



DISCIPLINARY RULES AND PROCEDURES
CUNEF Universidad

Approved on 22 May 2023

Article 1 *Purpose*

1. This document contains the disciplinary rules and procedures that apply to the students of CUNEF Universidad.
2. The disciplinary rules and procedures of CUNEF Universidad apply to:
 - a. Undergraduate and graduate students, including foreign students, regardless of the degree that they are pursuing, and of whether said degree is official or university-specific.
 - b. Students participating in one of CUNEF Universidad's mobility plans.
3. Disciplinary rules and procedures for Faculty and Staff are contained in the corresponding regulations, based on their role within the institution.

Article 2 *Fundamental principles of disciplinary procedures*

1. CUNEF Universidad's disciplinary procedures adhere to the principles of legality, typicity, proportionality and responsibility.
2. Disciplinary procedures will always be applied by a series of preestablished bodies.

Article 3 *Procedural timeframes*

1. Timeframes for disciplinary procedures will always be expressed in school days according to CUNEF Universidad's academic calendar and, therefore, official holidays, weekends and school holidays will be excluded.
2. If the duration of the disciplinary sanction exceeds the academic term in which it was imposed, it will be interrupted and resumed on the first day of the following term.
3. The case examiner in charge of the disciplinary procedure may suspend the processing period at any time by issuing a resolution specifying the date when the suspension will be lifted.
4. If the disciplinary sanction imposed is suspension, and the sanction becomes final after the end of the academic term, the suspension period will start on the first day of the following term.

Article 4 *Professor authority in the classroom*

1. Professors have full authority to take any measures considered necessary to ensure the correct functioning of the class.

2. Professors must always inform the Academic Office if they expel a student.
3. Any students expelled twice in the same academic year will be suspended, immediately and without further proceedings, for seven days, starting on the day following the notification of expulsion.
4. If any student is expelled three times in the same academic year, the corresponding disciplinary procedure for very serious misconduct will be initiated.

Article 5 ***Academic measures against academic dishonesty and plagiarism***

1. Without prejudice to any disciplinary measures that the student may be liable to, the professor of the course where the act of academic dishonesty and/or plagiarism has been committed will give the student a failing grade in both the ordinary and extraordinary exam sessions in that academic year.
2. If the act of academic dishonesty and/or plagiarism is committed in the extraordinary exam session, the student will not be allowed to re-sit for the exam until the extraordinary session of the following academic year.

Article 6 ***Legal classification of misconduct and prescriptive periods***

1. Cases of misconduct in violation of these rules and procedures are classified as minor, serious and very serious.
2. Cases of minor misconduct expire in three months, cases of serious misconduct expire in six months, and cases of very serious misconduct expire in twelve months. These periods do not apply in cases of repeated offences, as described in paragraph 4 of Article 4.
3. The prescriptive period starts to run on the date when the offence is committed and is suspended when the disciplinary procedure is initiated.

Article 7 ***Offences regarded as misconduct***

1. Any minor breaches of the duties or obligations specified in the regulations of CUNEF Universidad are considered cases of minor misconduct.
2. The following offences are considered cases of serious misconduct:
 - a. Showing blatant disrespect towards fellow students, faculty or staff of CUNEF Universidad.

- b.** Committing an act of academic dishonesty in any form of test or exam, official or not, set by the professor, provided it does not qualify as very serious misconduct.
 - c.** Behaving in a way that can seriously damage the reputation and public image of CUNEF Universidad.
 - d.** Recording the voice or image of fellow students, faculty or staff without their consent.
 - e.** Any serious breaches of the duties and obligations specified in the regulations of CUNEF Universidad.
- 3.** The following offences are considered cases of very serious misconduct:
 - a.** Showing very blatant disrespect towards fellow students, faculty or staff of CUNEF Universidad.
 - b.** Being expelled from class three or more times in the same course and academic or calendar year.
 - c.** Broadcasting, on any channel or medium, the voice or image of classmates, faculty or staff without their consent
 - d.** Impersonating another or providing false information in any administrative procedures at CUNEF Universidad or to participate in external activities offered in partnership with CUNEF or with other partner universities.
 - e.** Behaving in a way that can very seriously damage the reputation and public image of CUNEF Universidad.
 - f.** Committing acts of plagiarism or academic dishonesty.
 - g.** Any very serious breaches of the duties and obligations specified in the regulations of CUNEF Universidad.
- 4.** The scenarios described above also apply, as appropriate, in the following cases:
 - a.** When the offence takes place during sports or institutional activities that CUNEF Universidad authorises or participates in.
 - b.** When the offence takes place during an internship in one of CUNEF Universidad's partner organisations.
 - c.** When the offence takes place abroad, while the student is participating in a mobility programme, even if sanctions have already been applied by the host university, provided that the sanction imposed by CUNEF Universidad does not repeat the first sanction. In any event,

CUNEF Universidad reserves the right to exclude students sanctioned by one of our partner universities from future selection processes for mobility programmes or external internships.

- d. When an offence against students, faculty or staff takes place outside CUNEF Universidad facilities but is related to academic, teaching or administrative activities involving CUNEF Universidad.

