

1 **VI. ACADEMIC MATTERS**

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3 **A. Amendment in the Membership Requirement of the**
4 **University Council's Committee on Ethics, UP Diliman**

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6 The Chancellor of UP Diliman is seeking Board
7 approval of the request of the University Council of UP
8 Diliman to amend the membership requirements of its
9 Committee on Ethics. The amendments were unanimously
10 approved by the UC during its 118th meeting on 18 July
11 2011.

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13 The following amendments are specifically requested:

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15 From: The membership of the Committee on Ethics is
16 composed of fifteen (15) faculty members
17 whose qualifications are as follows: 1) full
18 professors of UP Diliman, 2) with no
19 administrative duties equivalent to more than
20 50% of their time, and 3) with no pending case
21 nor found guilty of any offense. They serve as a
22 pool from which will be drawn five-member
23 committees. [UP Diliman Faculty Manual
24 (2003), pp. 16-17(Section 1.4.4.).

25
26 To: The members of the Committee on Ethics **shall**
27 **be** composed of all faculty members who are
28 full professors of UP Diliman with no
29 administrative duties equivalent to more than
30 50% of their time, and with no pending case nor
31 found guilty of any offense.

32
33 All full professors **shall** serve as a pool from
34 which will be selected five-member committee
35 that will hear a specific allegation of intellectual
36 dishonesty, unethical conduct or scientific
37 misconduct against a UP Diliman faculty
38 member. The five members are appointed by
39 the UP Diliman Chancellor, and they will
40 recommend whether or not an ethical violation

1 has been committed by the accused. Professor
2 Emeriti may be also appointed as resource
3 persons in the said committee.
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5 Justification:
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7 The Committee on Ethics has **never** been duly
8 constituted in the past due to the difficulty of finding fifteen
9 (15) qualified full professors who are also willing to serve as
10 members over a period of time. The fifteen members are
11 supposed to be elected by the UC just like its other
12 committees with the exception on the UP Diliman Executive
13 Committee. Because of its limited membership the
14 committee members may be called to serve in several
15 painstaking investigation.
16

17 The inability to constitute the Committee on Ethics
18 has prevented UP Diliman from solving **promptly and**
19 **properly** allegations of intellectual dishonesty, unethical
20 conduct or scientific misconduct against its faculty
21 members. There is an urgent need to resolve quickly (but
22 not hastily) any plausible allegation of ethical violation
23 because it tends to undermine the integrity of UP as an
24 institution and it hurts the performance of all involved
25 parties. It is also gravely unjust to the wrongly accused.
26

27 Ethical violations deprive deserving faculty members
28 of the possible fruits of their honest labor and honed talent.
29 Unethical behavior by a faculty also weakens the image and
30 credibility of UP in the eyes of the general public and other
31 government agencies.
32

33 The proposed amendment is intended to make use of
34 the technical expertise and experience of the 302 full
35 professors who are currently serving UP Diliman.
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37 Restricting the number of possible members to fifteen
38 seriously limits the ability of UP Diliman to investigate
39 thoroughly and effectively allegations of scientific
40 misconduct (fabrication, falsification, plagiarism). The range

1 of specializations in the basic and applied sciences,
2 mathematics, engineering as well as social sciences alone
3 is already quite wide and varied that it will be difficult to find
4 any five available colleagues out of the 15 who are
5 technically competent and free of possible conflict of
6 interest to conduct an investigation. UP Diliman currently
7 offers sixty-six (66) undergraduate and 136 graduate
8 degree programs.

9
10 The proposed amendments will lead to a quicker
11 resolution of dishonesty and misconduct cases involving UP
12 Diliman faculty members in the future. In the long term,
13 they will enhance faculty discipline and put valuable UP
14 Diliman resources into better use.

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17 **Board action: APPROVAL.**

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20 Highlights of the Discussion

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22 Regent Chief Justice Puno inquired on the jurisdiction
23 of the Ethics Committee.

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25 President Pascual explained that the Ethics
26 Committee would look into the questions related to ethical
27 behaviour of faculty members and officials.

28
29 Regent Chief Justice Puno said that the reason why
30 he inquired about the jurisdiction of the Ethics Committee
31 was because of the letter he received from Pacific Activated
32 Carbon Company, Inc. about College of Law Dean Danilo
33 Concepcion. He is wondering whether such letter should
34 go directly to the Board or is there a process to be followed
35 in dealing with such complaint.

36
37 President Pascual said that he is not personally aware
38 of the letter but since the College of Law is part of UP
39 Diliman, then the matter should go through the hierarchy of
40 UP Diliman first. In the event that the letter writer is not

1 satisfied with the decision of UP Diliman, then he can
2 appeal to the Board.

3
4 Chair Licuanan asked if the body would like to refer
5 the letter to the UP Diliman Chancellor for appropriate
6 action. She informed the Board that the sender is asking if
7 Dean Concepcion could simultaneously act as dean and
8 Rehabilitation Receiver in a proceeding for corporate
9 rehabilitation.

10
11 Regent Chief Justice Puno said he is not sure if the
12 letter is a complaint or a request for an advisory opinion.

13 Regent Siguion-Reyna said that the letter reminded
14 her of the letter that was presented against Dean Leonen.

15
16 Regent Tiongco said that Dean Leonen at that time
17 was acting both as Head of the Peace Negotiating Panel
18 and Dean of the College of Law.

19
20 Regent Chief Justice Puno explained that the case of
21 Dean Leonen is different because his concurrent position
22 was also in government while in the case of Dean
23 Concepcion, the Receivership position is not a government
24 position.

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26 President Pascual explained that such practice falls
27 under what is called limited practice of profession and the
28 Chancellor of UP Diliman will have to determine whether
29 the performance of the function falls within or outside the
30 rule.

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32 Chair Licuanan instructed the Secretary of the
33 University to forward the letter of Pacific Activated Carbon
34 Company, Inc. to the UP Diliman Chancellor for appropriate
35 action with the note that he should inform the Board of his
36 action.

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38 Regent Congressman Angara inquired if the rule on
39 limited practice of profession falls within Civil Service or UP
40 rules. Chair Licuanan said that Civil Service Rules apply.

