STUDENT RULES AND REGULATIONS

The student rules and regulations contained in this handbook are the product of serious and mature deliberation made by the Mapúa Institute of Technology using the Manual of Regulations for Private Higher Education as guidelines.

This handbook is the offshoot to the Commission on Higher Education's (CHED) issuance, pursuant to the pertinent provisions of the 1987 Constitution, Act No. 2706 as amended by Act No. 3075, Commonwealth Act No. 180, Batas Pambansa Bilang 232, Republic Act 7722 and other applicable legislations.

Policies stipulated in this Student Discipline Handbook have been adopted in the firm belief that they will promote the welfare of the student population.

The 2015 Student Discipline Handbook of Mapua Institute of Technology supersedes all previously issued Student Discipline Handbooks. It applies to all current students of Mapúa regardless of year of entry to the Institute. This Handbook takes effect on the first day of the 1st term/S.Y. 2016-17.

The Student Discipline Handbook is subject to periodic reviews and modifications as may be recommended by the Office of the Executive Vice-President for Academic Affairs (OEVPAA) and approved by the Office of the President (OP).

RATIONALE

Education is a cooperative enterprise of both the teacher and the learner. It requires mutual and coordinated efforts from both parties for it to be effective. For Mapúa, to achieve its desired educational goals, the entire academic community needs to subscribe and adhere not only to the fundamental objectives of effective learning but also to the development of moral character expected of educated men and women.

As mandated under Article XIV, Sec. 3 (2) of The Philippine Constitution of 1988 “All educational institutions shall teach the rights and duties of the citizenship, strengthen ethical and spiritual values, and develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency. The Mapúa Institute of Technology, as Higher Education Institution, has a primary goal of imparting knowledge to its students, strives to meet its implicit “built in” obligations by providing its students with an atmosphere conducive to learning and by formulating and implementing rules and regulations in accordance as provided by the law.

Section 102 (under Student Discipline) of Manual of Regulations for Private Higher Education (MORPHE)), provides that; every higher education institution shall maintain discipline inside its campus as well as within the immediate surroundings of the school premises. An institution shall also exercise disciplinary authority over students outside its campus and beyond school hours, term or year on the instances as follows:

1. where school policies or regulations are violated; and
2. where the misconduct involves or affects a student’s status, or the good name or reputation of the school.

A student enrolling in the Institute assumes an obligation to conduct himself in a proper and irreproachable manner as a bona fide member of the academic community and should not hamper the Institute from the discharge of its educational functions. He must accept the rules and regulations which the Institute prescribes for the members of the academic community to enable it to fulfill effectively its educational mission.

Therefore, all students and faculty members shall abide by and observe the rules and regulations herein set forth. They are urged to refrain from committing any offense which is inimical to the good of the students in particular and the whole academic community in general.
OFFICE OF THE PREFECT OF DISCIPLINE

The Office of the Prefect of Discipline (OPD) aims to promote DISCIPLINE in accordance with the Mapúa Institute of Technology Core Values (Discipline, Excellence, Commitment, Integrity, and Relevance).

Furthermore, the OPD envisions providing guidance for the integral development of student’s moral values, habits, ethics and ideals to become a responsible and better person in the future.

The OPD for them also strives to take part in creating an environment that is conducive to learning by implementing rules and regulations aligned with the Student Discipline Handbook and reflecting Mapúa’s Core Values.

The following are the functions and responsibilities of this office:

• To inform students of their rights and responsibilities;

• To appraise students of the rules/codes on student discipline, and proper decorum and behavior in their association with fellow students, teachers, employees and administrative officers; and also to ensure that due process as provided under Section 105 of the Manual for Private Higher Education has been observed in every administrative proceeding:

1. Student must be informed in writing of the nature and cause of any accusation against him, and required the accusation in writing. If the student is minor, the parent or guardian shall be furnished with a copy of the show cause letter.

2. If the student denies the allegations or alleges some fact or matter in justification or mitigation of the offense, and the issues are complex and/or sensitive in nature, the institute may form a fact-finding committee to hear and receive evidence; (Please refer to page 5, Roman numeral # III (Authority of the Prefect of Discipline).

3. In all stages of the proceedings, the student shall have the right to assistance of a counsel of his own choice.

4. The student shall have the right to examine the evidence presented against him, to ask clarificatory questions through the fact finding committee, and to present evidence on his behalf.

5. The fact-finding committee must consider the pieces of evidence received during the proceedings.

6. The student shall be informed in writing of the decision promulgated in his case.

7. If the student is found liable for the offense charged, the punishment imposed shall commensurate with the nature and gravity of the offense.

The Office of the Prefect of Discipline (OPD) offers the following services:

• Supervision of disciplinary cases and other student concerns
• Issuance of Certificate of Good Moral Character
• Processing of Affidavit of Loss

AUTHORITY OF THE PREFECT OF DISCIPLINE

The authority of the Prefect of Discipline depends on the gravity and complexity of the case.

I. The Prefect has the authority to investigate, decide and impose sanctions on minor offenses. He has the same authority with respect to major offenses where the imposable penalty is suspension, provided that appropriate notices are sent to the OEVPAAD and the Legal Affairs Department of the Institute for less than one term when such penalty is imposed.

II. The Prefect may recommend to the EVPAA on the disposition of cases involving major offenses where the equivalent sanctions are suspension for one (1) term or more.

III. The Prefect may, at his discretion, recommend to the OEVPAAD the creation of a Committee on Decorum and Investigation (CDI) in complex cases or those which are sensitive in nature. Once constituted, the CDI shall then have jurisdiction to handle cases involving major offenses as defined in this Handbook.
The Committee on Decorum and Investigation (CDI) is ideally composed of, but not limited to, the following:

a) MIT Legal Counsel;
b) Prefect for Discipline;
c) Director for Guidance and Counseling;
d) Faculty Member;
e) Non-teaching Employee
f) Student Council Officer or student leader.

STUDENT’S GENERAL BEHAVIOR

Mapúa students are expected to embody and practice the school’s core values – Discipline, Excellence, Commitment, Integrity, and Relevance. In the same manner, Respect, Courtesy, and Politeness are given emphasis in order to create an atmosphere conducive to learning.

DEFINITION OF TERMS

**Authority** - The power to determine, adjudicate, or otherwise settle issues or disputes; jurisdiction; the right to control, command, or determine.

**Complainant** - The party reporting/filing the complaint or concern against another party.

**Discipline** - Training expected to produce a specific character or pattern of behavior, especially training that produces moral or mental improvement. (Freedictionary.com)

**Evidence** - something (as testimony, writings, or objects) presented in a judicial or administrative proceeding for the purpose of establishing the truth or falsity of an alleged matter of fact (Findlaw.com).

**Exclusion** - A penalty that allows the institution to exclude or drop the name of the erring student from the roll of students immediately upon resolution for exclusion was promulgated. This penalty may be imposed for acts or offenses such as dishonesty, hazing, carrying deadly weapons, immorality, selling and/or possession of prohibited drugs, drug dependency, drunkenness, hooliganism, vandalism, and other offenses analogous to the foregoing. Transfer credentials of the erring student shall be issued upon promulgation, subject to the other provisions of the Manual of Regulations for Private Higher Education (MORPHE) of 2008. The institution shall preserve a complete record of the proceeding for a period of one (1) year in order to afford the Commission on Higher Education (CHED) the opportunity to review the case in the event the student makes and files an appeal with the CHED.

**Expulsion** - a penalty wherein the institution declares an erring student disqualified for admission to any public or private higher education institution in the Philippines. In any case the penalty of expulsion cannot be imposed without the approval of the Chairman of the CHED. This penalty may be imposed for acts or offenses involving moral turpitude or consisting gross misconduct, which are considered criminal pursuant to existing penal laws.

The institute shall forward a complete record of the proceedings to the Regional Office of CHED concerned within ten (10) days from the termination of the investigation of each case where the penalty imposed is expulsion.

