

DISCIPLINARY REGULATIONS FOR STUDENTS AT UNIVERSIDAD EUROPEA DE MADRID

PREAMBLE

The Second Additional Provision of Official Decree 1791/2010 of December 30th, approving the University Student's Statute, establishes that the Government shall submit a draft bill to Parliament, within a period of one year, to regulate disciplinary authority. This draft bill shall contain the precise description of infringements, penalties and complementary measures of the disciplinary regime for university students, in accordance with the principle of proportionality. The draft bill shall guarantee defense of the student's rights and effective implementation of the procedure.

Notwithstanding the above and until such legislative reform takes place, Universidad Europea de Madrid deems it necessary to take advantage of the recent approval of the Universidad Europea de Madrid Student Statute to update its complementary regulations and bring them into line with the content of said Statute.

It is considered essential to adapt these Regulations and their disciplinary purpose to the present day, taking into account possible illegal conduct, in addition to unlawful behavior that is not compatible with a safe and harmonious university environment. This document describes the disciplinary procedures and the different levels of penalties, and establishes educational and corrective measures.

CHAPTER I: DISCIPLINARY AUTHORITY

Article 1. Scope of application and implementation of disciplinary authority

1. These Regulations shall apply to students of the University pursuant to Article 1.2 of the Universidad Europea de Madrid Student Statute.
2. The disciplinary authority arising from these regulations shall be exercised as follows:
 - Initiation shall be agreed by the Disciplinary Committee.
 - The procedures shall be conducted by the persons appointed for the purpose.

Article 2. The Disciplinary Committee

1. For the purposes established in the above article, a Standing Disciplinary Committee shall be set up at Universidad Europea de Madrid. The activity of this Committee shall be governed by the principles of legality, justice, proportionality and equity. The Committee shall comprise the following members:
 - Chair: General Secretary of Universidad Europea de Madrid
 - Secretary: The individual appointed by the Rector for such purpose
 - Committee members: Two professors that are part of the University faculty appointed by the Academic Council on an annual basis. These professors will remain in office until two new members are appointed to replace them.

2. The Rector shall appoint an Investigator and a Secretary for the proceedings. These individuals shall be responsible for conducting the disciplinary procedure and shall perform the following duties:

- Gathering as much information as possible regarding the facts.
- Hearing all the evidence deemed necessary to clarify the events that have resulted in the opening of disciplinary proceedings.
- Requesting the Disciplinary Committee to adopt the precautionary measures they deem appropriate for the correct performance of the investigation.
- Once the evidence obtained has been studied, proposing that the Disciplinary Committee impose the corresponding penalty or that it take no further action because no offense or liability exists.
 - Notifying the offenders of the penalties imposed by the Disciplinary Committee.

Article 3. Compatibility with academic discipline

The imposition of administrative or legal penalties that may apply taking into account their different bases, shall not prevent the handling of responsibilities of an academic nature through the implementation of the disciplinary authority governed by these standards.

CHAPTER II: DISCIPLINARY INFRINGEMENTS

Article 4. Disciplinary infringements or offenses

Disciplinary infringements or offenses are understood as being the actions or omissions committed by the students of Universidad Europea de Madrid, as such detailed in these Regulations. Similarly, infringements may include breaches of the academic responsibilities, duties or obligations of the students as established under the Universidad Europea de Madrid Student Statute, or by other internal standards of the University and pursuant to state and autonomous community regulations.

Article 5. Very serious offenses

Very serious offenses comprise behavior that very significantly disrupts the prevailing order at the University and specifically consist of the following:

- a. Carrying out acts that commit an outrage against democratic values or that foster xenophobia.
- b. Verbal or physical aggression as well as very serious lack of respect shown towards any member of the university community (whether academic or not), the personnel of subcontracted businesses or those belonging to any other entity or public or private institution at which the student is carrying out their training.
- c. Carrying out hazing that leads to serious damage to the honor, dignity and character of the party being attacked.
- d. Any action that represents discrimination.
- e. Any verbal or physical act or behavior with the purpose or effect of violating a person's dignity, such as sexual harassment, genderbased harassment or gender based discrimination, according to the definition given by Organic Law 3/2007, of March 22,

for Effective Equality between Men and Women (*Ley Orgánica 3/2007, de 22 de marzo, para la igualdad efectiva entre mujeres y hombres*).

