
OFFICE OF THE PRESIDENT  
COMMISSION ON HIGHER EDUCATION

CHED Memorandum Order  
No. 63  
Series of 2017

SUBJECT: POLICIES AND GUIDELINES ON LOCAL OFF-CAMPUS ACTIVITIES

In accordance with the pertinent provisions of Act (R.A.) No. 7722 otherwise known as the Higher Education Act of 1994, Batas Pambansa Blg.232, the constitution which states that “The State shall exercise reasonable supervision over all higher education institutions,” and by virtue of Commission en Banc Resolution No. 540-2017 dated July 18, 2017, the following policies and guidelines on local off-campus activities are hereby adopted.

ARTICLE I

RATIONALE

In the Philippines, Higher Education Institutions (HEIs) ensure sustainable teaching and learning delivery process through the conduct of off-campus activities. These are activities conducted by HEIs to supplement and facilitate a more meaningful learning experience for students in addition to the regular classroom instructional programs that are in accordance with specific degree program requirements. These also include non-curricular activities. They are intended to broaden the students’ learning opportunities and allow them a feel of the real world, and therefore serve as powerful motivator to strengthen the academe-industry linkage. These learning situations include: internships, educational tours or fieldtrips, field studies, educational linkages, student development activities, non-curricular-based activities such as mission-based, immersion/reach-out programs, conventions, conferences, trainings, volunteer work, interschool competitions, cultural performances and team development activities, among others.

ARTICLE II

STATEMENT OF POLICIES

Section 1. CHED recognizes the academic freedom of the HEIs in promoting quality education for the continuing intellectual growth, the advancement of learning and research, and the education of high level professionals while enriching historical and cultural heritage through the conduct of off-campus activities as part of the curriculum.

Section 2. All HEIs are given the authority to design, determine and approved the conduct of off-campus activities a) as part of a duly approved curriculum as noted by CHED or b) as part of the HEI’s particular context or paramount consideration given to the safety and welfare of the student participants.
Section 3. It is the obligation of the HEIs to: a) adopt mechanisms for safety and welfare of all participants to the off-campus activities; and b) observe due diligence and strict adherence to the requirements stipulated in the CMO and the joint Memorandum Circular (JMC).

Section 4. To ensure the well-being and safety of all students in the higher education and guarantee the quality of their learning and exposure, CHED, in partnerships with the department of tourism (DOT), Department of the Interior and Local Government (DILG), Land Transportation and Franchising and Regulatory Board (LTFRB), League of Cities of the Philippines (LCP), AND League of Municipalities of the Philippines (LMP), shall issue separate guidelines for the conduct of all off-campus activities, if needed.

**ARTICLE III**

**OBJECTIVES**

Section 5. These set of policies and guidelines aim to guide HEIs in the conduct of off-campus activities in order to develop the holistic experience of students and to provide:

5.1 access to efficient and learning for students through meaningful off-campus activities as part of their program requirement embodied in the approved curriculum;

5.2 quality off-campus activities necessary to the acquisition of relevant knowledge, skills, and values;

5.3 mechanisms to exercise due diligence prior, during and after the activities for safety and welfare of the students and HEIs’ personnel and

5.4 mechanisms for the implementation of parallel activities to those students who will not be participating in the activity.

**ARTICLE IV**

**COVERAGE**

Section 6. The CMO shall cover all the conduct of off-campus activities of HEIs within the Philippines, which were approved by the concerned HEI authorities. The activities shall include but not be limited to the following:

6.1 Curricular

   a. Educational Tours/Field trips
      - Visit to reputable firms or government sites and other areas identified by the concerned local government units (LGU’s) safe for students;
      - Culture and arts related activities such as visits to museums, cultural sites, landmarks and other related venues; or
      - Plant industry visit, host training establishment visit, and other related visits.
   b. participation and/or attendance in degree program-relevant events
   c. Field study/Experiential Learning/Related Learning experience
6.2 Non-Curricular
   a. mission-based activities (e.g., retreat, recollection, etc);
   b. conventions, seminars, conferences, symposiums, trainings and teambuilding;
   c. volunteer work including peer helper programs, relief operations, community outreach and immersion;
   e. participation in sports activities;
   f. activities initiated by recognized various student groups;
   g. interschool competitions/tournaments; or
   h. culture and arts performances and competition.

**ARTICLE V**

**DEFINITION OF TERMS**

Section 7. For the purposes of this CMO, the following terms are defined as follows:

7.1 Approved curriculum refers to the curriculum duly approved by the HEI and duly noted by the CHED regional offices (CHEDROs).

7.2 Curricular activities are required off-campus activities and are an integral part of the instructional program. All students are expected to attend the scheduled off-campus activity since it is part of the regularly scheduled class time.

   a. Educational Tours refer to off-campus learning activities involving mobility of students with the supervision of authorized personnel outside the premises of the institution which lasts for more than one (1) day, and involves relatively more places of destination than a field trip in accordance with specific degree program requirements.

   b. Field trips refer to off-campus learning involving mobility of students with the supervision of authorized personnel outside the premises of the institution but is of relatively shorter duration usually lasting for only one (1) day and with fewer places of destination.

   c. Field Study/Experiential learning/Related learning Experience refer to off-campus activities which are congruent to the learning outcomes of the course in terms of time and context. These activity require substantial off-campus learning as curriculum delivery.

7.3 Institution refers to the HEI where the student is enrolled or where the personnel is employed.

7.4 Non-curricular activities refer to off-campus activities that are considered as non-curricular or non-program based activities, among others, and are left to the discretion of the concerned HEI for the strategies of implementation as long as the safety and security of the students are duly ensured.

7.5 Off-campus activity refer to activities which include all authorized HEI curricular and non-curricular activities undertaken outside the premises of the institution.
ARTICLE VI

EXCLUSIONS

The following off-campus activities shall be excluded from this CMO. However, HEIs shall properly undertake mechanisms to assure due diligence in the conduct of all off-campus activities for the safety and security of the academic community.

Section 8. International Educational Tours or Field Trips

International educational tours trips shall be governed by CHED memorandum Order No. 26, s. 2015.

Section 9. Internship/OJT/Practicum

Students undergoing local and international internship, practicum or on-the-job training, shipboard training programs, etc. shall be governed by separate guidelines for student internship programs.

ARTICLE VII

REQUIREMENTS, OBLIGATIONS, AND/OR RESPONSIBILITIES OF THE PARTIES INVOLVED

Section 10. Government

It is the obligation of government agencies, based on their respective mandates, to provide necessary services, actions, and assistance relative to off-campus activities:

10.1 Commission on higher Education (CHED);
10.2 Department of tourism (DOT);
10.3 Department of the Interior and Local Government (DILG)
10.4 Land Transportation Office (LTO)
10.5 Land Transportation Franchising and Regulatory Board (LTFRB)
10.6 League of Cities of the Philippines (LCP); and
10.7 League of Municipalities of the Philippines (LMP)

Section 11. Higher Education Institution (HEIs)

11.1 Responsibilities and obligations:

The HEIs shall:

a. Design, determine and approved the activities for the conduct of off campus activity in accordance with the curriculum requirement and/or HEI’s particular context or respective mission. Their design should include the relevance of the activity to the program.
b. B. Adopt and implement its own institutional policies, including adherence to requirements under this COM, as part of its duty to observe due diligence in the conduct of off-campus activities. Failure to do shall be a cause for imposition of the sanctions as provided in the CMO without prejudice to the other liabilities under applicable laws.

c. Designate the personnel-in-charge (PIC) with appropriate qualifications and experience and when necessary, identify an overall leader from among the PICs.

d. Ensure a 1:35-50 PIC-student ratio for the curricular activities. For non-curricular activities, the HEIs shall adopt an appropriate PIC-student ratio, as it deems fit.

e. Ensure safety and welfare of mobility of students through the following transportation vehicle:
   
   e.1 owned by the HEI-Updated/valid documents pertaining to registration, insurance coverage, driver’s license, assurance of roadworthiness, among others shall be ensured; and
   
   e.2 third party or sub-contracting- Updated/valid documents pertaining to registration, insurance, driver’s license, assurance of roadworthiness, updated/valid franchise with LTFRB or Travel and Tour Operator duly accredited by the Department of Tourism shall be ensured.

f. Coordinate with the appropriate LGU/s or non-government organizations (NGOS)

g. Require the students to submit a written consent of the parents or the student’s guardian and medical clearance, if appropriate.

h. Establish mechanisms to provide parallel activities for curricular and alternative activities for curricular and alternative activities for non-curricular which provide similar acquisition of knowledge and/or competencies to achieve the learning objectives for students who cannot join the activity. These parallel activities shall not be made as a substitute of a major examination for the purpose of compelling students to participate in said activities. The HEI shall only impose acceptable measures and non-punitive activities to concerned students.

i. Give due consideration to students or learners with special needs or Persons with Disabilities (PWDs).

j. Conduct off-campus activities that shall not unduly benefit or accommodate any of the establishments owned by HEI or CHED employees and officials or by an owner who is a relative within the third civil degree of consanguinity or affinity.