**Prefect of Discipline** - A person appointed as the head of the Office of the Prefect of Discipline with the primary task of implementing the student discipline policies as enumerated under the Student Discipline Handbook of Mapúa.

**Non-readmission** – a penalty that allows the institution to deny admission or enrollment of an erring student for the school term immediately following the term when the resolution or decision finding the student guilty of the offense charged and imposing the penalty of non-readmission was promulgated. Unlike the penalty of exclusion, the student is allowed to complete the current school term when the resolution for non-readmission was promulgated. Transfer credentials of the erring student shall be issued upon promulgation, subject to the other provisions of the MORPHE.

**Public Display of Affection (PDA)** - Inappropriate physical contact including, but not limited to, intimate (physical contact) touching, kissing, lying /leaning to another person, etc. inside the school premises or at any school sponsored activity.

**Regulations** - A law, rule, or other order prescribed by authority, especially to regulate conduct. (Dictionary.com)
Respondent - Refers to the party responding to the complaint or concern reported regarding his/her alleged behavior or actions not in accordance to the Student Discipline Handbook.

Rights - A moral, ethical, or legal principle considered as an underlying cause of truth, justice, morality, or ethics. (Dictionary.com)

School Premises - Includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the Mapúa (including adjacent streets and sidewalks).

Student - Any person who is enrolled and engaged in higher education studies (Mapúa Institute of Technology). This includes:
1. foreign students
2. refresher course students
3. special students
(As defined under Section 5, No. 14 (b) of the manual of Regulations for Private Higher Education, 2008)

Suspension - a penalty that allows the higher education institution to deprive or deny the erring student from attending classes for a period not exceeding twenty percent (20%) of the prescribed total class days for the school term. A penalty of suspension for a period more than twenty percent (20%) of the total class days for the school term shall be deemed suspension for a period equivalent to twenty percent (20%) of the prescribed total class days for the school term.

TYPES OF OFFENSES

a. Minor Offenses – are offenses committed against the provisions of the Student Discipline Handbook of MIT. A minor offense warrants a penalty of warning up to nine (9) hours of community service or fine as provided by this handbook for minor offenses.

b. Major offenses - are serious infractions committed against any provisions of the Student Discipline Handbook of MIT. Such as offenses that warrants a more severe penalty of suspension up to dismissal/expulsion.

PENALTIES

Minor offenses and its sanctionst
1. Left/lost ID (without Affidavit of Loss)
   1st Offense – 1st warning (oral or written notice of warning)
   2nd Offense – 2nd warning (oral or written notice of warning)
   3rd Offense – 3rd warning (oral or written notice of warning)
   4th Offense – student shall not be allowed to enter the campus
2. Not properly wearing of ID while inside the campus
3. Spitting or littering
4. Wearing of inappropriate campus attire
5. Violation of parking regulations
6. Disrupting or disturbing classes and/or making excessive noise within the premises of the Institute
7. Loitering in corridors during class sessions
8. Eating and/or drinking in prohibited areas such as but not limited to classrooms, laboratories, elevators etc.
9. Disruptive use of mobile phones, or other similar communication devices during classes
10. Use of mobile phones and other similar communication devices during an examination
11. Misbehavior during school programs, activities, or competitions;
12. Disrespect for national symbols
13. Improper use of lavatories and washrooms
14. Use of electronic cigarette within the school premises
15. Possession of any gambling materials while inside the vicinity of the Institute; and
16. Simple misconduct

Except for minor offense no 1 (Left/lost ID (without Affidavit of Loss), the following are the sanctions for violation of minor offenses:
1st Offense - Warning
2nd Offense - 3 hours of community service
3rd Offense - 6 hours of community service

An accumulation of four (4) minor offenses of any nature within one quarter of the school year shall be considered a major offense (please refer to Policy no. 2, Major offense).
Major Offenses and its sanctions

Any of the following sanctions may be imposed to any student who is found guilty of committing a major offense:

a. Suspension for a period of less than one term, with or without community service;
b. Suspension for a period of one term or more, with or without community service;
c. Non-readmission to the Institute;
d. Dismissal from the Institute;
e. Expulsion

An accumulation of four (4) minor offenses of any nature within one quarter of the school year shall be considered a major offense and is punishable by suspension for a period of less than one (1) term with or without community service. (Please refer to Policy no 2, Major Offenses).

List of major offenses and its sanction.