Article 8 *Sanctions*

1. The sanctions prescribed for cases of minor misconduct are:
 - a. A warning, provided that the minor nature of the offence and the specific circumstances of the case justify it. The warning will be issued by the Rector's Delegate for Academic Discipline and will not require the initiation of a disciplinary procedure.
 - b. Student suspension for a maximum period of fifteen days.
2. Serious misconduct will be sanctioned with suspension for a period ranging from sixteen days to six months.
3. Very serious misconduct will be sanctioned with suspension for a period ranging from six months and one day to twelve months, or with permanent expulsion.
4. Depending on the circumstances of the case, in cases of serious or very serious misconduct, the case examiner may also propose barring the student from taking the exam for the course in question in the first sitting after a final decision regarding the disciplinary sanction has been notified.
5. Students who have been sanctioned for serious or very serious misconduct will not be eligible for representative roles or allowed to participate in collegiate bodies during the rest of their stay at CUNEF Universidad. Once a final decision regarding the disciplinary sanction is reached, students will be required to resign from any representative roles they may hold or leave any collegiate bodies they may be a part of.

Article 9 *Aggravating and extenuating circumstances*

1. The following circumstances are considered aggravating:
 - a. If students persist in their behaviour or show an aggressive attitude.
 - b. If the offence takes place in public, provided that being public is not inherent to the description of the misconduct.

- c. If the offence has a discriminatory intent on the grounds of race, gender, creed or any other.
2. The following circumstances are considered extenuating:
 - a. If students show remorse and apologise in writing immediately after committing the offence and before the initiation of the disciplinary procedure.
 - b. If students have duly accredited pathologies or disorders that can explain their behaviour.

Article 10 *Effects of expulsion*

1. During the suspension period, the student will not be allowed to access the Campus of CUNEF Universidad, or participate in any theoretical or practical academic activities organised by the faculty or the university.
2. If, due to the duration of the suspension period, the student exceeds the maximum number of justified absences, they will only be barred from sitting the exam for the course where the offence was committed, unless the seriousness of the offence justifies making this measure extensive to all their courses, as established in the final decision agreement issued by the Academic Conduct Evaluation Committee.

Article 11 *Disciplinary procedure*

1. The first step in every disciplinary procedure is an initiation agreement signed by the Rector or by the Rector's Delegate for Academic Discipline, without prejudice to the fact that further information may be requested from the person reporting the offence.
2. The initiation agreement must describe the misconduct reported, its potential legal classification and a detailed description of the applicable sanctions. It will also contain the name of the designated case examiner, who cannot be the student's professor during the academic year when the misconduct takes place or the sanction is imposed. The case examiner may, if he or she considers it necessary, designate a secretary for the case.
3. The description of the actions or behaviours provided by the professor reporting the misconduct will be considered true unless the case examiner provides duly substantiated evidence to the contrary in their proposal for a final decision. Once the student accused of misconduct receives the initiation agreement, they will have three days to submit their allegations and request evidence. They may also confirm the facts and accept the legal classification of the misconduct as described in the initiation agreement. In that case, as well as if the student fails to submit any allegations before the deadline, the case examiner will propose, without further proceedings, the sanction he or she considers adequate.

4. The case examiner shall rule on the admission of the evidence provided, as well as of any evidence requested at his or her own initiative.
5. Once the deadline for section 4 and for the taking of evidence expires, the case examiner will submit a proposal for a final decision to the Academic Conduct Evaluation Committee, notifying the student of the specific sanction determined for the misconduct. The student will have three days to submit allegations to this proposal.
6. A final decision must be reached in a maximum of thirty days since the initiation agreement, unless the procedure is suspended by the case examiner based on a substantiated decision.
7. If the student explicitly agrees to the terms of the case examiner's proposal, the decision will be considered final, notwithstanding the fact that the Academic Conduct Evaluation Committee will be in charge of issuing the agreement detailing the decision. The sanction shall become effective on the same day that the Academic Office is informed of the student's acceptance of the proposal for a final decision.
8. If the Academic Conduct Evaluation Committee applies a sanction for minor misconduct, their decision may not be appealed.
9. If the Academic Conduct Evaluation Committee applies a sanction for serious or very serious misconduct, their decision may be appealed. Appeals must be sent to the Rector of CUNEF Universidad within three days.
10. The Academic Conduct Evaluation Committee is composed of the Rector's Delegate for Academic Discipline, who chairs it, the Vice-Rector for Academic Planning, and the Deans and Directors of the Schools of CUNEF Universidad.
11. The student will be notified of the agreement detailing the final decision. His or her professors will only be informed of the duration of the expulsion, without specifying the causes. The professor who reported the misconduct will be considered an interested party in the disciplinary procedure.

Article 12 *Precautionary measures*

1. Precautionary measures may be applied to the student accused of misconduct when the offence is considered serious or very serious.
2. The Rector's Delegate for Academic Discipline and the case examiner will have the authority to impose precautionary measures.
3. The university will impose any precautionary measures considered necessary to prevent further misconduct or serious damage to others.

4. Precautionary measures may be imposed at any time during the disciplinary procedure, but preferably when the initiation agreement is notified. They will be adopted based on a duly justified agreement, with or without holding a hearing with the student, as per the decision of the ruling body. In those cases where there is no hearing, students will have two days to submit any allegations regarding the precautionary measures.
5. The number of days that the student is banned from CUNEF Universidad facilities will count as served in terms of the final sanction. When the precautionary measure consists in banning the student from a specific course, every two days of banning or suspension will count as one day served in terms of the final sanction.

Article 13 *Term of sanctions*

The term of each sanction is the same as the term of the corresponding misconduct, based on its legal classification, and it starts counting once the sanction is final.

Article 14 *Interpretive agreements*

Based on these Rules and Regulations, the Academic Conduct Evaluation Committee may adopt interpretive or implementation agreements, which will be published on the website of CUNEF Universidad.