11.2 Requirements:

a. Checklist of requirements:

   a.1 Before the off-campus activity
   
   The President must require the submission of the following from its personnel concerned:
<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>PROOFS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a.1.1 Curriculum</strong></td>
<td>Course Syllabus which reflects the relevance of requiring an educational tour and field trip</td>
</tr>
<tr>
<td>The curriculum should include the off-campus activity with corresponding unit credits and time-allotment whether lecture or laboratory hours, specifying course title and unit credits</td>
<td></td>
</tr>
<tr>
<td><strong>a.1.2 Destination</strong></td>
<td>Appropriate report</td>
</tr>
<tr>
<td>As much as practicable, destination of off-campus activities should be near the concerned HEI in order to minimize cost. CMO No. 11, s. 1997 entitled, Enjoining All Higher Education Institutions (HEIs) in the Country to Make, Insofar as Practicable, All Registered Museums and Cultural Sites and Landmarks as Venues for Educational Tours and Field Trips and Subjects for Studies and Researches may serve as guide for the places that may be visited among others, registered museums, cultural sites and landmarks that should be in line with the objectives of the off-campus activity. The destination and schedule should be relevant to the subject matter.</td>
<td></td>
</tr>
<tr>
<td><strong>a.1.3 Handbook or Manual</strong></td>
<td>Handbook or Manual</td>
</tr>
<tr>
<td>The requirements and guidelines of the conduct of local off-campus activities should be updated and be included in the students’ handbook or manual.</td>
<td></td>
</tr>
<tr>
<td><strong>a.1.4 Consent of the Parents or Student’s Guardian</strong></td>
<td>Duly notarized / subscribed consent</td>
</tr>
<tr>
<td><strong>a.1.5 Medical Clearance of the Students</strong></td>
<td>Medical clearance of the students, if appropriate duly signed by the HEI or government Physician</td>
</tr>
<tr>
<td><strong>a.1.6 Personnel In-Charge</strong></td>
<td>• Designation or order from the Dministration indicating personnel-in-charge’s role and responsibilities before, during and after the off-campus activities</td>
</tr>
<tr>
<td>The designated personnel-in-charge must be an employee of the institution and must have the appropriate qualifications and experiences related to off-campus activities. When necessary, identify overall leader from among the personnel-in-charge. With appropriate first-aid and medical emergency training.</td>
<td>• Relevant certificate on first-aid training</td>
</tr>
<tr>
<td><strong>a.1.7 First Aid Kit</strong></td>
<td>First-aid kit</td>
</tr>
<tr>
<td>The HEI should provide a complete first-aid kit.</td>
<td></td>
</tr>
<tr>
<td><strong>a.1.8 Fees/Fund Source</strong></td>
<td>Duly approved schedule of fees</td>
</tr>
<tr>
<td>The fees to be collected from the students must be duly approved and disseminated to concerned stakeholders.</td>
<td></td>
</tr>
<tr>
<td>REQUIREMENTS</td>
<td>PROOFS</td>
</tr>
<tr>
<td>--------------</td>
<td>--------</td>
</tr>
<tr>
<td>There should be a breakdown of fund source and other resources properly secured and accounted for.</td>
<td>Appropriate report</td>
</tr>
</tbody>
</table>

**a.1.9 Insurance**

The HEI should provide insurance (individual or group) provision for students, faculty and other concerned stakeholders, for the purpose of the activity. | Proof of insurance provision |

**a.1.10 Mobility of Students**

**a.1.10.1 Owned by the HEI**

<table>
<thead>
<tr>
<th>PROOFS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Updated/valid documents pertaining to registration, insurance coverage, driver’s license, assurance of roadworthiness, among others.</td>
</tr>
</tbody>
</table>

**a.1.10.2 Third party or sub-contracting**

**a.1.10.2.1 Franchise**

Certification from the LTFRB for the validity of the franchise of the proposed operator (i.e. legitimate, current and up-to-date), if applicable

Special Permit from LTFRB if transportation is out-of-line

Updated/valid documents pertaining to registration, insurance coverage, driver’s license, assurance of roadworthiness, etc.

**a.1.10.2.2 Travel and Tour Operator**

In cases where the service of Travel and Tour Operator is used, it should be duly accredited by the DOT. If applicable, the HEI must engage an accredited tourist transport vehicle and/or tourist with the appropriate permits.

- Copy of Travel and the Tour Operator Accreditation Certificate by the DOT
- Duly approved Plan/Itinerary of travel by the HEI
- Certification from the LTFRB for the validity of the franchise of the proposed operator (i.e. legitimate, current and up-to-date), if applicable
- Vehicles’ updated/valid documents pertaining to registration, insurance coverage, driver’s license, assurance of roadworthiness, etc.

**a.1.11 LGUs/NGOs**

The HEI should duly coordinate with appropriate LGUs/NGOs Whenever necessary for the safety and convenience of the touring party, advance and proper coordination with the local government units with acknowledged letter from the concerned government agency shall be secured before the scheduled dates of the activity.

- Copy of the letter sent to the LGUs
- Copy of the acknowledgement letter from the LGUs
<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>PROOFS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a.1.12 Activities</strong></td>
<td></td>
</tr>
<tr>
<td>a.1.12.1 General orientation to students</td>
<td>Minutes and attendance of the briefing and consultation conducted to concerned students, faculty and stakeholders</td>
</tr>
<tr>
<td>a.1.12.2 Consultation to concerned students, faculty and stakeholders with attached minutes of consultation and attendee’s signature</td>
<td></td>
</tr>
<tr>
<td>a.1.12.3 Announcement to students, faculty and parents of the activity one (1) or two (2) months before the scheduled date of the conduct of off-campus activities</td>
<td>• Letters to parents, students and adult companion preferably faculty • Appointment with conforme of Personnel-in-charge</td>
</tr>
<tr>
<td>a.1.12.4 Briefing to concerned faculty and students and provide the needed info materials before the trip</td>
<td>• Itinerary • Handy information materials for students</td>
</tr>
<tr>
<td>a.1.12.5 Learning journals for students</td>
<td>• Standard format of learning journals students</td>
</tr>
<tr>
<td>1.1.12.6 Emergency Preparedness Plan to be given to students and stakeholders</td>
<td>• Appropriate report</td>
</tr>
<tr>
<td><strong>a.2 During the off campus activity</strong></td>
<td></td>
</tr>
<tr>
<td>a.2.1 Personnel-in-charge, identify overall leader (when necessary) with the following tasks:</td>
<td>List of students and / or attendance</td>
</tr>
<tr>
<td>a.2.1.1 Accompany the students from the time they assemble for the off-campus activity up to debriefing</td>
<td>List of personnel or attendance</td>
</tr>
<tr>
<td>a.2.1.2 Ensure the provision of the allowable seating capacity of the vehicle/s used. (No student shall be allowed to ride on the roof of motor vehicle or on the boarding platform)</td>
<td>Contract of service with the third party</td>
</tr>
<tr>
<td>a.2.1.3 Ensure that program of activities is properly followed as planned or activities is be adjusted as the need arises.</td>
<td></td>
</tr>
<tr>
<td><strong>a.3 After the off-campus activity</strong></td>
<td></td>
</tr>
<tr>
<td>a.3.1 Learning journals of students</td>
<td>Appropriate report / grades</td>
</tr>
<tr>
<td>a.3.2 Assessment report / Evaluation Report</td>
<td>Assessment report by faculty including the breakdown of expenses</td>
</tr>
<tr>
<td>a.3.3 Expenditure report</td>
<td>Breakdown of expenses</td>
</tr>
<tr>
<td>a.3.4 Debriefing of concerned faculty to students to be able to assess acquisition of learning</td>
<td>Report on de briefing program conducted.</td>
</tr>
</tbody>
</table>
b. Submission of Reports:

The HEIs shall submit the following comprehensive reports in compliance with this CMO:

b.1 Certificate of Compliance. A certificate of compliance, duly notarized, certified correct by the PIC, recommending approval by the VPAA and duly approved by the President or Head of the HEI or his/her authorized representative stating that all the requirements have been prepared and duly complied with using the prescribed template shall be submitted to the CHEDRO fifteen (15) days before the activity. (Please refer to Annex A)

b.2 Report of Compliance. A report of compliance must be certified correct by the PIC, reviewed by the Dean of the program Head, recommending approval by the VPAA and duly approved by the President or Head of the HEI or his/her authorized representative listing all the activities and corresponding compliance using the prescribed template shall be submitted to the CHEDRO fifteen (16) days before the activity. (Please refer to Annex B)

b.3 Comprehensive Semestral/Term Report. A semester/term comprehensive report shall be submitted to the concerned CHEDRO at the end of the semester/term of the conduct of the educational tour and field trip using the prescribed template. (Please refer to Annex C)

c. Exemption from submission of reports to CHED

c.1 HEIs awarded as Autonomous, Deregulated, Centers of Excellence/Centers of Development, or Level II accredited programs, and SUCs with at least Level III shall be exempted from submitting Report of Compliance, but are required to submit the Certificate of Compliance (refer to Annex A)

c.2 Submission of reports shall not be required for non-curricular off-campus activities and field study/experimental learning/related learning experience activities. However, for the purposes of transparency, the activities should be posted in conspicuous places and the website of the HEI, if available.

Section 12. Students

12.1 Responsibilities and Obligations:

Students shall:

A. Be officially enrolled;

B. Adhere to the rules and regulations of student manual; and

C. Submit a learning journal/paper reflecting his/her observations, learnings, finding and noteworthy experiences.

12.2 Imposition of sanctions for non-performance/violation, of above-mentioned actions should be in accordance with the HEI’s policies
**ARTICLE VIII**

**MONITORING AND EVALUATION**

Section 13. The CHEDROs shall conduct a monitoring of the compliance vis-a-vis obligations and liabilities of the HEIs to the documentary requirements and activities undertaken.