<table>
<thead>
<tr>
<th>Occurrence and Sanction</th>
<th>1st</th>
<th>2nd</th>
<th>3rd</th>
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<td>1. Any act of dishonesty such as but not limited to the following:</td>
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<td>1.1. Cheating in examinations, unauthorized possession/use of notes or any materials relevant to the examination during the exam;</td>
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<td>1.2. Copying or allowing another student to copy from one's examination papers, assigned homework, assigned reports, thesis, reaction papers, and similar materials;</td>
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<td>1.3. Communicating (through any medium) with another student/any other person (inside or outside examination room) during examination, without permission from the professor or proctor;</td>
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<td>1.4. Plagiarism, or submitting another person's work as one's own;</td>
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<td>1.5. Massive, pre-meditated, organized cheating including but not limited to pre-board and major exams</td>
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<td>1.6. Other forms of cheating during examination, in passing of homework or assigned projects or any other academic work;</td>
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<td>1.7.</td>
<td>Falsification of documents, forgery and or any similar acts of alteration but not limited to:</td>
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<td>1.7.1.</td>
<td>alteration or misuse of school documents in connection with official matters;</td>
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<td>1.7.2.</td>
<td>alteration or misuse of school records or credentials;</td>
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<td>1.7.3.</td>
<td>submission of false or fraudulent information and/or documents to the Institute in connection with official matters;</td>
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<td>1.7.4.</td>
<td>publication or dissemination of false information about the school administration, its officials, faculty members, or students;</td>
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<td>1.7.5.</td>
<td>forging of security stamp to gain entry to the institute;</td>
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<td>1.8</td>
<td>lending or borrowing of school ID, official receipt, certificate of matriculation, or other official documents and/or presenting another person's documents as one's own; tampering of school ID and into using it to gain entry the Institute.</td>
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<td>2.</td>
<td>Accumulation of any four (4) minor offenses of any nature within one (1) quarter of the school year.</td>
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<td>3.</td>
<td>Physical injury/assault upon any member of the faculty, administration, staff; or any student, personnel, or visitor of the Institute.</td>
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<td>4.</td>
<td>Any acts of threat either physical or by means of any medium of communications including but not limited to: oral, through social media, and using any electronic gadgets against any school officials, faculty member, employee, student and or any visitor of the Institute.</td>
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<td>5.</td>
<td>Discourtesy in any form (physical/oral, written) by means of any medium of communication, such as, but not limited to:</td>
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<td>5.1.</td>
<td>Bullying, defamation, inciting to fight, and/or any abusive behavior committed against any student;</td>
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<td>5.2.</td>
<td>Disrespect toward any faculty member; or any official of the Institute or his authorized representative.</td>
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<td>5.3.</td>
<td>Willful failure to comply immediately with the instruction/directions given by the persons in authority such as but not limited to: official of the Institute, faculty member, and security personnel who are acting in the performance of their official duty.</td>
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<td>5.4.</td>
<td>Failure to comply with the deadline given/set to complete the given disciplinary sanction and/or to submit an explanation letter for commission of any of the minor offense; unless justified.</td>
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<td>6.</td>
<td>Any other conduct which threatens, endangers, or adversely affects the health or safety of any person inside Mapúa premises.</td>
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<td>7. Illegal possession of deadly weapon of any kind and or use of explosives, incendiary devices, and/or any other similar devices.</td>
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<td>8. Forcible entry to the campus</td>
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<td>9. Unauthorized use of Mapúa facilities and services but not limited to:</td>
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<td>9.1. Unauthorized use of rooms;</td>
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<td>9.2. Tampering with or misuse of computer applications, software, programs, and other IT systems of the Institute, whether or not for personal advantage, including but not limited to manipulating enrollment procedures and requirements, grades, class schedules, tuition and matriculation, and student records, or any willful or negligent act resulting in computer security breach.</td>
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<td>10. Any form of bribery (attempted or consummated) of any faculty member or personnel of the Institute</td>
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<td>11. Stealing, attempting and/or facilitating to steal</td>
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<td>12. Vandalism, or the willful or negligent destruction of any property of the Institute which includes, but is not limited to such acts as tearing off or defacing any library book, magazine or periodical; writing, drawing, or posting unauthorized notices on walls or pieces of furniture, breakage of glass windows, showcases, cabinet doors, electrical and mechanical devices or contrivances; unauthorized removal of official notices and posters from bulletin boards and other similar acts, or causing other damage to any property of the Institute</td>
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<td>13. Unauthorized/misuse of emergency switch such as but not limited to fire alarms, activation of water sprinklers and the likes</td>
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<td>14. Hazing or the infliction of any physical or mental harm or ordeal on any person, which injures, degrades, or disgraces or that tends to injure, degrade, or disgrace any fellow student or any person in the Institute</td>
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<td>15. Forming, recruiting, and/or joining any surreptitious or clandestine organization like fraternities and sororities, or other associations formed for illegal, immoral, unethical purposes, or those not officially recognized by the Office of Student Activities or not listed in the official list of organizations</td>
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<td>16.</td>
<td>Illegal possession, use, sale, disposal, or distribution of prohibited/controlled drugs or chemicals and or other banned substances but not limited to: LSD, marijuana, heroin, shabu, amphetamines, barbiturates or opiates in any form within the premises or immediate vicinity of the Institute</td>
<td>c/d/e</td>
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<td>17.</td>
<td>Unauthorized possession and/or drinking of alcoholic beverages within the premises of the Institute whether or not in connection with an official school activity approved by the Office of Student Activities; drinking outside the premises of the Institute in connection with an official school activity approved by the Office of the Student Activities; or entering the campus under the influence of alcohol</td>
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<td>c/d</td>
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<td>18.</td>
<td>Public display of Affection (PDA), which offends or tends to offend the sensibilities of Academic community or inappropriate intimate physical contact including, but not limited to: intimate touching, kissing, hugging, lying /leaning on another person, etc. within the school premises or at any school-sponsored activity</td>
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<td>19.</td>
<td>Engaging in lewd, obscene, or immoral conduct within the campus premises</td>
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<td>20.</td>
<td>Engaging in any form of gambling within the premises of the Institute</td>
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<td>21.</td>
<td>Smoking at any time within the school premises</td>
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<td>22.</td>
<td>All forms of student protests whose distinctive characteristics are physical force, violence, threat and intimidation</td>
<td>b/c/d</td>
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<td>23.</td>
<td>Posting and/or distributing literature, pamphlets, pictures, news items or any announcement whatsoever without any written permit from the Office of the Student Activities</td>
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<td>b</td>
<td>c/d</td>
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<td>24.</td>
<td>Organizing, participating in and/or supporting any activity inside or outside the school campus, without approval from the Office of Student Activities or appropriate school authorities</td>
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<td>25.</td>
<td>Instigating or leading an illegal strike or similar activities resulting in disruption or stoppage of classes</td>
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<td>26.</td>
<td>Unauthorized collection or exaction of money, checks, or other instruments of monetary equivalent from any student, faculty member, or employee, whether or not in connection with matters pertaining to the Institute</td>
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<td>27.</td>
<td>Embezzlement of funds of a student organization or student council</td>
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28. Willful failure to comply with instruction (either oral or written), summons and/or notices given/issued for purposes of investigation conducted in connection with discipline related offenses, or any matters related/in connection to the official function of the Institute in accordance with law of the land.

29. Perjury, lying or giving false statements in any administrative proceeding and/or presenting false documents to mislead an investigation during the administrative proceedings.

30. Violation of any penal statute or of rules and regulations promulgated by the Commission on Higher Education (CHED), of the policies and regulations of Mapúa or of any valid order by proper authorities.

31. Conviction before any court for a criminal offense involving moral turpitude against persons or property other than through reckless imprudence.

32. Any other acts that compromise the name and reputation of Mapúa as a premier educational institution.

Deadline of the completion of the community service given as sanction both for minor and major infractions to a student shall be determined by the Prefect in consideration of the academic schedule and activities of the student.

A student liability shall NOT be confined to the enumeration because some may be generally worded to encompass related wrong doings. (Sec. 103, MORPHE)

In order for the students to understand the gravity of their misdemeanor, the office of the Prefect of Discipline (OPD) can require them to undergo counseling, whose frequency and duration shall be fixed according to the discretion of the head of the Center for Guidance and Counseling.

The Institute reserves the right to impose other sanctions other than those stipulated in this handbook provided that it is in accordance with the law.

ADMINISTRATION OF STUDENT DISCIPLINE

DISCIPLINE PROCEDURES

a. Formal complaints against students shall be submitted to the OPD; complaints may come from faculty members, school officials, non-teaching employees, students, or other persons not connected with the Institute (on a case to case basis, as the Prefect may deem appropriate).

b. The Prefect of Discipline shall then conduct a preliminary investigation and shall gather all evidence including documents and materials as he may deem relevant. The school ID of the concerned students shall be temporarily blocked at the system (4D) and shall be submitted to the OPD for safekeeping while the case is still active.

c. Upon receipt of all relevant documents, materials, and other evidence including the names of witnesses, the Prefect shall assess the gravity and complexity of the case, and proceed to handle the same in accordance with the provisions of “Authority of the Prefect of Discipline.” The Prefect shall have authority to dismiss any complaint which to his opinion is devoid of merit with the written approval of the OEVPAA.

PROCEDURES APPLICABLE TO CASES INVOLVING MAJOR OFFENSES OR COMPLEX CASES

I. SHOW-CAUSE NOTICE

The Prefect shall serve a show-cause notice to the student/s involved informing them of the offense charged and the imposable sanctions and requiring them to submit a notarized reply countersigned by their parent/guardian within 72 hours from receipt.
II. NOTICE OF HEARING

a. A written notice shall be served by the Prefect or the CDI, as the case maybe, at least three (3) days before the scheduled date of the hearing. A written response denying the complaint shall not hamper the schedule and/or proceedings of the hearing.

b. Refusal of the respondent/s to acknowledge receipt of the notice of hearing shall not hamper the proceedings.

III. HEARING

a. The Prefect or the CDI, as the case may be, shall ensure that due process is duly satisfied.

b. The Prefect or the CDI, as the case may be, shall ensure that the respondent is duly informed in writing of the nature and cause of the complaint, the sanctions involved. The respondent shall be given an opportunity to answer the charges filed against him. In any stage of the proceedings, respondent may seek assistance of counsel if he so prefers.

c. The Prefect or the CDI, as the case may be, shall likewise ensure that a respondent is given an opportunity to face the accuser/s, examine the evidence presented against him, defend himself and present witnesses if he so desires.

d. The absence of the respondent at the initial hearing after due notice shall be noted and the Prefect or the CDI shall proceed to receive evidence(s) from the complainant. In the event that no additional evidence is submitted and no further hearing is required under the circumstances, the Prefect or the CDI shall submit its recommendations to the OEVPAA based on the merits of the evidence(s) presented and admitted.

e. The respondent shall be informed in the event that additional evidence is submitted and shall have the right to adduce the evidence on his behalf.

f. The official hearings shall be held continually. All cases shall be resolved within three (3) months from the receipt of the complaint. Any delay shall not be allowed except for justifiable reasons as may be determined by the Prefect or the CDI.

g. During the hearing, the complainant and the respondent shall each present evidence(s) and witnesses, unless otherwise waived.

h. This is an administrative proceedings. Complainant, and respondent and or witnesses are obligated to tell the truth as this is an official proceeding.

i. After all parties have presented their evidences, the Prefect or the CDI shall proceed to evaluate the evidence and testimonies.

j. The Prefect or the Chair of the CDI, as the case may be, shall exercise complete control over the proceedings, using every reasonable means to ascertain facts as objectively as possible and without regard to the technicalities of law or procedure, all in the interest of due process. Parties counsels may be allowed to intervene or ask questions only if allowed by the Prefect or CDI.

k. Should a respondent admit to the charges against him, he shall be required to execute a written admission or confession of guilt and shall be made to appear before the Prefect or the CDI in order to affirm the written admission or confession. Sanctions shall be enforced immediately but may be lowered at the discretion of the Institute acting through the Prefect or the CDI.

