



Universidad de Navarra

Code of Conduct

Approval date: July 1995 Date of amendment: August 2015

I. GENERAL PROVISIONS

a. Purpose.

1. The Universidad de Navarra seeks to contribute to the academic, cultural and personal formation of students. Those who enroll at this University freely assume the commitment to adhere to the Universidad de Navarra environment that calls for respect for the individual, responsibility, work and service.
2. In order to contribute to the correct development of the university activity and the comprehensive training of students, these academic discipline regulations have been approved by the University of Navarra

b. Scope.

3. These regulations shall be applicable to students of the Universidad de Navarra, when they are acting as such, either on the University premises or outside.

c. Willfulness.

4. Conduct must be with intent, in order to be punishable.
5. Penalties related to infractions shall be imposed without prejudice to other administrative or criminal liabilities that may arise therefrom.
6. Where the person subject to penalty has damaged the property of Universidad de Navarra, he/she shall reimburse its value or that of its repair.

II. INFRACTIONS AND SANCTIONING THEREOF.

d. Assets protected and adjustment of infractions.

7. Depending on the degree of severity of the wrongful or disloyal actions affecting individuals, goods or the University itself, its statement of principles and consequences arising therefrom, three types of infraction stand out: minor, serious and very serious.

e. Minor infractions.

8. Actions against individuals, property or the University or against due academic loyalty which do not imply a serious damage, neither regarding the means used nor the result may be considered as a minor infraction.
9. For instance, the following shall be considered minor infractions:
 - 9.1. Those intended at causing a minor disturbance to the regular operation of the University or any of its services.
 - 9.2. Plagiarism or cheating, by any means, during exams, where this is sanctioned for the first time.
 - 9.3. Any other actions which, without falling under the definitions below, require sanction measures be adopted.

f. Serious infractions.

10. Actions against persons, property or the University or against due academic loyalty which imply serious damage in the means used, intentionality or inconsequence, may be considered as a serious infraction.
11. Thus, for instance, where the provisions of the paragraph above apply, the following may be considered serious infractions:
 - 11.1. Those statements or resistance or opposition actions which alter order at university facilities or damage property, in order to disturb the proper operation of the university, its services or academic ceremonies or events.
 - 11.2. Lacks of respect to professors or administration and services personnel.
 - 11.3. Involvement in fights or attacks on other students.
 - 11.4. Involvement in pranks.
 - 11.5. Harassment or intimidation to other students.
 - 11.6. The theft of property.

- 11.7. Consumption of drugs, or showing signs of being under their influence, on the University premises.
- 11.8. Disclosure to third parties of confidential data or information which they may have accessed due to their collaboration, not telling the truth and breaching their confidentiality duties.
- 11.9. Reiteration of plagiarism or cheating, when it was previously sanctioned.
- 11.10. Identity fraud in exams, both for the impersonator and the person who accepts being impersonated.
- 11.11. Collaborating in the performance of very serious infractions.
- 11.12. Recording classes or academic activities without the consent and/or disclosure thereof, in order to cause damage.
- 11.13. Improper use of official documentation that certifies the status of University student.

g. Very serious misconduct.

12. As a general rule, actions against persons, property or the University or against due academic loyalty which imply extraordinary serious damage, due to the means used, intentionality or the consequences, may be considered as such.
13. Therefore, for instance, the following shall be deemed to be very serious misconducts:
 - 13.1. Serious physical or moral attacks to a member of the university community.
 - 13.2. The student lacks respect, threatens, acts in coercion against a professor or academic authority.
 - 13.3. Opposition to the performance of academic events or to the development of university life, by means of violent resistance actions.
 - 13.4. Instigating or be actively involved in pranks that affect the physical or moral integrity of individuals.
 - 13.5. Distribution of drugs at the University facilities.
 - 13.6. Fraudulent access to the University's computer systems, in order to disturb their performance, modify them or use their files in a fraudulent manner.
 - 13.7. Serious impairment of the University property.
 - 13.8. Those constituting a crime, according to the Criminal Code.

h. Sanctions.