Section 14. All HEIs awarded as Autonomous, Deregulated, Centers of Excellence / Centers of Excellence / Centers of Development, or with at least Level II accredited programs, and SUCs with at least level III shall be exempted from the monitoring and evaluation, except when there are complaints related to the conduct of off-campus activities.

Section 15. CHEDROs shall submit a summary of monitoring report of the HEIs within their respective region and submit the same to the Office of the Executive Director (OED) through the Office of Student Development and Services (OSDS).

**ARTICLE IX**

**VIOLATIONS AND SECTIONS**

Section 16. Students should only be for actual costs of transportation, entrance fees and related expenses, subject to consultation. General information on fees to the conduct of off-campus activities should be included in the student handbook or manual.

Section 17 Violations. The following are consider violations of these policies and guidelines:

17.1 Failure to comply with any of the requirements in the CMO, such as:
   a. Conduct of orientation or consultation;
   b. Conduct of activity without approval of the President/Head of the HEI;
   c. Verification with agency concerned on road worthiness of vehicles;
   d. Validation of appropriate license of the driver;
   e. Establishment of parallel activities;
   f. Submission of required report to CHEDDRO;
   g. Submission of requirements per requires timelines; or
   h. Compliance with the requirements and obligations (Faculty/student ratio; loading capacity of transportation, etc.)

17.2 Imposition of punitive measures upon the student who failed to attend/join the activity.

17.3 Deployment of unqualified PIC.

17.4 All other analogous circumstances.
Section 18. Sanctions.

18.1 The CHEDROs, after due process, may impose the following appropriate sanctions depending on the nature and seriousness of the violation/s or non-compliance of the HEIs with the policies and guidelines stated in this CMO:

a. written warning
b. cancellation of the activity
c. order the refund of collected fees

Thereafter, CHEDROs are qualified to submit within thirty (30) days to the CHED Legal and Legislative Service (LLS) actions taken in pursuance of this provision.

18.2. For violation/s or non-compliance of the HEIs affecting the general public and/or national interest, the Commission en Banc, taking into consideration the recommendation of the CHED LLS, may impose the following sanctions depending on the nature and seriousness of the violation/s or non-compliance of the HEIs:

a. Blacklisting of the third party (franchisee or tour operator);
b. Suspension from conducting off-campus activities for a period of time as determined by the CEB; and
c. Repeated violations of the CMO may results to the imposition of penalties such as revocation of permits, downgrading of status, phase-out and such other penalties may be validly imposed by the Commission to the concerned HEIs.

18.3 This is without to the right of the concerned students/injured party/ies to file the necessary criminal or civil charges or administrative charges against the school and/or its administrators under the civil code or other applicable laws.

**Article XI**

**REPEALING CLAUSE**

Section 19. This CMO supersedes CMO No. 17, s. 2017 entitled “Policies and Guidelines on Educational Tours and Field Trips of College and Graduate Students.” All previous issuances or part thereof inconsistent with provisions of this CMO are deemed repealed, revoked or rescinded accordingly.

**Article XII**

**TRANSITORY PROVISION**

Section 20. All HEIs, including SUCs and LUCs, shall immediately fully comply with all the requirements in this CMO upon its effectivity.

Section 21. The moratorium on the conduct of educational tours and field trips entitled “Imposition of Moratorium on Field Trips and other Similar Activities Covered Under CHED
Memorandum Order No. 17, Series of 2017, and Review of the Policy to Strengthen Mechanisms the Safeguard All Students at All Levels and Faculty Members in activities included in the Curricular, Research and Extension Programs of Higher Education Institutions” shall also be deemed lifted upon the effectivity of this CMO.

**Article XIII**

**Effectivity**

Section 22  This is CMO shall take effect fifteen (15) days after is publication in the Office Gazette or in a newspaper of general circulation and filing with the office of National Administrative Register (ONAR) and shell remain in force and effect until Revoked or amended.

Issued this 25 day of July in Quezon City

For the Commission:

**PATRICIA B. LUCUANAN, PH.D**

Chairperson

*Annexes:*

ANNEX A - Certificate of Compliance
ANNEX B - Report of Compliance
ANNEX C – Comprehensive Semestral/Term Report
Excerpts from
CHED Memorandum Order No. 26, Series of 2015

POLICIES AND GUIDELINES ON INTERNATIONAL EDUCATIONAL TRIPS

SUBJECT: “POLICIES, GUIDELINES AND PROCEDURES ON INTERNATIONAL EDUCATIONAL TRIPS (IET) OF UNDERGRADUATE AND GRADUATE STUDENTS”

In accordance with the pertinent provisions of Batas Pambansa Blg. 232, Republic Act (R.A) 7722 otherwise known as the Higher Education Act of 1994, provision in the Constitution which states that “The State shall exercise reasonable supervision over all Higher Education Institutions”, and pursuant to Commission en Banc Resolution No. 775-2014 dated December 17-18, 2014 and Joint ManCom and Commission en Banc Meeting on July 20, 2015 the following policies, guidelines and procedures are hereby adopted.

ARTICLE I:

STATEMENT OF POLICIES

SECTION 1. It is the policy of the state to create and sustain a complete, adequate and integrated system of education relevant to the needs of the people and society. In line with this, the higher education’s contribution to generate global awareness and career orientation is recognized towards the attainment of the goals of human development.

SECTION 2. The Philippines, in keeping with the growing internalization of higher education and in pursuance of its bilateral and multilateral commitments is promoting the mobility of students both inbound and outbound. Mobility opportunities promotes overall student experience through international educational tours regardless of duration. Hence, there is a need to establish a mechanism to safeguard the students while undergoing International Educational Trips.

SECTION 3. It is also the policy of the state to uphold all the laws and other measures preventing acts of public officers and private persons alike which constitute graft or corrupt practices or which may lead thereto.

SECTION 4. The Commission on Higher Education (CHED) recognizes the academic freedom of the participating Higher Education Institutions (HEIs) hence, they will assume responsibility over the students who will undergo International educational trips.
**ARTICLE II:**

**DEFINITION OF TERMS**

**International Educational Trip** – an extended educational activity in which the students will comply the required learning outcome in the approved curriculum involving the travel of students outside the Philippines.

**Center of Excellence (COE)** – refers to a designation granted by the Commission on Higher Education in recognition of a unit’s exemplary performance in its teaching, research and extension functions.

**Center of Development (COD)** – refers to a designation granted by the Commission on Higher Education in recognition of a unit’s evident above average performance in teaching, research and extension functions.

**Level II Accreditation** – Programs which have at least been granted initial accredited status by accrediting bodies.

**Exchange Visitors Program (EVP)** – an international exchange program administered by the United States of America to implement the Mutual Education and Cultural Exchange Act of 1961, as amended, Public Law 87-256.

**Appeal** - an earnest request for aid, support, sympathy, mercy, etc.; entreaty, petition, plea, or a request or reference to some person or authority for a decision.

**Meritorious Cases** – refer to conditions that prevent the students to join the International Education Trips such as: financial difficulty, medical conditions, legal impediments and similar conditions.

**ARTICLE III:**

**OBJECTIVES**

**SECTION 5.** These set of policies and guidelines aim to rationalize the conduct of International Educational Trips among HEIs in order to:

5.1 provide access to efficient and interactive learning of students through meaningful International Educational Trips as indicated in their program requirement embodied in the approved curriculum;

5.2 ensure that all Higher Education Institutions provide quality International Educational Trips relevant to the acquisition of the necessary knowledge skills, and values for student;

5.3 promote understanding of culture and working environment in different countries by the students;
5.4 help provide international experiences for the students especially who are directly involved in the mobility program, and unique and different learning environment for the students; and

5.5 protect and safeguard students undergoing International Educational Trips.

**ARTICLE IV:**

**COVERAGE**

**SECTION 6.** These policies, guidelines and procedures shall cover the International Educational Trips duly required in the approved curriculum of authorized higher education programs of both public and private HEIs. These shall apply to all higher education students both graduate and undergraduate programs duly authorized by the concerned HEI to handle International Educational Trips. The HEIs must either have accreditation Level II of the program, Autonomous, deregulated, COE, and COD or with ISA classification in order to be allowed to conduct International Educational Trips.

The said International Educational Trips are voluntary in nature on the part of the students.

In such an event and upon meritorious cases, the affected student may opt to undergo local educational trips.

**SECTION 7.** Students under Exchange Visitors Program (EVP) are not covered by this CMO since this is governed by the Commission on Filipino Overseas. Other International Educational Trips sponsored by the Philippine Government are not covered by these guidelines.

**ARTICLE V:**

**STUDENTS**

**SECTION 8.** Higher education students shall assess their capability to undertake such International Educational Trips since they are considered as young adults. HEIs shall require the concerned students to submit a medical clearance before allowing them to join the given International Educational Trips. The medical clearance must be issued by the concerned HEIs as part of their free services to the students.

**SECTION 9.** For students who cannot join the International Educational Trips, they must be given parallel school activity which provides similar acquisition of knowledge of the required practical competencies and achieves other learning objectives.
ARTICLE VI:
DESTINATION

SECTION 10. In order to minimize cost, the nearest possible country or countries belonging to the Association of Southeast Asian Nations (ASEAN) should be considered provided that the objectives of the International Educational Trips can be attained.

SECTION 11. When the international educational trips require additional cost on the part of students, prior consultation with concerned students/parents/guardian/spouse shall be undertaken. Hence, all these information shall form part of the student handbook so that the same shall be explained during the General Orientation of freshmen and ongoing students before the start of classes, including the details of the International Educational Trips.