IV. RESOLUTION

a. The Prefect or the CDI, as the case may be, shall resolve a case within one (1) month after the last hearing of the case.

b. Where the sanction recommended is equivalent to one term or higher, the Prefect or the CDI, as the case may be, shall endorse the findings and recommendations to the OEVPAA for approval. The EVPAA may accept or reverse the recommendation of the Prefect/CDI. Should the EVPAA find the respondent not guilty of the offense(s), the charge(s) shall be erased from the respondent’s record and his rights restored.

c. The Office of the President, Office of the Registrar, the Security Office, the Dean, the faculty member(s) concerned, the student(s) concerned and the student’s/parents (if necessary), shall be given copies of the decision.
d. Should the respondent find the decision unfavorable, he may file an appeal to the Office of the President within ten (10) days from the receipt of the decision. If the appeal is not filed within the indicated time period, the decision of the EVPAA shall be rendered final and executory.

e. Where the offense involved is a minor offense or a major where the sanction deemed imposable after due process is suspension, the respondent may file an appeal to the OEVPA within ten (10) days from the receipt of the decision. If the appeal is not filed within the prescribed period, the decision of the prefect/CDI shall be deemed final and executory.

- Complaints shall be filed at the Office of the Prefect of Discipline (OPD). The OPD will have the jurisdiction only in cases where student/s are the respondent/s.

- The Prefect shall conduct a preliminary investigation and evaluation to determine the prima-facie of the case.

- Cases filed shall be categorized into three (3), these are; first-student cases with equivalent sanction of suspension of 1 less than one (1) term with or without community service, second-student cases with equivalent sanction of one term or more (with or without community service); third-student cases recommended for Committee on Decorum and Investigation (CDI), upon discretion of the Prefect (based on the complexity of the case).

- All cases will be heard with strict observance of due process.

- After hearing of the case, decision/recommendation will be formulated for implementation/approval of the concerned office/s.

- Appeal of cases with equivalent penalty of 1 up to 10 days suspension imposed by the prefect shall be filed to the EVPAA, while cases handled by the CDI and those with equivalent sanction of non-readmission and/or exclusion imposed by the EVPAA shall be filed to the President.

- Decision is final and executory after ten (10) days if no appeal is filed.
STANDARD ATTIRE IN THE CAMPUS

GENERAL CONSIDERATION
No official school uniform has been prescribed by the Institute. Students are enjoined to improve their personal appearance through neatness, simplicity, and decency of attire.

RECOMMENDED ATTIRE FOR MALE STUDENTS
a. Short-sleeved shirts
b. Long-sleeved shirts
c. T-shirts with sleeves but without patches or indecent letterings or pictures or symbols/logos of unrecognized student organizations like fraternities.
d. All custom-made pants except those that are torn, unstitched or with untrimmed edges. Wearing of walking shorts is allowed with length of 2 inches at most above the knee. Board shorts, beach shorts, athletic shorts, house shorts, cycling shorts, and other types of shorts are not allowed.
e. Well-polished shoes (leather or other materials) or washed rubber shoes.
f. Ornaments to pierced body parts other than the ears such as the eyelids, nose, tongue, etc. is not allowed.
g. Cross-dressing is not allowed.
h. Wearing of slippers are not allowed.

RECOMMENDED ATTIRE FOR FEMALE STUDENTS
a. Simple dresses
b. Blouses except those with bare-midriff or spaghetti straps
c. T-shirts without patches or indecent letterings or pictures or symbols/logos of unrecognized student organizations like fraternities.
d. Skirts or custom-made pants except those that are torn, unstitched or with untrimmed edges. Wearing of walking shorts is allowed with length of 2 inches at most above the knee. Board shorts, beach shorts, athletic shorts, house shorts, cycling shorts, and other types of shorts are not allowed. Any types of clothing with length of more than 2 inches above the knee is not allowed.
e. Ornaments to pierced body parts other than the ears such as the eyelids, nose, tongue, etc. is not allowed.
f. Wearing of slippers are not allowed.

Schools may still impose uniform especially if it is required in their program or course.
The Mapúa student **ID (Cardinal Plus)** can be used for any official transaction inside the Institute within a valid period. However, if the ID is damaged, faded, or lost, only the enrolled student can apply for a replacement. The staff and personnel at the Office of the Prefect of Discipline (OPD) shall guide the student in the following procedure on replacing a lost or damaged ID:

**PROCEDURE IN APPLYING FOR REPLACEMENT OF LOST/DAMAGED I.D.**

**Mapúa Intramuros**

1. In the case of lost ID, the student should apply for an **“affidavit of loss”** (AOL) at the OPD as soon as the Mapúa ID is confirmed lost. In the case of damaged ID, the student should proceed directly to the DO-IT for checking or repairing of the damage and for possible billing.
2. Bring the affidavit of loss to any legitimate Notary Public office and have it notarized.
3. Bring back the notarized affidavit at the OPD for clearance.
4. Go to the DO-IT for billing (4th floor, Main Building)
5. Bring the billing form to the Treasurer’s Office, and pay the required amount.
6. Go back to DO-IT for the photo session, and present the official receipt for notation on the date of ID release.
7. Get a temporary student ID from the Security Office for the immediate or current transactions. The temporary ID is valid until a new ID is released to the student.
8. The release of ID will be at the Security Office. Once the new student ID is activated electronically, the temporary ID becomes officially invalid, and this temporary ID should be surrendered to the Security Office.

**Mapúa Makati**

1. In the case of a lost ID, the student should apply for an **“affidavit of loss”** (AOL) at CSAD immediately. In case of a damaged ID, the student should proceed directly to the DOIT for checking or repairing of the damage and for possible billing.
2. Applicant shall bring the filled AOL to any Notary Public for notarization.
3. Applicant shall submit the notarized AOL together with the copy of his/her current Certificate of Matriculation (CM) at CSAD for clearance.
4. The applicant shall proceed to the Treasury Department for billing and payment.
5. The applicant shall return to the OPD to present receipt of payment and for photo session.
6. The applicant shall claim new ID at OPD when notified.

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**Procedures in applying for Good Moral Certificate**

START

1. Fill out Charge Form

2. Verify record of applicant

   W/o Major Offense

   W/ Major Offense

   2.B. Prefect is notified

   Settled Sanction

   Process of GMC starts

   "Charge Form" issued by the OPD Staff to the Applicant

   4. Forwards the "Charge Form" to the Treasurer’s Office

   5. Returns the "Charge Form" to the OPD.

   6. Files the "Charge Form"

   7. Issuance of GMC

END
Cybercrime Law

Posted on September 12, 2012
S. No. 2796
H. No. 5808

Republic of the Philippines
Congress of the Philippines
Metro Manila
Fifteenth Congress
Second Regular Session
Begun and held in Metro Manila, on Monday the Twenty-fifth day of July two thousand eleven.
[Republic Act No. 10175]

AN ACT DEFINING CYBERCRIME, PROVIDING FOR THE PREVENTION, INVESTIGATION, SUPPRESSION AND THE IMPOSITION OF PENALTIES THEREFOR AND FOR OTHER PURPOSES

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

CHAPTER I
PRELIMINARY PROVISIONS

SECTION 1. Title. — This Act shall be known as the “Cybercrime Prevention Act of 2012”.