- f. The possession, carrying, distribution, or trafficking of drugs and stupefying or psychotropic substances with the university environment, inside the University or its immediate surroundings.
- g. Displaying symptoms of being under the effects of alcohol or drugs and stupefying or psychotropic substances on the University premises or within its immediate surroundings.
- h. Plagiarism, in whole or in part, of any type of intellectual work.
- i. Taking photographs or making recordings of classes without express authorization.
- j. Deliberating using someone else's identity and benefitting from such identity theft during the course of academic life.
- k. Using a cell phone or any other electronic device while assessment tests are being carried out.
- l. Using any fraudulent means or the abuse of confidence to take control of the content of a test, examination or skills test, for own or third party benefit, prior to it taking place; or, once the assessment has taken place, to procure the removal, alteration or destruction of forms, questionnaires, grades or results, for own or third party benefit.
- m. Intercepting private communications within the university environment.
- n. Intercepting e-mails or their distribution where this has been prohibited by the sender.
- o. Being charged for an offense under a criminal case that may cause damage to the University.
- p. Receiving a non-appealable sentence under a criminal case.
- q. Violent opposition to the holding of academic events or to complying with the standards of the University.
- r. Unauthorized access to the University computer systems; disrupting their operation; the fraudulent modification or use of electronic files.
- s. Falsifying, removing or destroying academic documents or using false documents at the University.
- t. Any action that represents discrimination.
- u. Any other action, conduct or behavior described in the above paragraphs, that takes place at the public or private institutions at which the student is receiving academic training.
- v. Any other action, conduct or behavior taken by the student inside or outside the University that, due to its particular severity, directly damages or jeopardizes the good name and reputation of the University or any of its members.
- w. Committing two serious offenses during one academic year or three serious offenses over the course of two academic years.
- x. Repeated breach of the no smoking ban where the student has already been sanctioned for a serious offense.

Article 6. Serious offenses

Serious offenses comprise behavior that significantly disrupts the prevailing order at the University and specifically consist of the following:

- a. Breaching the standards regarding security or toxic and dangerous waste when taking part in training activities, particularly those that involve the handling of dangerous substances.
- b. Mutilating, damaging or removing the contents and property of the University.

- c. Carrying out behavior that is prejudicial to the university institution or to its members that is not deemed to be a very serious offense.
- d. Being in state of inebriation or under the influence of drugs within the University precincts.
- e. Impersonating or falsely obtaining or defrauding the verification systems for academic performance, whether the student is the beneficiary of the same or is acting as an accomplice.
- f. Using the University's electronic networks or any medium to distribute material or statements that offend the image of any member of the university community or that of the University itself.
- g. Using any means to falsify the personal records or that of any other colleague via the technological tools of the University.
- h. Collaborating, covering up or aiding and abetting conduct or actions that constitute the conduct or actions comprising a serious offense.
- i. Repeated breach of the no-smoking ban where the student has already been sanctioned for a minor offense.
- j. Committing two minor offenses during one academic year or three minor offenses over the course of two academic years.

Article 7. Minor offenses

Minor offenses absences comprise behavior that is not deemed to be serious or very serious offenses in accordance with the provisions of the above articles that slightly contravene university life and specifically consist of the following:

- a. Carrying out activities that slightly disturb the normal operation of the University or any of its services.
- b. Carrying out actions that result in non-serious damage to University property.
- c. Smoking within the university precincts (both outdoor and indoor areas) or in any of the public or private centers or institutions at which the student is receiving training (both outdoor and indoor areas).
- d. Refusing to register for classroom attendance using the technological tools provided by the University.
- e. Refusing to provide identification on campus when required to do so by the persons appointed for the purpose.
- f. Infringements of campus traffic rules that constitute minor offenses.
 - a. Parking in unauthorized areas
 - b. Exceeding the authorized speed limit by up to 30%
 - c. Wrong-way driving
- g. Causing minor damage to the contents and property of the University.
- h. Any other action, conduct or behavior described in the above paragraphs, that is not serious and that takes place at public or private institutions at which the student is receiving academic training.
- i. Any other action, conduct or behavior taken by the student inside or outside the University, that does not constitute a serious offense and that may indirectly or partially damage or prejudice the good name and reputation of the University or any of its members.