SECTION 12. Whenever necessary and for the safety and convenience of the tripping party, CHED Regional Office (CHEDRO) shall endorse the list of tripping students together with the basic information to the Bureau of Immigration (BI) copy furnished Office of Student Development and Services (OSDS) and the Department of Foreign Affairs (DFA).

ARTICLE VII:
RESPONSIBILITIES OF PARTIES

SECTION 13. STUDENTS

13.1. Undergo the required orientation for International Educational Trips conducted by the HEI;

13.2. Submit to the HEI the terminal report and other school requirements upon completion of the trips: and

13.3. Report to CHED through nearest Philippine Foreign Service Post any complaints or grievances as appropriate.

SECTION 14. PARENTS

14.1. Attend the pre-departure seminar or orientation together with the student; and

14.2. Sign the consent paper allowing their children/spouse to leave the Philippines to attend an International Educational Trip.

SECTION 15. HIGHER EDUCATION INSTITUTIONS (HEIS)

15.1. Implement the appropriate International Educational Trips in accordance with the specific degree program requirement as submitted to the CHEDROs at least one month prior to the opening of classes of the Academic Year of implementation.
As part of the curriculum/course, a Prototype Observation Guide during International Educational Trips must be required and to be accomplished, giving emphasis on the relevant competencies and lessons learned from the stated trips. An assessment of learning outcomes must also be accomplished following the institutional policy on grading system. The same shall be submitted to CHEDROs;

15.2. Assign a designated and qualified faculty member who will be responsible for all aspects of the International Educational Trips program including the implementation, monitoring and evaluation;

15.3. Secure and protect the students. HEI authorities shall inform parents or guardians on the HEI guidelines on the conduct of International Educational Trips;

15.4. Conduct orientation on cost requirements before enrolment;

15.5. Conduct briefing and debriefing program before and/or after the International Educational Trips. Briefing shall include among others, precautionary measures that will be undertaken by the concerned HEI with the concerned students and parents/guardians (if the student is a minor) and the standard accommodation and accessible facilities for student with disabilities, insurance, basic laws and rules of the country being visited, cultural ethic among others. Also, Risk Assessment Procedures for educational trips must also be discussed with concerned students including parents and/or guardians. As a general requirement, the HEIs following their institutional policy should require the students to submit their parent’s/guardian/spouse’ consent. Debriefing program should include among others, reflection of the learning experiences duly documented in the learning journal;

15.6. Inform the CHEDROs on the nature of the International Educational Trips to include purpose, schedule, destinations, and cost and submit a report on the matter to the CHEDROs concerned at least one month before the opening of classes for every academic year including proper coordination with other government agencies. HEI’s report should include among others the filled-in undertaking form that the International Educational Trip is not conducted to unduly benefit or accommodate any of the establishments enumerated in the list owned by an HERI or employee or by an owner who is a relative with the third civil degree of consanguinity or affinity to an HEI owner or employee having any involvement in the conduct of International Educational Trips. In turn, all CHEDROs are hereby directed to consolidate these reports of the HEIs within their respective jurisdictions and submit the same to the Executive Office (Attention: The Director, Office of Student Development and Services);

15.7. Include HEI guidelines for International Educational Trips in their student’s handbook, distribute copies of these guidelines to students and display in conspicuous places for guidance and reference;
15.8. Facilitate the processing of the documents on behalf of the students. They shall assume full responsibility over the students while having their International Educational Trips. No waiver shall be required by HEI to be submitted by parents/students regarding the non-liability of school on safety and security of concerned students;

15.9. Ensure that students avail the students services even while in another country such as but not limited to:
   - health services; and
   - guidance and counseling services

15.10. Submit to the CHED Regional Office, the following requirements for endorsement to BI and copy furnish the Office of Student Development and Services (OSDS) and Department of Foreign Affairs (DFA):
   - Notarized letter of intent of the students to participate in International Educational Trips;
   - Roundtrip ticket with flight detail upon favorable evaluation by CHEDRO;
   - Written consent from parent/guardian or spouse;
   - Approved documents from the Host Country from the said International Educational Trips (if applicable); and
   - Any other necessary documents duly authenticated by the Philippine Foreign Service Post as may be required by CHED.

It shall be unlawful for an HEI employee to personally profit from International Educational Trips. HEI employee who violated this section may be terminated for Grave Misconduct. If any of the service companies mentioned in the preceding sections is established as a laboratory or practicum training outfit, the provision of the immediately preceding sections shall not apply.

**ARTICLE VIII:**

IMPLEMENTING GUIDELINES AND PROCEDURES

SECTION 20. Requirements for Parties Involved

20.1. Participating HEIs:
   - Must have either accreditation Level II of the program, autonomous, deregulated, COE, COD or with ISA classification;
   - Must ensure that educational trip is part of the requirements in the duly noted/approved curriculum;
   - Must have a designated qualified faculty member or any authorized coordinator to manage the trips; and
● Must assume all other requirements and responsibilities of the international educational trips.

20.2. Participating Students must:
● Hold a valid passport. In case of foreign students check with the Bureau of Immigration (BI) the other requirements needed;
● Be currently enrolled in a Philippine higher education institution;
● Be at least 18 years old at the time of the International Educational Trips. If the participating Filipino student is minor, secure certification from the Department of Social Welfare and Development (DSWD);
● Be in good academic standing as certified by the HEI;
● Have medical certificate issued by the physician of the concerned HEI;
● Be able to communicate in English or in the language spoken in the host country;
● Have written consent from parent/guardian/spouse; and
● Have endorsement letter from the HEI President.

ARTICLE IX:

FEES

SECTION 22. Fees and scheme of payment shall be determined during the consultation of all parties before the beginning of the semester where the International Educational Trips will be pursued.

ARTICLE X:

VIOLATIONS

SECTION 23. HIGHER EDUCATION INSTITUTIONS

Any HEI that shall be found to have committed the following violations of these guidelines shall be meted with the appropriate sanctions stated in Section 24.

23.1. Allowing students to undergo International Educational Trips even they are not accredited Level II of the program/Autonomous/Deregulated/COE and COD or with ISA classification;
23.2. International Educational Trips conducted were not part of the curriculum/course;
23.3. No designated and qualified faculty;
23.4. Failing to monitor welfare of student;
23.5. No orientation conducted before enrolment regarding the cost requirements;
23.6. Not giving pre-departure orientation for students and parents/legal guardian;
23.7. Not informing CHEDROs on the nature of the International Educational Trips one month before the opening of the classes;
23.8. International Educational Trips were not included in the student’s handbook;
23.9. Imposing waiver from parents/students regarding the non-liability of school on safety and security of concerned students;
23.10. Allowing students to undertake International Educational Trips without securing a valid endorsement from CHED to BI;
23.11. Failure to submit the required reports/documents such as:

- Notarized letter of intent of the students to participated in International Education Trips;
- Roundtrip ticket with flight detail upon favorable evaluation by CHEDRO;
- Written consent from parent/guardian or spouse;
- Approved documents from the Host Country from the said International Educational Trips (if applicable); and
- Any other necessary documents duly authenticated by the Philippine Foreign Service Post as may be required by CHED.

ARTICLE XII:

REPEALING CLAUSE

SECTION 25. All previous issuances inconsistent with these guidelines are deemed repealed, revoked or rescinded accordingly.

ARTICLE XIII:

EFFECTIVITY

SECTION 26. These guidelines shall take effect 15 days after publication in the Official Gazette or newspaper of general circulation and should be observed by all HEIs starting AY 2016-2017.

Issued this 4th day of August 2015 in Quezon City.

PATRICIA B. LICUANAN, Ph.D.

Chairperson
Excerpts from
CHED Memorandum Order No. 01, Series of 2015

ESTABLISHING THE POLICIES AND GUIDELINES ON GENDER AND DEVELOPMENT IN THE COMMISSION ON HIGHER EDUCATION AND HIGHER EDUCATION INSTITUTIONS (HEIs)

RATIONALE AND MANDATES

The Philippines, being a State Party to the United Nations (UN) Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), which it signed on July 15, 1980 and ratified on August 5, 1981, is obligated to pursue and implement programs, projects and activities that will contribute to the achievement of women’s empowerment and gender equality.

Known as the International Bill of Rights of Women, the CEDAW was adopted by the UN General Assembly in 1979 and entered into force as an international treaty on September 3, 1981. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The CEDAW defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.” (CEDAW, Part 1, Article 1)

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PART I.

GENERAL POLICY AND COVERAGE

Gender mainstreaming is one of the major strategies in educating and informing various sectors of society on the need to recognize and respect rights of women and men. Educating more women translates to additional socio-economic gains that benefit entire societies, including increased economic productivity, higher family incomes, more informed members of society, and respect for the rights of women. Research has shown that investments in education facilitate the achievement of most other development goals including sustainable growth (USAID, “Education Strategy: Improving Lives through Learning,” 2005) Gender mainstreaming in higher education is therefore essential not only to individual but also national development, higher education being the central site for facilitating the skills, knowledge and expertise important to economic and social development. HEIs are instrumental in the globalized knowledge economy, the initial and continuing training of professionals, national wealth
creation, and innovations in science and technology. HEIs are also a potent intermediary for the promotion of the core value of family and the preservation of women’s role as transmitters of Philippine culture and heritage.

These Guidelines seek to introduce and institutionalize gender equality, and gender responsiveness and sensitivity in the various aspects of Philippine higher education. The Guidelines shall apply to CHED, i.e., the Central and Regional Offices, and to all higher HEIs, private and public. In terms of scope, the Guidelines include enabling mechanisms that CHED and HEIs shall establish, such as the GAD Focal Point System or GFPS, and the integration of the principles of gender equality in the trilogical functions of higher education: (1) curriculum development, (2) gender-responsive research programs, and (3) gender-responsive extension programs.