14. Depending on the seriousness of the acts, the concurrence of aggravating circumstances, mitigating circumstances or the repetition of infractions, sanctions may be adjusted on the basis of those set out for minor, serious and very serious infractions.
 - 14.1. Sanctions corresponding to very serious infractions:
 - 14.1.1. Expulsion from University.
 - 14.1.2. Prohibition to enroll in the following academic year.
 - 14.1.3. Suspension of the status of student, from three to six months.
 - 14.1.4. Total loss of scholarships or other benefits the student enjoys.
 - 14.2. Sanctions corresponding to serious infractions:
 - 14.2.1. Suspension of the student, from one week to three months (temporary expulsion from Universidad de Navarra premises).
 - 14.2.2. Loss of the right to take exams during ordinary and/or extraordinary sessions in that academic year, for one or several courses.
 - 14.2.3. Total, partial or temporary loss of scholarships or other benefits the student enjoys.
 - 14.3. Sanctions corresponding to minor infractions:
 - 14.3.1. Private or public reprimand.
 - 14.3.2. Suspension of the status of student, for one week or less (temporary expulsion from Universidad de Navarra premises).
 - 14.3.3. Loss of the right to take exams during ordinary or extraordinary sessions, for one or several courses of the academic year.
 - 14.4. The sanctioning body, where appropriate, in an ancillary or alternative way, as the case may be, may impose one of the following sanctions, in addition to the sanctions above, and depending on the seriousness of the infraction and their nature:
 - 14.4.1. Temporary or final prohibition for the student to participate in certain activities organized by the schools or the University (courses, conferences, cultural or sport activities, trips, exchange programs, etc.)
 - 14.4.2. Termination or suspension of participation in the excellence programs of the relevant schools or the University.
 - 14.4.3. Ban on participation, or limitation of participation, in academic events that involve a celebration or public recognition such as, for instance, the graduation ceremony.
 - 14.4.4. Preventing the student from accessing certain on-campus facilities or services, either on a temporary or permanent basis.
 - 14.4.5. Limiting access to University scholarships.
 - 14.4.6. Ban on access to the status of work as a student assistant.
 - 14.4.7. Include in the student's files the existence of the infraction committed and its nature, regarding selection processes at the University for the granting of internships or the search for employment.

- 14.4.8. Restriction of access to any University programs.
- 14.4.9. Other measures, as established by the Managing Authority of the school or the Head of Students.

- 14.5. The body in charge of resolving the sanctioning procedure, with the consent of the person sanctioned, may replace the sanction imposed with other measures of an educational, recovery nature, such as welfare activities, volunteering, cultural activities or other similar ones that have a benefit for the university community.

However, the complementary sanctions and restrictions are for instructing purposes and must be proportional to the infraction committed.

i. Aggravating and mitigating circumstances

- 15. Aggravating circumstances are:

- 15.1 Recidivism. Recidivism will be deemed to exist when the student has been previously sanctioned during their studies at the University.
- 15.2. The level of disturbance to university social harmony or the magnitude of the damage caused.
- 15.3. The public impact of the infraction committed.
- 15.4. The publicity or voluntary release by the student of the actions constituting an infraction.
- 15.5. Others that may occur at the same time, implying an adverse action or abuse of the condition of the individuals affected, especially if they are in situations of greater vulnerability.

- 16. Mitigating circumstances are:

- 16.1 Spontaneous repentance, by reporting the infraction to the university authorities, as well as requesting forgiveness.
- 16.2. The repair of the damage caused, or the expressed wish to do so.
- 16.3. Others that may be considered, without justifying the actions, may mitigate the level of liability and willingness of the author.

III. REGARDING THE DISCIPLINARY PROCEEDING

j. Competent bodies.

- 17. In case of minor infractions, the sanctioning file shall be processed by the vice dean of Students or the person appointed to replace him/her at the school of the student, and will be resolved by the managing authority of that school.