SEC. 2. Declaration of Policy. — The State recognizes the vital role of information and communications industries such as content production, telecommunications, broadcasting electronic commerce, and data processing, in the nation's overall social and economic development. The State also recognizes the importance of providing an environment conducive to the development, acceleration, and rational application and exploitation of information and communications technology (ICT) to attain free, easy, and intelligible access to exchange and/or delivery of information; and the need to protect and safeguard the integrity of computer, computer and communications systems, networks, and databases, and the confidentiality, integrity, and availability of information and data stored therein, from all forms of misuse, abuse, and illegal access by making punishable under the law such conduct or conducts. In this light, the State shall adopt sufficient powers to effectively
prevent and combat such offenses by facilitating their detection, investigation, and prosecution at both the domestic and international levels, and by providing arrangements for fast and reliable international cooperation.

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

(a) Access refers to the instruction, communication with, storing data in, retrieving data from, or otherwise making use of any resources of a computer system or communication network.

(b) Alteration refers to the modification or change, in form or substance, of an existing computer data or program.

(c) Communication refers to the transmission of information through ICT media, including voice, video and other forms of data.

(d) Computer refers to an electronic, magnetic, optical, electrochemical, or other data processing or communications device, or grouping of such devices, capable of performing logical, arithmetic, routing, or storage functions and which includes any storage facility or equipment or communications facility or equipment directly related to or operating in conjunction with such device. It covers any type of computer device including devices with data processing capabilities like mobile phones, smart phones, computer networks and other devices connected to the internet.

(e) Computer data refers to any representation of facts, information, or concepts in a form suitable for processing in a computer system including electronic documents and/or electronic data messages whether stored in local computer systems or online.

(f) Computer program refers to a set of instructions executed by the computer to achieve intended results.

(g) Computer system refers to any device or group of interconnected or related devices, one or more of which, pursuant to a program, performs automated processing of data. It covers any type of device with data processing capabilities including, but not limited to, computers and mobile phones. The device consisting of hardware and software may include input, output and storage components which may stand alone or be connected in a network or other similar devices. It also includes computer data storage devices or media.

(h) Without right refers to either: (i) conduct undertaken without or in excess of authority; or (ii) conduct not covered by established legal defenses, excuses, court orders, justifications, or relevant principles under the law.

(i) Cyber refers to a computer or a computer network, the electronic medium in which online communication takes place.

(j) Critical infrastructure refers to the computer systems, and/or networks, whether physical or virtual, and/or the computer programs, computer data and/or traffic data so vital to this country that the incapacitation or destruction of or interference with such system and assets would have a debilitating impact on security, national or economic security, national public health and safety, or any combination of those matters.

(k) Cybersecurity refers to the collection of tools, policies, risk management approaches, actions, training, best practices, assurance and technologies that can be used to protect the cyber environment and organization and user’s assets.

(l) Database refers to a representation of information, knowledge, facts, concepts, or instructions which are being prepared, processed or stored or have been prepared, processed or stored in a formalized manner and which are intended for use in a computer system.

(m) Interception refers to listening to, recording, monitoring or surveillance of the content of communications, including procuring of the content of data, either directly, through access and use of a computer system or indirectly, through the use of electronic eavesdropping or tapping devices, at the same time that the communication is occurring.

(n) Service provider refers to:

(1) Any public or private entity that provides to users of its service the ability to communicate by means of a computer system; and

(2) Any other entity that processes or stores computer data on behalf of such communication service or users of such service.

(o) Subscriber’s information refers to any information contained in the form of computer data or any other form that is held by a service provider, relating to subscribers of its services other than traffic or content data and by which identity can be established:

(1) The type of communication service used, the technical provisions taken thereto and the period of service;

(2) The subscriber’s identity, postal or geographic address, telephone and other access numbers, any assigned network address, billing and payment information, available on the basis of the service agreement or arrangement; and

(3) Any other available information on the site of the installation of communication equipment, available on the basis of the service agreement or arrangement.

(p) Traffic data or non-content data refers to any computer data other than the content of the communication including, but not limited to, the communication's origin, destination, route, time, date, size, duration, or type of underlying service.
CHAPTER II
PUNISHABLE ACTS

SEC. 4. Cybercrime Offenses. — The following acts constitute the offense of cybercrime punishable under this Act:
(a) Offenses against the confidentiality, integrity and availability of computer data and systems:
(1) Illegal Access. – The access to the whole or any part of a computer system without right.
(2) Illegal Interception. – The interception made by technical means without right of any non-public transmission of computer data to, from, or within a computer system including electromagnetic emissions from a computer system carrying such computer data.
(3) Data Interference. — The intentional or reckless alteration, damaging, deletion or deteriorating of computer data, electronic document, or electronic data message, without right, including the introduction or transmission of viruses.
(4) System Interference. — The intentional alteration or reckless hindering or interference with the functioning of a computer or computer network by inputting, transmitting, damaging, deleting, deteriorating, altering or suppressing computer data or program, electronic document, or electronic data message, without right or authority, including the introduction or transmission of viruses.
(5) Misuse of Devices.
(i) The use, production, sale, procurement, importation, distribution, or otherwise making available, without right, of:
(aa) A device, including a computer program, designed or adapted primarily for the purpose of committing any of the offenses under this Act; or
(bb) A computer password, access code, or similar data by which the whole or any part of a computer system is capable of being accessed with intent that it be used for the purpose of committing any of the offenses under this Act.
(ii) The possession of an item referred to in paragraphs 5(i)(aa) or (bb) above with intent to use said devices for the purpose of committing any of the offenses under this section.
(6) Cyber-squatting. – The acquisition of a domain name over the internet in bad faith to profit, mislead, destroy reputation, and deprive others from registering the same, if such a domain name is:
(i) Similar, identical, or confusingly similar to an existing trademark registered with the appropriate government agency at the time of the domain name registration:
(ii) Identical or in any way similar with the name of a person other than the registrant, in case of a personal name; and
(iii) Acquired without right or with intellectual property interests in it.
(b) Computer-related Offenses:
(1) Computer-related Forgery. —
(i) The input, alteration, or deletion of any computer data without right resulting in inauthentic data with the intent that it be considered or acted upon for legal purposes as if it were authentic, regardless whether or not the data is directly readable and intelligible; or
(ii) The act of knowingly using computer data which is the product of computer-related forgery as defined herein, for the purpose of perpetuating a fraudulent or dishonest design.
(2) Computer-related Fraud. — The unauthorized input, alteration, or deletion of computer data or program or interference in the functioning of a computer system, causing damage thereby with fraudulent intent: Provided, That if no damage has yet been caused, the penalty imposable shall be one (1) degree lower.
(3) Computer-related Identity Theft. — The intentional acquisition, use, misuse, transfer, possession, alteration or deletion of identifying information belonging to another, whether natural or juridical, without right: Provided, That if no damage has yet been caused, the penalty imposable shall be one (1) degree lower.
(c) Content-related Offenses:
(1) Cybersex. — The willful engagement, maintenance, control, or operation, directly or indirectly, of any lascivious exhibition of sexual organs or sexual activity, with the aid of a computer system, for favor or consideration.
(2) Child Pornography. — The unlawful or prohibited acts defined and punishable by Republic Act No. 9775 or the Anti-Child Pornography Act of 2009, committed through a computer system: Provided, That the penalty to be imposed shall be (1) one degree higher than that provided for in Republic Act No. 9775.
(3) Unsolicited Commercial Communications. — The transmission of commercial electronic communication with the use of computer system which seek to advertise, sell, or offer for sale products and services are prohibited unless:
(i) There is prior affirmative consent from the recipient; or
(ii) The primary intent of the communication is for service and/or administrative announcements from the sender to its existing users, subscribers or customers; or
(iii) The following conditions are present:
(aa) The commercial electronic communication contains a simple, valid, and
reliable way for the recipient to reject. receipt of further commercial electronic messages (opt-out) from the same source;
(b) The commercial electronic communication does not purposely disguise the source of the electronic message; and
(cc) The commercial electronic communication does not purposely include misleading information in any part of the message in order to induce the recipients to read the message.