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PART II.

DEFINITION OF TERMS

As defined in these Guidelines, the following terms shall be understood to mean:

Beijing Platform for Action (BFPA) – refers to the resulting document of the Fourth World Conference on Women in Beijing, China in 1995 adopted in consensus by the United Nations. It represents the international community’s commitment towards the promotion of women’s welfare and aims at accelerating the implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women (PCW)


Gender – refers to the roles and responsibilities of men and women that are created in the family, society and culture. The concept of gender also includes the expectations held about the characteristics, aptitudes and likely behaviors of both women and men (femininity and masculinity). Gender roles and expectations are learned. They can change over time and they vary within and between cultures. Systems of social differentiation such as political status, class, ethnicity, physical and mental disability, age and more, modify gender roles. The concept of gender is vital because, applied to social analysis, it reveals how women’s subordination (or men’s domination) is socially constructed. As such, the subordination can be changed or ended. Gender is not biologically predetermined nor is it fixed forever. (UNESCO)
Gender Analysis – refers to a framework to compare the relative advantages and disadvantages faced by women and men in various spheres of life, including the family, workplace, school, community and political system. It also takes into account how class, age, race, ethnicity, culture, social and other factors interact with gender to produce discriminatory results. (PCW MC 2011-01)

Gender and Development (GAD) – refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potential. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society’s social, economic, and political structures and questions the validity of the gender roles ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights. (MCW)

GAD Focal Point System – refers to an interacting and interdependent group of people in all government instrumentalities tasked to catalyze and accelerate gender mainstreaming. It is a mechanism established to ensure and advocate for, guide, coordinate, and monitor the development, implementation, review and updating of their GAD plans and GAD-related programs, activities and projects. (PCW MC 2011-01)

GAD Resource Center (GRC) – refers to institutional mechanisms employed earlier by the PCW, then still called the National Commission on the Role of Filipino Women, as depositories of gender-related information and materials in select state universities and colleges in the regions. (GAD Planning and Budgeting—Adding Value to Governance: GAD Budget Policy Compliance Report 2001-2002, NCRFW, 2002)

Gender Equality – refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potential to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights. (MCW and PCW MC 2011-01)

Gender Mainstreaming – refers to the strategy to make women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and social spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels. (MCW and PCW MC 2011-01)
Gender-Responsive Curricular Program (GRCP) – refers to a curriculum that shall prevent all forms of gender-based discrimination in instruction, research, extension, as well as in marketing methods and the use of promotional materials. It ensures the promotion of “women’s empowerment” to be undertaken through the “provision, availability, and accessibility of opportunities, services, and observance of human rights which enable women to actively participate and contribute to the political, economic, social and cultural development of the nation.” (CHED)

Gender-Responsive research Program (GRRP) – refers to a collaborative, purposive research activity or activities conducted by various members of HEIs to contribute to the empowerment of identified communities that they may eventually, by themselves, achieve gender-responsive development and inclusive growth. It envisions a community of people possessing the core value of gender equality. GRRP is part of the GAD and Research programs of HEIs that are intended to initiate, catalyze and sustain the development of various individuals or communities using the institutions’ expertise and available resources. (CHED)

Magna Carta of Women (Republic Act No. 9710) – refers to the Philippines’ comprehensive women’s human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of women, especially those in marginalized sector. The law, which is a consolidation of Senate Bill No. 2396 and House Bill No. 4273, was passed by the Senate and the House of Representatives on May 19, 2009 and May 20, 2009, respectively. It was signed into law by President Gloria Macapagal-Arroyo on August 14, 2009. (PCW and Civil Service Commission)

Marginalized – refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure, and the justice system. (MCW)

Social Protection – refers to policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status and rights of all women, especially the marginalized by promoting and protecting livelihood and employment, protecting against hazards and sudden loss of income, and improving people’s capacity to manage risk. Its components are labor market programs, social insurance, social welfare, and social safety nets. (MCW)

Substantive Equality – refers to the full and equal enjoyment of rights and freedoms contemplated under the Magna Carta of Women. It encompasses de jure and de facto equality and also equality in outcomes. (MCW)
Women’s Empowerment – refers to the provision, availability, and accessibility of opportunities, services, and observance of human rights which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society. (MCW) It is the process and condition by which women mobilize to understand, identify and overcome gender discrimination so as to achieve equality in welfare and equal access to resources. In this context, women become agents of development and not just beneficiaries, enabling them to make decisions based on their own views and perspectives. (PCW MC 2011-01)

Violence Against Women – refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass, but not be limited to, the following:

- Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation;
- Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and elsewhere, trafficking in women, and prostitution; and
- Physical, sexual, and psychological violence perpetrated or condoned by the State, wherever it occurs. It also includes acts of violence against women as defines in republic Acts No. 9208 and 9262. (MCW)

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PART XIV.

Ccompliance with laws and issuances on women empowerment

RULE I: SEXUAL HARRASSMENT AND OTHER RELATED SEXUAL OFFENSES

SECTION 1: Policy and Coverage . All HEIs shall ensure the necessary policies and mechanisms are in place to prevent and punish sexual harassment and other related sexual offenses. The provisions herein shall govern the creation of the Committee on Decorum and Investigation (CODI) in all public and private HEIs, as well as the procedures to be followed in the prosecution and investigation of sexual

...  

SECTION 2: The CODI and Its Functions. A CODI shall be created in all HEIs. The CODI shall perform the following functions:

a. Receive complaints of sexual harassment or other related sexual offenses;

b. Investigate complaints of sexual harassment complaints or other related sexual offenses in accordance with the prescribed procedure;

c. Submit a report of its findings with the corresponding recommendation to the disciplining authority for decision.

d. Lead in the conduct of discussions about sexual harassment and other related sexual offenses within the institution to increase the community’s understanding of, and prevent incidents of, sexual harassment and other related forms of sexual offenses; and

e. Conduct such other activities that would engender a safe environment for women in school campuses and training-related programs in HEIs.

SECTION 3: Composition. The CODI shall composed of at least one (1) representative each from the administration, employees or non-teaching personnel, trainers/coaches, teaching personnel (teachers, instructors, professors), and students or trainees, as the case may be, duly selected by the school’s disciplining authority.

The HEI may formulate its own rules on the term of office of CODI members, which should not be more than two (2) years, and on other matters pertaining to the functions of the committee as contemplated in RA7877 not otherwise provided in the Rules below.

SECTION 4: Definition. For the purpose of these Rules, the administrative offense of sexual harassment is an act, or a series of acts, involving any unwelcome sexual advance, request or demand for a sexual favor, or other verbal or physical behavior of a sexual nature, committed by an employee or official in the work-, training- or education-related environment of this person complained of.

Education- or training related sexual harassment is committed against one who is under the actual or constructive care, custody or supervision of the offender, or
against one whose education, training, apprenticeship, internship or tutorship is directly or constructively entrusted to, or is provided by, the offender, when:

a. Submission to, or rejection of, the act or series of acts can be used as a basis for any decision affecting the complainant, including, but not limited to, the giving of a grade, the granting of honors or a scholarship, the payment of a stipend or allowance, or giving of any benefit, privilege or consideration.

b. the act or series of acts have the purpose or effect of interfering with the performance, or creating an intimidating, hostile or offensive academic environment of the complaint; or

c. the act or series of acts might reasonably be expected to cause discrimination, insecurity, discomfort, offense or humiliation to a complainant who may be a trainee, apprentice, intern, tutee or ward of the person complained of.

Other forms of sexual offenses shall include verbal, physical and cyber harassment of sexual nature, the use of lewd language, voyeurism, and texting and bullying with sexual content.

The persons liable to commit sexual harassment and other related sexual offenses are those of the same or opposite sex who are:

a. Having authority, influence or moral ascendancy over another in any aspect of academic or administrative work, such as an officer, faculty member, employee, coach or trainer;

b. In peer relationships, and

c. Students harassing faculty members or employees.

SECTION 5: Site. Sexual harassment may take place

a. Within the premises of the school or training institution

b. In any place where the parties were found as a result of education or training responsibilities or relations;

c. At any education or training-related social function;

d. While on official business outside the school or training institution or during school or training-related travel

e. At official conferences, for a, symposia or training sessions; or

f. By telephone, cellular phone, fax machine, electronic mail or social media

SECTION 6: Assistance to Complaints. The HEI may adopt mechanisms to provide assistance to an alleged victim of sexual harassment or other related sexual offense, as may be appropriate, which may include the following:
a. Guidance and spiritual counseling;
b. Referral to an agency offering professional help;
c. Support from GAD Focal Committee;
d. Coordination with women’s organization and advocacy groups; and
e. Available legal support.

HEI may provide professional counseling to the alleged offender if so desired.

SECTION 7: Duty to Report and document. Any or all persons who have knowledge of any acts of education- or training-related sexual harassment or other related sexual offenses shall report the same to the Head of Institution.

SECTION 8: Duty of Head of Institution on Complaints Filed or Reported Incidents. All Guidance and Counseling Offices of the HEIs shall have appropriate facilities and registered guidance counselors to handle sexual harassment cases and related behavioral problems.

The head of the Institution shall create the CODI to ensure the efficient implementation of this particular CMO Guideline.

In addition, the head of the Institution shall ensure that a program to capacitate the officials and staff of student services unit and the human resources department on the efficient and professional handling of sexual harassment cases or other related sexual offenses is institutionalized.