CHAPTER III: DISCIPLINARY SANCTIONS

Article 8. Sanctions corresponding to very serious offenses

1. Taking into account the severity of the event and the damage caused, serious offenses may be sanctioned as follows:
 - Recording the offense committed and the sanction imposed in the academic transcript.
 - Suspending the offender's student status for a period of one to three months.
 - Suspending the offender's student status for a period of three to 12 months.
 - Missing the exam period(s) for the corresponding academic year.
 - Expulsion from the University.
2. Furthermore, in cases in which damage is caused to university property, its value or the value of its repair must be reimbursed.
3. In the case of very serious offenses relating to plagiarism and to the use of fraudulent methods to pass the assessment tests, the offender will miss sitting the corresponding exam period in addition to which the offense and the reasons for it will be recorded in the student's academic transcript. In this event, the procedure established under Chapter VII shall apply.
4. In the case of very serious offenses corresponding to Articles 5.f) and 5.g), the procedure established in Chapter VI will be followed.
5. Depending on the circumstances of the case, penalties corresponding to very serious offenses as established in Articles 5.f) and 5.g) may be substituted by the application of educational or corrective measures, pursuant to the provisions of Article 12.

Article 9. Sanctions corresponding to serious offenses

1. Taking in account the severity of the event and the damage caused, serious offenses may be sanctioned as follows:
 - Recording the offense committed and the sanction imposed in the academic transcript.
 - Suspending the offender's student status for a period of one week to one month.
 - Missing the exam period(s) for the corresponding academic year.
2. Furthermore, in cases in which damage is caused to university property, its value or the value of its repair must be reimbursed.
3. Penalties corresponding to serious offenses may be substituted by the application of educational or corrective measures, pursuant to the provisions of Article 12 unless otherwise established in the above paragraph.
4. The serious offenses contained in Article 6 paragraph e) will follow the procedure set out in Chapter VI.

Article 10. Sanctions corresponding to minor offenses

1. Minor offenses may be sanctioned on the basis of the type of occurrence:
 - Via a public or private reprimand.
 - The suspension of the offender's student status for a period of less than one week.
 - As applicable, recording the sanction in the academic transcript.

2. In the event of a breach of the no smoking ban, the provisions of Article 16 shall apply.
3. Furthermore, in cases in which damage is caused to university property, its value or the value of its repair must be reimbursed.
4. Penalties corresponding to serious offenses may be substituted by the application of educational or corrective measures, pursuant to the provisions of Article 12 unless otherwise established in the above paragraph.

Article 11. Scale of the sanctions

The scale and establishment of the sanction within its degree of severity will be undertaken by the competent bodies that will justify their decision taking into account the following elements:

- Intent
- The degree of disturbance caused to university environment.
- Unprompted repentance by reporting the punishable act to the university authorities before the disciplinary procedure begins.
- Recidivism
- The personal, family and social circumstances of the student, for which purpose any necessary reports may be requested.

Article 12. Educational and corrective measures

1. The Disciplinary Committee may substitute the application of sanctions corresponding to very serious offenses established in Articles 5.f) and 5.g) and to serious or minor offenses for educational or corrective measures. Such measures will release the student from their liability.
2. Educational or corrective measures may consist of collaborating in volunteer work, sports and cultural activities, helping disabled students, taking part in activities that contribute to sustainable development or other similar activities that benefit the students and Schools of the university community in general.

Article 13. Statute of limitations for infringements and sanctions

1. Infringements that have not been sanctioned will carry the following limitation: for very serious offenses, two years; for serious offenses, one year; and for minor offenses six months. Such periods will start from the date on which the offense was committed.
2. Sanctions that have not been executed will carry the following limitation: those imposed as a result of very serious offenses, two years; those corresponding to serious offenses, one year; and those imposed due to minor offenses, six months. Such periods will start to run from the date on which the sanction decision comes into effect.