SEC. 5. Other Offenses. — The following acts shall also constitute an offense:
(a) Aiding or Abetting in the Commission of Cybercrime. — Any person who willfully abets or aids in the commission of any of the offenses enumerated in this Act shall be held liable.
(b) Attempt in the Commission of Cybercrime. — Any person who willfully attempts to commit any of the offenses enumerated in this Act shall be held liable.

SEC. 6. All crimes defined and penalized by the Revised Penal Code, as amended, and special laws, if committed by, through and with the use of information and communications technologies shall be covered by the relevant provisions of this Act: Provided, That the penalty to be imposed shall be one (1) degree higher than that provided for by the Revised Penal Code, as amended, and special laws, as the case may be.

SEC. 7. Liability under Other Laws. — A prosecution under this Act shall be without prejudice to any liability for violation of any provision of the Revised Penal Code, as amended, or special laws.

CHAPTER III
PENALTIES

SEC. 8. Penalties. — Any person found guilty of any of the punishable acts enumerated in Sections 4(a) and 4(b) of this Act shall be punished with imprisonment of prison mayor or a fine of at least Two hundred thousand pesos (PhP200,000.00) up to a maximum amount commensurate to the damage incurred or both.

Any person found guilty of the punishable act under Section 4(a)(5) shall be punished with imprisonment of prison mayor or a fine of not more than Five hundred thousand pesos (PhP500,000.00) or both.

If punishable acts in Section 4(a) are committed against critical infrastructure, the penalty of reclusion temporal or a fine of at least Five hundred thousand pesos (PhP500,000.00) up to maximum amount commensurate to the damage incurred or both, shall be imposed. Any person found guilty of any of the punishable acts enumerated in Section 4(c)(1) of this Act shall be punished with imprisonment of prison mayor or a fine of at least Two hundred thousand pesos (PhP200,000.00) but not exceeding One million pesos (PhP1,000,000.00) or both.

Any person found guilty of any of the punishable acts enumerated in Section 4(c)(2) of this Act shall be punished with the penalties as enumerated in Republic Act No. 9775 or the “Anti-Child Pornography Act of 2009” : Provided, That the penalty to be imposed shall be one (1) degree higher than that provided for in Republic Act No. 9775, if committed through a computer system.

Any person found guilty of any of the punishable acts enumerated in Section 4(c)(3) shall be punished with imprisonment of arresto mayor or a fine of at least Fifty thousand pesos (PhP50,000.00) but not exceeding Two hundred fifty thousand pesos (PhP250,000.00) or both.

Any person found guilty of any of the punishable acts enumerated in Section 5 shall be punished with imprisonment of one (1) degree lower than that of the prescribed penalty for the offense or a fine of at least One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00) or both.

SEC. 9. Corporate Liability. — When any of the punishable acts herein defined are knowingly committed on behalf of or for the benefit of a juridical person, by a natural person acting either individually or as part of an organ of the juridical person, who has a leading position within, based on: (a) a power of representation of the juridical person provided the act committed falls within the scope of such authority; (b) an authority to take decisions on behalf of the juridical person: Provided, That the act committed falls within the scope of such authority; or (c) an authority to exercise control within the juridical person, the juridical person shall be held liable for a fine equivalent to at least double the fines imposable in Section 7 up to a maximum of Ten million pesos (PhP10,000,000.00).

If the commission of any of the punishable acts herein defined was made possible due to the lack of supervision of control by a natural person referred to and described in the preceding paragraph, for the benefit of that juridical person by a natural person acting under its authority, the juridical person shall be held liable for a fine equivalent to at least double the fines imposable in Section 7 up to a maximum of Five million pesos (PhP5,000,000.00). The liability imposed on the juridical person shall be without prejudice to the criminal liability of the natural person who has committed the offense.
CHAPTER IV
ENFORCEMENT AND IMPLEMENTATION

SEC. 10. Law Enforcement Authorities. — The National Bureau of Investigation (NBI) and the Philippine National Police (PNP) shall be responsible for the efficient and effective law enforcement of the provisions of this Act. The NBI and the PNP shall organize a cybercrime unit or center manned by special investigators to exclusively handle cases involving violations of this Act.

SEC. 11. Duties of Law Enforcement Authorities. — To ensure that the technical nature of cybercrime and its prevention is given focus and considering the procedures involved for international cooperation, law enforcement authorities specifically the computer or technology crime divisions or units responsible for the investigation of cybercrimes are required to submit timely and regular reports including pre-operation, post-operation and investigation results and such other documents as may be required to the Department of Justice (DOJ) for review and monitoring.

SEC. 12. Real-Time Collection of Traffic Data. — Law enforcement authorities, with due cause, shall be authorized to collect or record by technical or electronic means traffic data in real-time associated with specified communications transmitted by means of a computer system. Traffic data refer only to the communication's origin, destination, route, time, date, size, duration, or type of underlying service, but not content, nor identities. All other data to be collected or seized or disclosed will require a court warrant. Service providers are required to cooperate and assist law enforcement authorities in the collection or recording of the above-stated information. The court warrant required under this section shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses he may produce and the showing: (1) that there are reasonable grounds to believe that any of the crimes enumerated hereinabove has been committed, or is being committed, or is about to be committed; (2) that there are reasonable grounds to believe that evidence that will be obtained is essential to the conviction of any person for, or to the solution of, or to the prevention of, any such crimes; and (3) that there are no other means readily available for obtaining such evidence.

SEC. 13. Preservation of Computer Data. — The integrity of traffic data and subscriber information relating to communication services provided by a service provider shall be preserved for a minimum period of six (6) months from the date of the transaction. Content data shall be similarly preserved for six (6) months from the date of receipt of the order from law enforcement authorities requiring its preservation. Law enforcement authorities may order a one-time extension for another six (6) months: Provided, That once computer data preserved, transmitted or stored by a service provider is used as evidence in a case, the mere furnishing to such service provider of the transmittal document to the Office of the Prosecutor shall be deemed a notification to preserve the computer data until the termination of the case. The service provider ordered to preserve computer data shall keep confidential the order and its compliance.

SEC. 14. Disclosure of Computer Data. — Law enforcement authorities, upon securing a court warrant, shall issue an order requiring any person or service provider to disclose or submit subscriber's information, traffic data or relevant data in his/its possession or control within seventy-two (72) hours from receipt of the order in relation to a valid complaint officially docketed and assigned for investigation and the disclosure is necessary and relevant for the purpose of investigation.

SEC. 15. Search, Seizure and Examination of Computer Data. — Where a search and seizure warrant is properly issued, the law enforcement authorities shall likewise have the following powers and duties. Within the time period specified in the warrant, to conduct interception, as defined in this Act, and:

(a) To secure a computer system or a computer data storage medium;
(b) To make and retain a copy of those computer data secured;
(c) To maintain the integrity of the relevant stored computer data;
(d) To conduct forensic analysis or examination of the computer data storage medium; and
(e) To render inaccessible or remove those computer data in the accessed computer or computer and communications network.

Pursuant thereof, the law enforcement authorities may order any person who has knowledge about the functioning of the computer system and the measures to protect and preserve the computer data therein to provide, as is reasonable, the necessary information, to enable the undertaking of the search, seizure and examination. Law enforcement authorities may request for an extension of time to complete the examination of the computer data storage medium and to make a return thereon but in no case for a period longer than thirty (30) days from date of approval by the court.
SEC. 16. Custody of Computer Data. — All computer data, including content and traffic data, examined under a proper warrant shall, within forty-eight (48) hours after the expiration of the period fixed therein, be deposited with the court in a sealed package, and shall be accompanied by an affidavit of the law enforcement authority executing it stating the dates and times covered by the examination, and the law enforcement authority who may access the deposit, among other relevant data. The law enforcement authority shall also certify that no duplicates or copies of the whole or any part thereof have been made, or if made, that all such duplicates or copies are included in the package deposited with the court. The package so deposited shall not be opened, or the recordings replayed, or used in evidence, or then contents revealed, except upon order of the court, which shall not be granted except upon motion, with due notice and opportunity to be heard to the person or persons whose conversation or communications have been recorded.