A Head of Institution who fails to act on the complaint within ten (10) days of receipt of a complaint of sexual harassment properly filed against any employees in that institution may be charged with neglect of duty in an appropriate forum with jurisdiction to hear administrative, civil or criminal cases.

SECTION 9: Standard Procedural Requirements and Compliance with Due Process. HEIs shall formulate their own rules and standard procedural requirements on the CODI.

The HEIs may adopt the following minimum requirements:

a. Complaint: The complaint may be filed with the disciplining authority of the HEI or with the CODI. Upon receipt of the complaint by the disciplining authority, the same shall be transmitted to the CODI. The complaint must be in writing, signed and sworn to by the complainant and shall contain the following:
   1. The full name and address of the complainant;
   2. The full name, address and position of the respondent;
   3. A brief statement of the relevant facts;
   4. Evidence in support of the complaint, if any; and
5. A certification of non-forum shopping.

In the absence of any one of the abovementioned requirements, the complaint shall be dismissed without the prejudice to its re-filling upon full compliance with requirements.

Complaints sent by telegram, electronic mail or similar means of communication shall be considered non-filed unless the complainant shall comply with the requirements within ten (10) days of receipt of the notice of compliance.

The withdrawal of the complaint at any stage of the proceedings shall not preclude the CODI from proceeding with the investigation where there is obvious truth or merit to the allegations in the complaint or where there is documentary or direct evidence that can prove the guilt of the person complained of.

b. Action on the Complaint: Upon receipt of the complaint that is sufficient in form and substance, the CODI shall require the person complained of to submit a Counter Affidavit/Comment shall be considered as not filed.

c. Preliminary Investigations: A preliminary investigation shall be conducted by the CODI. The CODI shall examine all documents submitted by the complainant and the person complained of, as well as documents readily available from other sources. The parties may submit affidavits and counter affidavits. All proceedings before the CODI shall be held under strict confidentiality.

Upon receipt of the counter affidavit or comment under oath, the CODI may recommend whether a prima facie case exists to warrant the issuance of a formal charge.

d. Duration of Investigation: A preliminary investigation shall commence not later than five (5) from receipt of the complaint by the CODI and shall be terminated within fifteen (15) working days thereafter.

e. Investigation Report: Within five (5) working days of the termination of the preliminary investigation, the CODI shall submit the Investigation Report and the complete records of the case to the disciplining authority.

f. Decision or Resolution after preliminary Investigation: If a prima facie case is established during the investigation, a formal charge shall be issued by the disciplining authority within three (3) working days of receipt of the investigation report.

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

g. Formal charge: After finding a prima facie case, the disciplining authority shall formally charge the person complained of. The formal charge shall contain a specification of the charge(s): a brief statement of materials or relevant facts,
accompanied by certified true copies of the documentary evidence, if any; sworn statements covering the testimony of witness; a directive to answer the charge (s) in writing under oath in not less than seventy-twoo (72) hours from receipt thereof; an advice for the respondent to indicate in his/her answer whether or not hye/she elects a formal investigation of the charge(s); and a notice that he/she is entitled to be assisted by a counsel of his/her choice.

The CODI shall not entertain requests for clarification, bills of particulars or motions to dismiss that are obviously designed to delay the administrative proceedings. If any of these pleadings is filed by the respondent, the same shall be considered as part of his/her answer which he/she may file within the remaining period for filing the answer.

h. Failure to File an Answer: If the respondent fails or refuses to file his/her answer to the formal charge within seventy-two hours (72) hours of receipt thereof without justifiable cause he/she shall be considered to have waived his/her right thereto and formal investigation may commence.

i. Preventive Suspension: Upon petition of the complainant or motu proprio upon the recommendation of the CODI, at any time after the service of the formal charge to the respondent, the proper disciplining authority may order the preventive suspension of the respondent during the formal investigation, if there are reasons to believe that he/she is probably guilty of the charges that would warrant his/her removal from service.

An order of preventive suspension may be issued to temporarily remove the respondent from the scene of his/her misfeasance and to preclude the possibility of his/her exerting undue influence or pressure on the witnesses against him/her or tampering of documentary evidence on file.

When the administrative case against the respondent under preventive suspension is not finally decided by the disciplining authority within the period of ninety (90) days of the date of his/her preventive suspension, unless otherwise provided by a special law, he/she shall be automatically reinstated into the service.

When the delay in the disposition of case is due to the fault, negligence or petition of the respondent, the period of delay should not be included in the counting of the 90- calendar-day period of preventive suspension shall be deferred or interrupted until such time that said leave has been fully enjoyed.

j. Remedies from the Order of Preventive Suspension: The respondent may file a motion for reconsideration with the disciplining authority or may elevate the same to CSC in the case of public HEIs, and to be the his/her governing authority, in the case of private HEIs, by way of an appeal within fifteen (15) days of receipt thereof.
k. Conduct of Formal Investigation: A formal investigation, the CODI may conduct a pre-hearing conference for the parties to appear, consider and agree on any of the following:
   1. Stipulation of fact;
   2. Simplification of issues;
   3. Identification and marking of evidence of the parties;
   4. Waiver of objections to admissibility of evidence;
   5. Limiting the number of witnesses, and their names;
   6. Dates of subsequent hearings; and
   7. Such other matters as may aid in the prompt and just resolution of the case.

l. Pre-hearing conference: At the commencement of the formal investigation, the CODI may conduct a pre-hearing conference for the parties to appear, consider and agree on any of the following:
   1. Stipulation of facts;
   2. Simplification of issues;
   3. Identification and marking of evidence of the parties;
   4. Waiver of objections to admissibility of evidence;
   5. Limiting the number of witnesses, and their names;
   6. Dates of subsequent hearings; and
   7. Such other matters as may aid in the prompt and just resolution of the case.

m. Preliminary Hearing: At the start of the hearing, the CODI shall note the appearances of the parties and shall proceed with the reception of evidence for the complainant.

n. Request for Subpoena: If a party desires the attendance of a witness or the production of documents or things, he/she shall make a request for the issuance of the necessary subpoena at least three (3) days before the scheduled hearing.

o. Issuance of subpoena: The CODI may issue subpoena ad testificandum to compel the attendance of witnesses and subpoena duces tecum for the production of documents or objects.

p. Formal Investigation Report: Within fifteen (15) days of the conclusion of the formal investigation, a report containing a narration of the material facts established during the investigation, the findings and the evidence supporting said findings, as well as the recommendations, shall be submitted by the CODI to the
disciplining authority. The complete records of the case arranged systematically and chronologically shall be attached to the report of the investigation.

q. Finality of Decisions: The disciplining authority shall render the decision on the case within thirty (30) days of receipt of the report of investigation. A decision rendered by the head of the institution where a penalty of suspension for not more than thirty (30) days or a fine in an amount not exceeding thirty (30) days; salary is imposed, shall be final and executory. However, if the penalty imposed is suspension exceeding thirty (30) days’ salary, the same shall be final and executory after the lapse of the reglementary period for filing a motion for reconsideration or an appeal and no such pleading has been filed.

r. Motion for Reconsideration: The party adversely affected by the decision may file a motion for reconsideration with the disciplining authority within a non-extendible period of fifteen (15) days of receipt thereof. Only one motion for reconsideration shall be entertained.

s. Appeal: For Decisions rendered by the disciplining authority of SUCs and LUCs. The party adversely affected may file the appeal before the CSC/. For Decisions rendered by private HEIs, the party adversely affected my file their appeal before the regular courts under Rule 43 , Rules of Court.

...
AN ORDINANCE PROHIBITING THE SERVING OF LIQUOR TO STUDENTS BEFORE 6:00 P.M ON ANY DAY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the Quezon City Council has passed and enacted Ordinance No. NC-85, S-89 regulating the selling and dispensing of liquor and intoxicating beverages to the public and adoption of LLRB Board Resolution No.10-01, S-2005, calling upon all Barangay Chairman of each Barangay in Quezon City to act as “Barangay Liquor Permit Monitoring Officer” to give support and assistance to the City’s Liquor Regulatory Board for the effective implementation of the above-mentioned City Ordinance;

WHEREAS, the office of the Punong Barangay recieved many complaints from concerned residents as well as parents of students enrolled in Ateneo de Manila University, Miriam College and other schools within the vicinity of Barangay Loyola Heights, that certain establishments indiscriminately sell and dispense liquor to students, even those in school uniforms, before 6:00 p.m violating the Liquor Ordinance of Quezon City;

WHEREAS, in order to avoid the repetiton of these acts and rampant violation of provisions of the Liquor Ordinance, the Punong Barangay, owners of establishments, school administrators and parents/residents held a special meeting for the purpose of coming to an agreement in entrusting the strict implementation of the liquor ordinance to the Barangay Officials through a Barangay Ordinance and to find other solutions to disallow students from demanding/asking the establishments to serve them liquor before 6:00 p.m.

NOWTHEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BARANGAY OF LOYOLA HEIGHTS IN SESSION ASSEMBLED and upon motion duly seconded:

SECTION 1. PROHIBITION/PROHIBITED ACTS - No Liquor shall be served to students before 6:00 p.m on any day within the territorial jurisdiction of Barangay Loyola Heights Quezon City. Business establishment shall not serve liquor before 6:00 p.m to students, whether or not in school uniform.
SECTION 2. COVERAGE - All business establishments operating within the territorial jurisdiction of Barangay Loyola Heights, with or without the issued Liquor Permit by the Liquor Licensing Board of Quezon City found serving liquor before 6:00 p.m. to students and/or students found drinking liquor, whether in school uniform or not, inside/within the establishments shall be held liable under the herein ordinance.