18. In case of serious infractions, the disciplinary proceeding shall be processed by the person appointed by the vice-president of Students, who shall be assisted, where appropriate, by the vice-dean of students of the school where the student is registered and resolved by the Executive Council's Office.
19. In case of very serious infractions, the disciplinary proceeding shall be processed by the vice-president of Students, who shall be assisted, where appropriate, by the vice-dean of Students of the school where the student is registered and resolved by the Executive Council's Office.
20. The file shall be processed and resolved in accordance with the principles of proportionality, hearing, and defense of the interested party, without forgetting the educational purpose of the sanction.

k. Commencement of the disciplinary proceeding.

21. The disciplinary proceeding shall be commenced by the relevant examining body, either at its own initiative or upon the reasoned request issued by another body, or by filing a complaint.
22. The complaint must include the identity of the complainant, the facts resulting in the infraction, as well as the identification of the student who committed the infraction.
23. Prior to the commencement of the file, any necessary previous actions may be performed, for clarification purposes.
24. Once the proceeding has started, the student shall be informed of the commencement of the disciplinary proceeding, stating the actions of which he/she is accused, the potential disciplinary consequences, the identity of the examining body and the term for submission of claims.

l. Investigation and resolution proposal.

25. Since the moment when the file is commenced, the student may submit any claims before the examining body within a time period of 3 working days.
26. Once the claims have been received, the examining body may request any appropriate complementary reports or the collaboration of third parties for clarification of the facts, and shall assess the evidence brought by the student in the pleading document.
27. In the period of 7 working days from receipt of the pleadings, the examining body shall prepare a resolution proposal, which shall fix, in a reasoned manner, the proven facts and their qualification as infraction, the liable person and the pertinent sanction.
28. The instruction terms may be extended by 7 working days if required, for the better processing of the proceeding.

m. Resolution.

29. Upon submission of the resolution proposal, together with the pleadings, the competent authority shall issue its decision within a maximum period of time of 7 working days, in a justified manner, and impose, where appropriate, the corresponding sanctions.
30. The adjustment and specification of the sanction depending on its seriousness shall be performed by the competent authorities by weighing, in a reasoned manner, the specific circumstances of each case, as well as the mitigating or aggravating circumstances, if applicable.
31. The sanction shall be reported in writing to the student, and to the center he/she studies at.
32. The resolution process of the disciplinary file shall not exceed three months from commencement thereof.

n. Appeals.

33. In the case of sanctions for minor infractions, an appeal may be lodged against the Head of Students.
34. In the case of sanctions for serious and very serious infractions, an appeal may be lodged against the disciplinary decision, before the University President.

o. Appeal Procedure.

35. The appeal shall be lodged before the body in charge of deciding, within a maximum term of three working days, from the moment when the disciplinary decision is reported.
36. Once the appeal is received, it shall be resolved in writing in a maximum of 7 working days.

p. Provisional measures.

37. During the processing of the file, the Executive Council's office of the Universidad de Navarra may ban the student from accessing all or certain university buildings or premises. Should the student need to take final or partial exams releasing him/her from a specific course he/she was registered in, a special session may be arranged for him/her at a different time or place (unless the sanction is of an academic nature) or the ban on entry suspended to that end.

q. Conducts that constitute an offence or a crime.

38. The Universidad de Navarra shall, pursuant to current legislation, inform the relevant authorities of any infringements which may, in its opinion, constitute an administrative infraction, a crime or offence. Furthermore, the Universidad de Navarra shall cooperate with security forces during the investigation of the proceedings which may arise from said conducts, by providing the evidence means it has for clarification of the facts.

39. Without prejudice to the above, files may be commenced and discipline sanctions may be imposed regarding conducts under administrative and criminal prosecution, regardless of the actions taken by the relevant jurisdiction.

r. Prescription of infringements and sanctions. Term for decision.

40. No discipline proceeding may be commenced one year after the commission of infractions that gave rise to it.
41. The sanctions imposed for very serious infractions shall prescribe in three years, those imposed for serious misconducts in two years, and those imposed for minor misconducts in one year. These terms shall start to run from the day after the resolution imposing such sanction becomes final.
42. No sanctions may be imposed upon those who transferred to another University.

s. Derogating provision.

43. All academic discipline regulations approved in November 1995 are hereby derogated.