CHAPTER IV: ORDINARY DISCIPLINARY PROCEDURE

Article 14. Method of Initiation

1. The disciplinary procedures will be initiated by means of the agreement of the University Disciplinary Committee as a result of the accusation or request and substantiated report from any member of the university community remitted to the Committee Chair.

Notwithstanding, the Committee may act *ex officio* when so recommended in the interests of maintaining order at the university.

2. On the basis of the above mentioned report, the Disciplinary Committee may carry out prior actions that it deems necessary for the purpose of initially establishing if the actual circumstances that justify the initiation of the sanction procedure concur.
3. Notwithstanding the provisions of paragraph one, the Rector can delegate the initiation of the procedure to any other entity or individual appointed for the purpose.
4. The University Ombudsperson shall refrain from intervening in the issues put forward by the students that are involved in disciplinary proceedings. For these purposes, the Disciplinary Committee will notify them of the opening of the proceedings as and when they take place.

Article 15. Implementation of the procedure and its decision

1. Once the Disciplinary Committee has agreed to initiate the disciplinary procedures, such decision will be notified to the Instructor and the Secretary of the proceedings.
2. The Instructor will gather all the evidence and statements they consider necessary to clarify the facts and will prepare a proposal for submission to the Disciplinary Committee for their sanction decision or a statement that the infraction or liability does not exist.
3. The following items will be set out in the proposal for a sanction decision: the facts attributable to the offender, the possible infringement(s), the sanction(s), the competent body taking the decision and the applicable standards.
4. Once approved by the Disciplinary Committee, the proposal for a sanction decision will be formally notified to the offender who will have a period of five days, as from the date following the notification date, to submit a written appeal as they see fit, providing or submitting the evidence deemed appropriate and appealing against that which they consider necessary to defend their rights and interests. In the event they exercise this right, the student must submit their written communication to the Instructor of the proceedings. In the event the right to appeal is not exercised, the decision proposal will become final and will acquire the status of definitive sanction for all effects and purposes.
5. Having heard the appeals submitted as applicable, the Disciplinary Committee will take a definitive decision within five working days as from the day after the appeals are submitted.
6. The definitive penalty may be submitted for appeal via a justified written notification to the Rector of the University within a period of three days as from its notification date. If the appeal is not submitted within the indicated period, the sanction will become final.
7. The decision of the Disciplinary Committee will take effect from the day following the one on which those involved in the proceedings, and as applicable, the university community, are notified. Compliance with the sanctions will commence once the decisions taken in respect of them are finalized, without prejudice to any precautionary measures that may be required.
8. The refusal, contempt or resistance of the offending student to make a statement before the Instructor and/or the Disciplinary Committee regarding the events that gave rise to the opening of the disciplinary proceedings, or to accredit the reception of the communications that fall within the scope of their application shall in no event prevent the proceedings from continuing to be dealt with. Nor shall the full handling of the proceedings be hindered by any acts or omissions of the student that may reasonably be

understood to have been carried out with the intent to delay, paralyze, nullify or prevent it from running its course.

CHAPTER V: SUMMARIZED PROCEDURE FOR BREACHES OF THE NO SMOKING BAN ON THE UNIVERSITY CAMPUS

Article 16.

1. In cases where students are in breach of the no-smoking ban, the Disciplinary Committee delegates the imposition of the sanctions that are reflected in this chapter to the Delegated Committee that comprises the Chair and the Secretary of the Disciplinary Committee.
2. When the student commits offenses that represent a breach of the no smoking ban on the university campuses, the individuals appointed by the University for such purpose will send notification of the sanction that must be signed by the student, by the individual appointed and, as necessary, by a witness.
3. This sanction notification will be transferred to the University Delegated Committee in order to be recorded.
4. The sanctions for breach of the no smoking ban during one or several academic years are as follows:
 - a. One offense: personal warning (minor offense)
 - b. Two offenses: student status suspended for two days (minor offense).
 - c. Three offenses: student status suspended for seven (7) days (serious offense).
 - d. Four offenses: student status suspended for fifteen (15) days, recorded in the academic transcript (serious offense).
5. If the student accumulates more than four offenses as a result of breaching the no smoking ban during the same or different academic years, the Delegated Committee will remit the case to the Disciplinary Committee for the purposes of initiating the appropriate disciplinary procedure corresponding to a very serious offense, and may agree to the student's expulsion.
6. Penalties for minor infringements of the smoking ban shall be definitive to all intents and purposes.