SECTION 3. PENALTIES - The penalty shall be imposed upon the President or Manager or authorized representative of the business establishment found violating the provision of the herein Ordinance as to fine:

NATURE OF OFFENCE - PENALTIES
a. FIRST OFFENSE - Fine of P 500.00
b. 1SECOND OFFENSE - Fine of P1,000.00
c. THIRD OFFENSE - Fine of P 1,000.00 and recommendation for closure

SECTION 4 SEPARABILITY CLAUSE. If any part of this Ordinance shall be declared invalid by a court of competent jurisdiction. or suspended revoked by the Sangguniang Panglungsod, such judgment shall not effect impair or invalidate the reminder of the ordinance but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the question.
SECTION III:

Important
School Memoranda
2007 Memo from the VPLS on

IMPLEMENTING GUIDELINES ON THE LOYOLA SCHOOLS DRESS CODE

Although no uniform is prescribed in the Loyola Schools, it is the responsibility of the students to dress in a manner that is modest and appropriate to the academic nature of the university. (The Code of Discipline Sec. I. A)

While the way we dress is a form of self-expression, it also reflects our values and attitudes.

1. Dressing simply puts focus on the substance, rather than the form, of the person.
   In a Filipino, Catholic, and Jesuit University, simple dress acknowledges the social responsibility of every member of the community to address the problem of the socio-economic gap between the privileged and the underprivileged. It means avoiding extravagance or the ostentatious use of luxury items.

2. Dressing appropriately means clothes that reflect the purpose of the activity.....
   Thus, clothes or footwear for places like the beach, bedroom, or gym (e.g., slippers, lounging/gym/athletic shorts and tops, cycling shorts, short shorts, sleeveless shirts for men), when worn during academic activities, do not reflect the respect for the institutional culture and persons of the university.

3. Dressing decently is a sign of respect for the human body. In the culture of a Catholic university, revealing and sloppy clothes do not reflect this respect. These include, among others, low-cut/backless/strapless blouses, very low-rise jeans, bare midriff, short shorts, soiled clothes, and lounging shorts/tops.

These guidelines are to be strictly observed by all members of the Loyola Schools community at:

1. All official functions and events of and in the Ateneo de Manila University, including commencement, convocations, conferences, receptions, and assemblies;
2. The offices of all Ateneo administrators, as well as any meetings, appointments, or transactions with Ateneo administrators outside of their offices;
3. All Xavier Hall offices, including corridors and waiting areas;
4. The Rizal Library;
5. The Registrar’s Office;
6. All events and activities in major Audio-Visual Rooms, such as the Irwin Theater, Faura AVR, Escaler Hall, and Leong Hall Auditorium;
7. All functions, events, and activities where the Ateneo de Manila University is represented, except those that clearly require other attire, such as in sports tournaments.

The Schools or Departments may also issue more specific guidelines to be enforced within their area of jurisdiction, as stated in Article IV, Section 6 of the Magna Carta of Undergraduate Student Rights. Violations of these guidelines are considered Offenses against Order under Sec III.D.1 of the Code of Discipline

SIGNED: DR. MARIA ASSUNTA C. CUYEGKENG
Vice President for the Loyola Schools
6 December 2007
MEMO TO: ALL INCOMING LOYOLA SCHOOLS SOPHOMORES

FROM: Rene Salvador R. San Andres, Associate Dean for Student Affairs

DATE: May 24, 2010

RE: New Loyola Schools Policy on the National Service Training Program - Preparatory Undertaking for Sophomores (NSTP-PLUS)

During its February 10, 2010 meeting, the School Council, the policy-making body of the Loyola Schools, approved the proposal to modify the policy covering the National Service Training Program (NSTP).

The new policy states:

All students, regardless of citizenship, are required to take the NSTP-PLUS of the Ateneo de Manila University, as part of the Integrated Non-Academic Formation (INAF) program.

Implementing Guidelines:

1. The new policy shall take effect on the First Semester of School Year 2010-2011.
2. The new policy shall cover all incoming Sophomores of School Year 2010-2011 and all Sophomores hence.
3. The new policy also applies to all transferees entering the Loyola Schools unless they have completed the NSTP requirement elsewhere.
4. Students retain the option to choose between Literacy Training Service (LTS), Civic Welfare Training Service (CWTS), and Military Training Service (MTS).
5. The NSTP-PLUS, as part of the Integrated Non-Academic Formation (INAF) Program, is a prerequisite for graduation.

The NSTP-PLUS in the Loyola Schools is the sophomore year component of the Integrated Non-Academic Formation (INAF) Program, a formation program that supplements the Atenean’s academic formation. The program is designed to run developmentally from a student’s freshman year all the way to senior year. It provides modules on leadership formation, personal development, social responsibility, cultural development, and spiritual formation. The INAF runs alongside the Ateneo’s unique academic Core Curriculum and provides a systematic approach for the students to be formed according to the school’s vision, mission and values, on top of the technical training found in one’s chosen academic discipline. The Core Curriculum and the INAF are Loyola Schools requirements that provide the Ateneo student with the unique holistic Ateneo formation.
MEMO TO: ALL LOYOLA SCHOOLS STUDENTS

FROM: Rene Salvador R. San Andres, Associate Dean for Student Affairs

DATE: June 13, 2011

RE: Registration of Bodyguards, Drivers and Chaperones

Please be reminded of Section I-H of the Code of Discipline of the Loyola Schools Student Handbook (2010 Edition) which states:

Students are held responsible for the behavior of persons or outsiders who come into the campus on their behalf. Bodyguards or chaperones of students are not allowed inside the campus without the proper identification card (ID) issued by the ADSA. Even with proper identification, bodyguards or chaperones (including drivers) are not allowed to loiter around the campus. The student is charged with an offense when a violation of the Code of Discipline is committed by such persons.

In this regard, all drivers and chaperones are required to register with the ADSA office to be issued an official Identification (ID) Card that will allow them temporary stay in designated waiting areas within the school premises.

Bodyguards, chaperones, drivers or other outsiders who have no official school-related business are not allowed to loiter around the college complex. Those waiting for students must remain in the designated waiting area at the Northwest Car Park. Waiting for students is not considered official school-related business.

Security personnel will conduct regular spot checks of non-students around campus. Those who cannot present an official Ateneo-issued ID or show proof of official school-related business in the Loyola Schools will be assumed to be trespassing and will be brought to the Ateneo Security Office for processing.

Parking for chauffeur-driven cars is confined to the Northwest Car Park located at the area bounded by C5-Katipunan Road, the Miriam College fence and Fr. Arrupe Road. Drivers and chaperones are also reminded that gambling of any kind is prohibited on campus and violators will be penalized according to University policy.

Application forms are available at the ADSA Office, G/F Xavier Hall. The ID application/validation period for bodyguards, drivers and chaperones is from June 27 – July 2, 2011.
Date : 7 August 2017  
Memo to : The University Community  
From : (Sgd.) Fr. Nemesio S. Que, SJ  
Vice President  
Subject : Protocol on Suspension of Classes and/or Work Due to Inclement Weather Conditions and Other Weather Disturbances  

With the onset of the rainy season, I wish to remind the community of the following protocol to be followed regarding suspension of classes and/or work.

A. On Suspension of Classes

1. Automatic Suspension of Classes

As prescribed by the President of the Philippines through Executive Order No. 66, s. 2012* the following shall take effect depending on the Public Storm Warning Signal (PSWS) raised by PAGASA:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>classes at the pre-school level, in the affected area, shall be automatically cancelled or suspended</td>
</tr>
<tr>
<td>#2</td>
<td>classes at the pre-school, elementary and secondary levels, in the affected area, shall be automatically cancelled or suspended</td>
</tr>
<tr>
<td>#3 or higher</td>
<td>classes at pre-school, elementary, secondary, and tertiary levels, in the affected area, including graduate school, shall be automatically cancelled or suspended</td>
</tr>
</tbody>
</table>

In the event that PAGASA does not raise a PSWS, local chief executives may implement localized cancellation or suspension of classes.

When Automatic Suspension of Classes applies, parents, students and faculty members need not wait for an official announcement from the University. Nevertheless, the University Communication and Public Relations Office (UCPRO) will post announcements through the University’s official channels.

2. During inclement weather conditions and other weather disturbances (e.g. intense rain, serious flooding, etc.) when Automatic Suspension of Classes does not apply, the following shall be responsible for suspending classes for their respective units:

- AGS Headmaster - Ateneo Grade School
- AJHS Principal - Ateneo Junior High School
- ASHS Principal - Ateneo Senior High School
• VP for the Loyola Schools - Loyola Schools
• Respective Deans - Ateneo Professional Schools

For non-automatic suspension of classes, the UCPRO will get in touch with unit heads for the decision to suspend classes.

3. Official University announcements will only come from the UCPRO. Official forms of Announcements:

- Pre-recorded announcement in the Ateneo trunk line (activated by the Central-Facilities Management Office in coordination with UCPRO)
- University InfoBoard SMS (text message)
- Facebook and Twitter posts via official Ateneo accounts
- Bulletin on the Ateneo website
- Email memo via the Blueboard mailing list
- Message on the LUXID (LED) InfoBoard
- Radio and TV advisories

Time of Announcements:

- First Announcement: 10 pm the previous day; (if no announcement is made by this time – then the)
- Next Announcement: 4:30 am the day of the intended cancellation of classes.