SEC. 17. Destruction of Computer Data. — Upon expiration of the periods as provided in Sections 13 and 15, service providers and law enforcement authorities, as the case may be, shall immediately and completely destroy the computer data subject of a preservation and examination.

SEC. 18. Exclusionary Rule. — Any evidence procured without a valid warrant or beyond the authority of the same shall be inadmissible for any proceeding before any court or tribunal.

SEC. 19. Restricting or Blocking Access to Computer Data. — When a computer data is prima facie found to be in violation of the provisions of this Act, the DOJ shall issue an order to restrict or block access to such computer data.

SEC. 20. Noncompliance. — Failure to comply with the provisions of Chapter IV hereof specifically the orders from law enforcement authorities shall be punished as a violation of Presidential Decree No. 1829 with imprisonment of prison correctional in its maximum period or a fine of One hundred thousand pesos (Php100,000.00) or both, for each and every noncompliance with an order issued by law enforcement authorities.

CHAPTER V
JURISDICTION

SEC. 21. Jurisdiction. — The Regional Trial Court shall have jurisdiction over any violation of the provisions of this Act. including any violation committed by a Filipino national regardless of the place of commission. Jurisdiction shall lie if any of the elements was committed within the Philippines or committed with the use of any computer system wholly or partly situated in the country, or when by such commission any damage is caused to a natural or juridical person who, at the time the offense was committed, was in the Philippines. There shall be designated special cybercrime courts manned by specially trained judges to handle cybercrime cases.

CHAPTER VI
INTERNATIONAL COOPERATION

Sec. 22. General Principles Relating to International Cooperation — All relevant international instruments on international cooperation in criminal matters, arrangements agreed on the basis of uniform or reciprocal legislation, and domestic laws, to the widest extent possible for the purposes of investigations or proceedings concerning criminal offenses related to computer systems and data, or for the collection of evidence in electronic form of a criminal, offense shall be given full force and effect.

CHAPTER VII
COMPETENT AUTHORITIES

SEC 23. Department of Justice (DOJ). — There is hereby created an Office of Cybercrime within the DOJ designated as the central authority in all matters related to international mutual assistance and extradition.

SEC. 24. Cybercrime Investigation and Coordinating Center. — There is hereby created, within thirty (30) days from the effectivity of this Act, an inter-agency body to be known as the Cybercrime Investigation and Coordinating Center (CICC), under the administrative supervision of the Office of the President, for policy coordination among concerned agencies and for the formulation and enforcement of the national cybersecurity plan.

SEC. 25. Composition. — The CICC shall be headed by the Executive Director of the Information and Communications Technology Office under the Department of Science and Technology (ICTO-DOST) as Chairperson with the Director of the NBI as Vice Chairperson; the Chief of the PNP; Head of the DOJ Office of Cybercrime; and one (1) representative from the private sector and academe, as members. The CICC shall be manned by a secretariat of selected existing personnel and representatives from the different participating agencies.
SEC. 26. Powers and Functions. — The CICC shall have the following powers and functions:
(a) To formulate a national cybersecurity plan and extend immediate assistance for the suppression of real-time commission of cybercrime offenses through a computer emergency response team (CERT);
(b) To coordinate the preparation of appropriate and effective measures to prevent and suppress cybercrime activities as provided for in this Act;
(c) To monitor cybercrime cases being bandied by participating law enforcement and prosecution agencies;
(d) To facilitate international cooperation on intelligence, investigations, training and capacity building related to cybercrime prevention, suppression and prosecution;
(e) To coordinate the support and participation of the business sector, local government units and nongovernment organizations in cybercrime prevention programs and other related projects;
(f) To recommend the enactment of appropriate laws, issuances, measures and policies;
(g) To call upon any government agency to render assistance in the accomplishment of the CICC's mandated tasks and functions; and
(h) To perform all other matters related to cybercrime prevention and suppression, including capacity building and such other functions and duties as may be necessary for the proper implementation of this Act.

CHAPTER VIII
FINAL PROVISIONS

SEC. 27. Appropriations. — The amount of Fifty million pesos (PhP50,000,000.00) shall be appropriated annually for the implementation of this Act.

SEC. 28. Implementing Rules and Regulations. — The ICTO-DOST, the DOJ and the Department of the Interior and Local Government (DILG) shall jointly formulate the necessary rules and regulations within ninety (90) days from approval of this Act, for its effective implementation.

SEC. 29. Separability Clause — If any provision of this Act is held invalid, the other provisions not affected shall remain in full force and effect.

SEC. 30. Repealing Clause. — All laws, decrees or rules inconsistent with this Act are hereby repealed or modified accordingly. Section 33(a) of Republic Act No. 8792 or the “Electronic Commerce Act” is hereby modified accordingly.
ON HAZING

REPUBLIC ACT 8049

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

Be it enacted by the Senate and House of Representative of the Philippines in Congress assembled.

SEC. 1. Hazing as used in this act is an initiation rite or practice as a pre-requisite 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 menial, silly, foolish and similar tasks or activities otherwise subjecting him to physical or psychological suffering or injury.

The term organization shall include any club of the Armed Forces of the Philippines, Philippine National Police, Philippine Military Academy, or officer and cadet corps of the Citizen's Military Training, or Citizen's Army Training. The physical, mental and psychological testing and training procedures 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 the 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 purposes of this act.

SEC 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 harm or any kind shall be inflicted upon a recruit, neophyte or applicant.

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

SEC 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 perpetual if death, rape, sodomy or mutilation results therefrom;
2. the penalty of reclusion temporal in its maximum period 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 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, an arm or a leg or shall have lost the use of any such member or shall have become incapacitated for the activity or work in which he was habitually engaged:
4. the penalty of reclusion temporal in its minimum period if in consequence of the hazing the victim shall become deformed or shall have lost the use thereof, or shall have been ill or incapacitated for the performance of the activity or work in which he was habitually engaged for a period of more than ninety (90) days;
5. the penalty prison mayor in its minimum period if in consequence of the hazing the victim shall been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for more than thirty (30) days;
6. the penalty of prison mayor in its medium period if in consequence of the hazing of the victim shall been ill or incapacitated for the performance of the activity or work in which he was habitually engaged for ten (10) days or more, or that the injury sustained shall require medical attendance for the same period;
7. the penalty of prison mayor its minimum period if in consequence of the hazing the victim shall have been ill or incapacitated for the performance of 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 attendance for the same period; and

8. the penalty of prison correctional in its maximum period 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 sanctions on the person or 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, through force, violence, threat or intimidation;

d. When the hazing is committed outside the school or institution; or;

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

The owner of the place where hazing is conducted shall be liable as an compliance, 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 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, the 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. Officer or members of an organization, group, fraternity or sorority who knowingly cooperated in carrying out the hazing by introducing the victim to be present thereat 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 any action to prevent the same from occurring shall be liable as principals.

The presence of any person during the hazing is prima facie evidence of participation therein as a principal unless he prevented the commission of the act punishable herein.

Any person charged under this provision shall be entitled to the mitigating circumstances 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.