CHAPTER VI: SUMMARIZED PROCEDURE FOR INFRINGEMENTS OF ARTICLES 5.f), 5.g). "Zero tolerance against drugs".

Within the framework of the Healthy Campus Program and as part of the program "**Zero tolerance against drugs**" a summarized procedure for the imposition of sanctions shall apply in the case where the offenses established in Articles 5.f) and 5.g) have been committed.

Article 17.

1. In cases where students commit the offenses established in Articles 5.f) and 5.g), the Disciplinary Committee delegates the imposition of the sanctions that are reflected in this Article to the Delegated Committee that comprises the Chair and the Secretary of the Disciplinary Committee. When the student is caught in the situations established in Articles 5.f) and 5.g) within the University or its immediate surroundings, the individuals appointed

by the University for such purpose will gather the necessary proof and once the student has been identified, will send them notification of the punishable act.

2. Such notification, the proof and the corresponding report prepared for that purpose will be transferred to the University Delegated Committee in order to be recorded and in light of this information, the sanction Decision will be issued. Depending on the particular circumstances of each case, this Committee has the powers to apply the principles or procedures as contained in the ordinary disciplinary procedure.
3. The sanctions applying as a result of the events contained in Article 5.f) and 5.g) will be as follows:
 - a. Depending on the severity of the events, suspending the offender's student status for a period of 3 to 12 months in the case of consumption, possession and carrying of drugs and stupefying or psychotropic substances or where the student demonstrates symptoms of being under the effects of alcohol or of stupefying and psychotropic substances.

Re-offense may give rise to the expulsion of the student and as applicable such event will be recorded in their academic transcript.

- b. Expulsion from the university in the case of trafficking or distribution of drugs and stupefying or psychotropic substances and the recording of the sanction in the student's academic transcript.

Depending on the circumstances of the case, these sanctions may be substituted by some or any of the educational and corrective measures pursuant to Article 12.

CHAPTER VII: SUMMARIZED PROCEDURE FOR INFRINGEMENTS OF ARTICLES 5 h) i) j) k) l) x) and 6 d) e) i) and 7 f).

Article 18.

1. The student that commits the offenses referred to in Article 5 h), i), j), k), l) relating, among others, to plagiarism or to the use of fraudulent methods to pass the assessment tests, will be sanctioned by missing sitting their corresponding exam period in addition to the recording of the offense and reasons for it in their academic transcript.

In the case of offenses under Article 6 d), these will be sanctioned by not being able to sit the corresponding exam period.

2. The professor will issue a report that will be remitted to the Academic Director and to the student's personal advisor.

3. The Academic Director will send the report to the Committee Chair for the purposes of proceeding with the implementation of the sanction. The Committee Chair will inform the student of the sanction.

4. The record of the corresponding sanction will only be deleted from the transcript subject to a report from the competent Dean that justifies this and in particular, prior to the completion of the degree program studies the student has taken.

Article 19.

The Disciplinary Committee delegates the authority to impose the penalties set out in this article to the Delegated Committee, comprising the Chair and Secretary of the Disciplinary Committee.

When the student commits an act that infringes the campus traffic rules, the persons the University designates for the purpose shall deliver to the Chair of the Disciplinary Committee de la Universidad a report containing the information relating to the infringement so that said Committee can analyze it.

Penalties:

- Infringement of art. 5 x): suspension of student status for three months
- Infringement of art. 6 i): suspension of student status for one month
- Infringement of art. 7f): suspension of student status for three days

If the infringement falls within articles 5.x), 6. i) and 7. f), notification of the appropriate penalty may be sent directly to the student.