4. Suspension of classes includes suspension of all student activities.

B. On Suspension of Work

1. The Vice President for Administration and/or the Office of Human Resource Management and Organization Development (OHRMOD) shall be responsible for suspending work for Staff and Administrators of the Basic Education Unit, Loyola Schools and Central Administration.

2. The Vice President for the Professional Schools shall be responsible for suspending work for Staff and Administrators of the Law School, Graduate School of Business, School of Medicine and Public Health and School of Government.

3. Suspension of work includes suspension of all activities in campus.

4. In all instances that work has been suspended, the Central Facilities Management Office (CFMO) together with unit facilities management offices and the Campus Safety and Mobility Office (CSMO) shall designate a skeleton force to ensure safety, security and orderliness in campus.

Again, I pray that everyone keeps safe in times when classes and work have been suspended. Everyone’s safety and welfare is the University’s utmost concern.

Attached copy of Executive Order No. 66, s. 2012
2015 STATEMENT OF PRINCIPLES AND GUIDELINES AGAINST PROFITEERING

The Ateneo de Manila, Loyola Schools, is a Filipino, Jesuit, Catholic, tertiary-level educational institution that provides access to performances, concerts, athletic events, exhibits, and instructional opportunities, to members of our community in consonance with educational goals. These are offered to expand the mind beyond the classroom, to enhance school spirit, foster camaraderie, and generally enrich the College experience.

As such, may the community find guidance in the following:

1. Participation in the aforementioned (whether as host, entrepreneur, patron, buyer or reseller) should always remain consistent with school values, among them -- Integrity, Fairness, Social Justice and Ethical Consumption.

2. Engaging in any form of profiteering is contrary to the nature of the Ateneo, especially as regards transactions, events, or products related to or available through the school. Members of the community are therefore encouraged to report any activity of this like, and evidence of such, to the Office of Student Services.

3. These opportunities (concretized in the form of UAAP games and tickets, concert passes, seats to plays and musicals, etc.) are not to be treated as “goods” which can be privately owned and therefore resold for profit. If one suddenly finds one’s self unable to take advantage of an opportunity already availed, what is acceptable is to allow it to transfer to someone who can, at the cost of acquisition.

4. Neither should members of the community allow themselves to be contracted by people who seek to make a profit from said events, or wish to circumvent implemented measures to ensure equitable distribution of such opportunities. One’s time and effort at acquiring the means to attend such opportunities are not “services to be undertaken” for payment or benefit.

SIGNED: DR. ROBERTO CONRADO A. GUEVARA
Associate Dean for Student Formation

MS. MARIE JOY SALITA
Associate Dean for Student and Administrative Services
31 May 2017

MEMO TO: The Loyola Schools Community

FROM: Maria Luz C. Vilches, Ph.D.
Vice President for the Loyola Schools

SUBJECT: Procedures for Filing and Handling Complaints Against Acts of a Sexual Nature

In its CHED Memorandum Order No. 01, series of 2015 (CMO 1, s. 2015), the Commission on Higher Education has established the “policies and guidelines on Gender and Development in the Commission on Higher Education and Higher Education Institutions (HEIs)”. Part XIV of the CMO defines procedures in the handling of Sexual Harassment and other related sexual offenses, in “compliance with laws and issuances on Women Empowerment,” especially Republic Act No. 7877 (RA 7877) also known as the Anti-Sexual Harassment Act of 1995.

RA 7877 mandates that all cases of Sexual Harassment are to be handled by a special committee of the institution created for that purpose, the University Committee on Decorum and Investigation (CODI). All other types of sexual misconduct may be investigated, heard, and deliberated upon by the usual administrative bodies authorized to handle disciplinary cases within the Unit concerned.

Grievance Handling

Pursuant to CMO No. 1, s. 2015, the Loyola Schools shall observe the following procedures in the filing and handling of complaints involving acts of a sexual nature:

a. The Office of the Vice President for the Loyola Schools receives all formal complaints against members of the Loyola Schools involving acts of a sexual nature. The complaint must be in writing and addressed to the Vice President for the Loyola Schools.

b. The Office of the Vice President for the Loyola Schools has the responsibility to assess the submitted complaint to determine if the act, as reported, falls under the prescriptions of RA 7877 or not within ten (10) days of receipt of the complaint.

c. Upon determination, complaints classified as involving acts of Sexual Harassment are forwarded to the University Committee on Decorum and Investigation for investigation and possible prosecution as an administrative case.
d. Cases involving acts of sexual misconduct other than Sexual Harassment are forwarded by the Office of the Vice President for the Loyola Schools to the LS discipline body proper to the sector of the respondent for investigation and possible prosecution as an administrative case.

**Definition of “Sexual Harassment”**

Part XIV, Section 4 of CMO 1, s. 2015, echoing RA 7877, defines “Sexual Harassment” as:

“...an act, or a series of acts, involving any unwelcome sexual advance, request or demand for a sexual favor, or other verbal or physical behavior of a sexual nature, committed by an employee or official in the work-, training-, or education-related environment of this person being complained of.

Education- or training-related sexual harassment is committed against one who is under the actual or constructive care, custody or supervision of the offender, or against one whose education, training, apprenticeship, internship or tutorship is directly or constructively entrusted to, or is provided by, the offender, when:

a. submission to, or rejection of, the act or series of acts can be used as a basis for any decision affecting the complainant, including, but not limited to, the giving of a grade, the granting of honors or a scholarship, the payment of a stipend or allowance, or the giving of any benefit, privilege or consideration;

b. the act or series of acts have the purpose or effect of interfering with the performance or creating an intimidating, hostile academic environment of the complainant; or

c. the act or series of acts might reasonably be expected to cause discrimination, insecurity, discomfort, offense or humiliation to a complainant who may be a trainee, apprentice, intern, tutee or ward of the person complained of.”

**Extension of Assistance**

As an Ignatian institution, we value cura personalis and accord it to all members of the Loyola Schools community, including both complainants and respondents in disciplinary cases.

While initial reports of cases are usually made by complainants to a trusted member of the community, for example, a teacher, a Department Chair, a Professional, a Student Council officer, and the like, these members of the community should determine early on if the person needs emotional support or “psychological first aid,” or medical aid. The person should be made aware of the availability of assistance, and if possible, directed to the Loyola Schools Office of Guidance and Counseling (LSOGC) or other professionally-trained members of our academic community. This assistance is made available even to respondents in these cases who face the possibility of undergoing the grievance process.

Thank you.
25 April 2017

MEMO TO : The Loyola Schools Community

FROM : Michael Jacinto F. Mallillin
Director, Office for Student Services

RE : Guidelines on Lost & Found

The Office for Student Services (OSS) enjoins all members of the Loyola Schools to cooperate in efforts to improve our Lost & Found system and mitigate possible incidences of unauthorized possession of others’ property which may result in complaints of theft. The following guidelines will ensure proper turnover of all lost and found items to its proper owner.

A. General Guidelines

1. The only authorized custodians of Lost & Found items are the OSS at the G/F of Xavier Hall (for valuable items, e.g. gadgets, cash, jewelry and other expensive accessories, etc.) and the Department of Student Welfare and Services located at the G/F MVP Building (for non-valuable items, e.g. books, school supplies, clothing and other apparel, umbrellas, etc.).

2. Security personnel are tasked to recover and return all found and turned over items to the OSS on a daily basis. Maintenance staff, office staff, and all other employees are instructed to turn over all lost items retrieved from their respective areas promptly to security personnel, who in turn will properly document all received items and provide the finder with a turnover form.

3. Upon finding a lost item anywhere within the premises of the Loyola Schools during business hours (Monday to Friday 8:00 AM to 5:00 PM; Saturday 8:00 AM to 12:00 NN), immediately and directly surrender it to either the OSS or DSWS depending on the type of item.

4. Upon retrieving an item anywhere within the premises of the Loyola Schools outside business hours (Monday to Friday before 8:00 AM and after 5:00 PM; Saturday before 8:00 AM and after 12:00 NN; Sunday or during holidays at any time), please immediately and directly surrender it to either the closest security personnel or the Security Office (Blue Eagle Gym).

5. If the item is a combination of “non-valuable” and “valuable” (bag with laptop, clothes with cash, pencil case with flash drive, etc.), please bring it to the OSS.
6. If you are unable to immediately return the item personally, please call the OSS (local number 5020 to 5022 or 0920-9142372).

We will send someone from security to your location and do a pickup of the item for you. Security should accomplish and provide you a turnover form to document the item’s return. The item will then be brought to either OSS or DSWS on the same business day.

B. Other Reminders

1. Lost & Found items currently on one’s person, or in one’s work space, lounge, office, or department, should be immediately and directly endorsed to OSS, DSWS, or the Security Office. We appeal to all office and department heads to enforce compliance of this rule in their respective areas.

2. Lost & Found items should be in the possession of the finder for the least amount of time possible. **Never prolong being in possession of these items for any reason.** For students, unauthorized possession of someone else’s property is a Major Offense. For employees, this may be misconstrued as stealing University property or the personal property of another which is an offense as per Ateneo Employee Rules and Regulations.

3. Alert OSS and the Security Office for any irregularity or mishandling of Lost & Found items.

4. Any and all complaints regarding Losses and Thefts may be directed to the OSS Window 9.

5. Contact OSS (local numbers 5020-22) and DSWS (local number 5445) for any inquiries, questions, and concerns.

Let us all do our part in ensuring that all lost items are returned to their proper owners. Thank you in advance for contributing to the safety and security of our second home.