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

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

SEC. 7. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspaper of general circulation.
ON FRATERNITIES

COMMISSION ON HIGHER EDUCATION
OFFICE OF THE PRESIDENT

CHED Order
No. 4, 1995

PREVENTIVE MEASURES AGAINST VIOLENCE AND SANCTIONS ON FRATERNITIES AND OTHER STUDENT ORGANIZATIONS

1. The fundamental law of the land requires the state through its instrumentalities, in particular the educational agencies, to promote the physical, intellectual and social well-being of the youth, the students. They are encouraged to go to schools of all levels to utilize their God-given talents for self-development and, collectively, for nation-building. They are encouraged further to join all kinds of organizations that foster camaraderie and instill brotherhood.

2. Historically, fraternities were founded to promote camaraderie among groups of people, including students in colleges and universities. Fraternities and other student-organizations must serve to forge not only brotherhood as the ultimate bonding of all men and women inside and outside the confines of universities, but must exit to preserve the value of human life. Their talents and energies must be channeled and utilized for collective development.

3. Recent events involving fraternities tend to erode the moral values inculcated by parents and the educational institution. Students' dedication to study, respect for authority, and observance of the rules and regulations of educational institutions are ignored. Existing laws and other administrative issuances seem not enough to deter some students to inflict physical and mental injuries on others and, in so many instances, cause the loss of life of students.

4. In order to have an atmosphere of brotherhood among fraternities and other student organizations, all educational institutions or higher learning are encouraged to promote programs and projects that will produce responsible students and will instill the value of human life for a productive future. The following preventive measures are therefore suggested:

4.1. monthly meetings of heads of fraternities in a Council of Equals;
4.2. regular gatherings of fraternities members through sports, cultural events and joint community projects where there are cross membership;
4.3. reporting a potential conflict to the head of the fraternity as a standard procedure. The head in turn will patch it up with his counterpart;
4.4. internal policing by the fraternities themselves;
4.5. long-term re-orientation of role of fraternity to move away from macho conflicts into a society of brotherhood that stresses studies, productivity, creativity, and sense of community and nationhood;
4.6. more interaction between the School Administration and the fraternities;
4.7. informing parents about the participation of their children in fraternities;
4.8. use of the fraternity alumni members to counsel resident members;
4.9. oblige fraternities to observe ethical code in their organizational vision and objectives which should include a commitment to solve problems in a peaceful and friendly way.

5. In order to deter violence among fraternities the following sanctions shall be strictly carried out:

5.1 Automatic expulsion of any fraternity member for:
   a. starting or taking the offensive action that clearly provokes violence;
   b. carrying knives, sticks, pipes, guns, and other deadly weapons in schools; and
   c. extortion.
5.2 60 days suspension of all officers of a fraternity found guilty of acting that will provoke violence; and
5.3 Suspension of guilty fraternity for one year for the first offense and permanent ban for the next offense.

6. Higher Education institution must fully assume authority and responsibility in dealing with fraternities and other student aggregations. They are enjoined to closely monitor and supervise the enumerated preventive measures and sanctions herein above stated.

7. Immediate dissemination for this order is desired.
ON SEXUAL HARASSMENT

REPUBLIC ACT 7877

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

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

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 of 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 are hereby declared unlawful.

Section 3. Work, Education or Training Harassment Defined – Work education or training related to sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, 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, require for submission is accepted by the object of said Act.

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

(1) the sexual favor is made as a condition in the hiring or in the employment re-employment or continued employment of said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor result in the 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 impair the employee’s rights or privilege under existing labor laws; or

(3) the above acts 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 scholarship or the payment of a stipend, allowance or other benefits, privileges, or considerations; or

(4) when the sexual advances result in 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 defer 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 procedures for the investigation of sexual harassment cases and the administrative sanction 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.

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

In the case of 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 institutions, the committee shall be composed of at least one (1) representative from the administration, the trainors, teachers, instructors, professors or coaches and students or trainees, as the case may be.

The employer or head of office, educational or training institutions 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 of head of office, educational or training institution shall be solidly 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 no immediate action is taken thereon.

Section 6. Independent Action for Damages – Nothing in this Act shall prelude 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 no less than one (1) month nor more than six (6) months, or a fine or not less than ten thousand pesos (10,000) or more than twenty thousand (20,000), 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 8. Separability Clause – If any portion or provisions of this Act is declared void or unconstitutional, the remaining portions or provisions hereof shall not be affected by such declaration.

Section 9. Repealing Clause – All laws, decrees, orders, rules and regulation, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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.
Dear Parents and Professors,

Allow us to express our utmost gratitude to you for your unconditional support. Through the years, you are with us always. For this, we are truly thankful.

The Office of the Prefect of Discipline cannot in anyway provide enough guidance and discipline to our children without the unwavering support of their parents and professors. But discipline is not learned in a day or two, nor even in conferences and meetings, but is the product of many years of development. That is why the OPD is strongly encouraging all parents and professors to impose some kind of discipline routines at home/inside the classrooms and continuously support our programs that aim to develop and instill discipline to our students. We expect parents and professors to take the center stage in developing a disciplined youth to cognizant of their role and responsibility to themselves and the society at large.

It is likewise important for parents to realize that in this age, social media is emerging and consumes most of the time of our children, so parents must spend more time and give more attention to their sons and daughters. When conflicts arise, there is no need to fight it out; by imposing appropriate disciplinary measures everything could be resolved diplomatically. A parent should always be able to negotiate with his child, and know when to offer a compromise or to remain steadfast, and at the end of the day reach an amicable settlement for every issue.

We, at the Office of the Prefect of Discipline, are here to support both parties. A Parent/Professor may reach out to us and discuss concerns regarding his child/student with the hope that the OPD could somehow create a bridge or open a line of communication to reach the other side. We urge our parents and professors to take proactive measures in disciplining and to consider the OPD as a valuable and trusted partner in providing a guidance and appropriate discipline to our children.

Give us a call or pay us a visit anytime during office hours to discuss your concerns and hear our perspective. In this way we would know what we can expect from one another. Of course, we will treat your visit with utmost confidentiality.

You may also visit the OPD website by clicking the link to learn more about us. http://www.mapua.edu.ph/Offices/OPD/Default.aspx

Once again, thank you very much dear parents and professors for your continued guidance and support.

Your Partners in Discipline,
The Office of the Prefect of Discipline (OPD)

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**UNDERTAKING**

I, ____________________________________, Student no._____________________, resident and with postal address at ________________________________________ presently enrolled at MIT, taking up ________________________________, would like to express my commitment as follows:

I shall comply/abide with the rules and regulations of Mapúa Institute of Technology (MIT).

I acknowledge the authority of the Institute to maintain school discipline and its right to impose appropriate and reasonable disciplinary measures as provided under the Manual of Private Higher Education (MORPHE).

I promise that I shall comply with the summons and/ or notices for the purposes but not limited to; administrative proceedings conducted in connection with the disciplinary related offenses.

I acknowledge my obligation to tell the truth and shall not give any false testimony, verbal or written in any event where the Institute is conducting administrative proceedings.

I also hereby promise that in the event that I have found guilty for violating any of the policy of the Institute, I will voluntarily comply/served and/ or settle the sanction given to me on or before the given deadline otherwise, I will not be allowed by the Institute to enroll the following term and/ or the Institute withhold my school credentials.

I understand that, by signing this agreement, I shall bound by the foregoing promises and stipulations with regards to this undertaking and that violation of any of the foregoing shall be meted with a penalty of any of the following; Suspension, Non-readmission, Exclusion, and Expulsion.

I acknowledge that the Institute has full authority to determine if there’s any probable violation of this undertaking.

I am executing this undertaking as prerequisite of my admission/enrollment in the Institute.

Conforme:

____________________________________
Printed name and Signature
Student

____________________________________
Date

With my Conformity:

____________________________________
Printed name and Signature
Parent/Legal Guardian

____________________________________
Date
If you have BIG DREAMS, start HERE.

www.mapua.edu.ph

Office of the Prefect of Discipline
Ground Floor, South Building - Intramuros
Telephone no. 247-5000 loc. 7103

Center for Student Activities and Discipline
Ground Floor, Mapúa Institute of Technology - Makati
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