The penalties corresponding to this article will be determined by the seriousness of the acts committed. For this reason, articles 8, 9 and 10 of these Disciplinary Regulations shall apply.

CHAPTER VIII: EXTRAORDINARY PROCEDURE FOR THE OFFENSES SET OUT IN ARTICLE 5.e) Sexual harassment, gender based harassment, and gender based discrimination

Art. 20.

Universidad Europea de Madrid, in accordance with the commitment undertaken to not tolerate any kind of sexual harassment, gender based harassment, and gender based discrimination, establishes an *extraordinary procedure*, applicable to all students enrolled at UEM, for the imposition of penalties for the offenses set out in article 5.e).

- a) The Disciplinary Committee delegates to the Student Anti-Harassment Committee the tasks of investigating cases of alleged harassment and of proposing penalties applicable under this article in the event of a student committing any of the offenses set out in article 5.e).
- b) When a student or students are formally accused of committing any of the offenses set out in art.5.e) within the University grounds or in the immediate vicinity thereof, the Student Anti-Harassment Committee will gather the relevant evidence and forward it to the Disciplinary Committee for its perusal, and in light of the information the Disciplinary Committee shall issue the disciplinary penalty.

Art. 21.

The penalty for the offences set out in the art. 5. e) will be expulsion from the university. This penalty will be definitive; therefore, it may be subject to appeal before the Rector of the University in the foreseen terms of the article 15.6 of these disciplinary regulations.

CHAPTER IX: EXCEPTIONAL PROCEDURE

Article 22.

On an exceptional basis, where the attributed behavior concerns very serious offenses and the circumstances in which they have arisen demonstrate particular severity, the Disciplinary Committee may agree, subject to a hearing with the interested party, and with no further procedures necessary, to impose the definitive sanction.

This penalty will be definitive, therefore it may be subject to appeal before the Rector of the University in the foreseen terms of the article 15.6 of these disciplinary regulations.

CHAPTER X: THE DISCIPLINARY COMMITTEE AT AFFILIATED INSTITUTIONS

Article 23.

With the aim of guaranteeing the principle of immediacy during the disciplinary procedure that is governed by the provisions of this Regulation, its additional standards and other regulations as applicable, within the scope of the University affiliated institutions, a Disciplinary Committee will be set up by express delegation of the Universidad Europea de Madrid Disciplinary Committee.

Article 24.

The Disciplinary Committee of the Affiliated Institution will be chaired by the director of the Institution. Furthermore, the Secretary of the Institution will act as Committee Secretary and its members shall be two professors from the Institution faculty.

Article 25.

Every year, the chair of the Disciplinary Committee will appoint an Instructor and a Secretary of the proceedings that will be responsible for examining the disciplinary proceedings and will perform the duties set out in these Regulations.

The Instructor and the Secretary of the proceedings appointed for each academic year will perform their duties until new persons responsible are appointed to replace them.

Article 26.

All sanctions proposed by the Disciplinary Committee must be submitted for the prior approval of the Chair and Secretary of the University Disciplinary Committee. For the purposes of the provisions of this ruling, the student of the Affiliated Institution that has been sanctioned is given a period of three days as from the day after notification of the decision to submit a written appeal to the Rector of the University.

If no such appeal is submitted by the student of the Affiliated Institution during the period indicated, the sanction will become final.

CHAPTER XI: THE DISCIPLINARY COMMITTEE OF THE EUROPEAN CAREER COLLEGE OF MADRID

Article 27.

The European Career College of Madrid is governed by the provisions of these regulations as part of the regulatory framework for coexistence, as authorized by the specific standards (Official Decree 15/2007 of April 19th, that establishes the regulatory framework for coexistence at educational centers and Act 2/2010 of June 15th on the Authority of the Professor).

ADDITIONAL PROVISION

Any references made to individuals that are identified using the masculine form are equally understood as referring to the female form. As such the term Rector is understood as applying equally to he or she; the term student applies to he and she; the professor applies to he or she and so on.

FINAL PROVISION

The changes to these standards take effect as from June of academic year 2017-2018.