



Academic Discipline: Rules and Procedures

Approved: July 1995

Revised: August 2015

I. GENERAL PROVISIONS

a. Purpose

1. The purpose of the University of Navarra is to contribute to the academic, cultural and personal development of its students. Those who register to study here agree to abide by the University of Navarra's code of conduct and work ethic: respect for the person, a sense of responsibility and work well done, and a spirit of service.
2. The overall goal of the rules and procedures relating to academic discipline is to enhance university life, providing students with a holistic educational experience.

b. Scope of application

3. These rules and procedures apply to students of the University of Navarra in their status as such, both on-campus and off-campus.

c. Free and deliberate action

4. Only actions carried out freely and deliberately are subject to penalty within the framework of these rules and procedures.
5. The penalties for any infractions are applied notwithstanding any other administrative or legal measures that may be imposed.
6. Costs to cover the total value or repair of damage caused to any University of Navarra facility or asset are to be paid in full by those responsible.

II. INFRACTIONS AND PENALTIES

d. Legally protected interests and scale of infractions

7. In line with the greater or lesser impact that damaging or disloyal actions may have on people, goods and the University itself, its mission and reputation, as well as the consequences thereof, a scale of three types of infraction – minor, serious and very serious – has been established.

e. Minor infractions

8. The general definition of minor infraction covers any action against people, goods, the University or academic integrity that, albeit serious in neither means nor consequences, has a negative effect.
9. Some examples of minor infractions:
 - 9.1 Any action intended to disrupt in a minor way the normal operations of the University or any of its services.
 - 9.2 The first instance of plagiarism or any kind of copying in evaluation tasks.
 - 9.3 Any other non-serious infraction that may be subject to appropriate penalty as part of the educational purpose of these rules and procedures.

f. Serious infractions

10. The general definition of serious infraction covers any action against people, goods, the University or academic integrity that is serious in its means, intention and/or consequences.
11. In light of the definition given above, the following may be regarded as serious infractions:
 - 11.1 Demonstrations or protests that disturb public order on campus or damage any university goods or facilities in order to disrupt the normal functioning of the University, any of its services or academic events.
 - 11.2 Any failure to show respect for professors or administrative personnel.
 - 11.3 Involvement in fights or attacks on peers.
 - 11.4 Participation in 'hazing'.
 - 11.5 Harassment or intimidation of peers.
 - 11.6 Theft.

- 11.7 The consumption of intoxicating substances, or acting under the influence of intoxicating substances, on campus.
- 11.8 Disclosure of confidential data or information to which one has access for work purposes to any third party, failing to comply with standard academic integrity and confidentiality.
- 11.9 Repeated plagiarism or copying, previously penalized as a minor infraction.
- 11.10 Impersonation in examinations, both the impersonator and the individual impersonated.
- 11.11 Any form of involvement in the perpetration of a very serious infraction.
- 11.12 Unauthorized recording of classes or other academic activities and/or the distribution of such recordings in order to cause some harm.
- 11.13 Inappropriate use of official university student ID documents.

g. Very serious infractions

- 12. The general definition of serious infraction covers any action against people, goods, the University or academic integrity that is extremely serious in its means, intention and/or consequences.
- 13. Some examples of very serious infractions:
 - 13.1 Any physical or moral attack on any member of the university community.
 - 13.2 Any serious lack of respect or attempt to threaten or coerce professors or other academic authorities.
 - 13.3 Any act of violent protest intended to disrupt academic events or campus life.
 - 13.4 Encouragement or participation in 'hazing' activities that prejudice the physical and/or moral integrity of others.
 - 13.5 Distribution of intoxicating substances on the university campus.
 - 13.6 Fraudulent access to university IT systems in order to disrupt, alter or misuse data or documents.
 - 13.7 Serious damage to university goods or facilities.
 - 13.8 Any action defined as a crime or misdemeanor under the law.

h. Penalization

14. Depending on the seriousness of the infraction, the existence of aggravating or mitigating factors, and on whether the infraction is repeated, the penalty reflects the type of infraction: minor, serious or very serious.

14.1 Penalties for very serious infractions:

- 14.1.1 Expulsion from the University.
- 14.1.2 Prohibition on registration for the following academic year.
- 14.1.3 Suspension from the University for a period of three to six months.
- 14.1.4 Withdrawal of scholarships and/or other such benefits.

14.2 Penalties for serious infractions:

- 14.2.1 Suspension from the University for a period of one week to three months (temporary expulsion from University facilities).
- 14.2.2 Repeal of the right to take examinations in either the ordinary and/or re-sit exam periods that academic year, in one or more subjects.
- 14.2.3 Complete, part or temporary withdrawal of scholarships and/or other such benefits.

14.3 Penalties for minor infractions:

- 14.3.1 A formal warning in private or public.
- 14.3.2 Suspension from the University for a period of up to one week (temporary expulsion from University facilities).
- 14.3.3 Repeal of the right to take examinations in either the ordinary or the re-sit exam period that academic year, in one or more subjects.

14.4 As well as these penalties and depending on the type and seriousness of a given infraction, the competent authority may decide to apply one or more of the following penalties instead of or in addition to those listed above:

- 14.4.1 Temporary or complete repeal of the right to take part in activities organized by the University or by any of its Schools or services (courses, congresses, cultural or sporting activities, trips, exchange programs, etc.).
- 14.4.2 Suspension or expulsion from the Excellence Programs offered by the University or any of its Schools.
- 14.4.3 Limited participation in or exclusion from public academic events such as graduation ceremonies.
- 14.4.4 Temporary or complete prohibition on access to certain University facilities or services.
- 14.4.5 Limited access to University scholarship programs.
- 14.4.6 Exclusion from student internship programs.

- 14.4.7 A record in the academic transcript of the type of infraction committed, for internal use in relation to University internship and/or career opportunities.
 - 14.4.8 Limited access to any of the University's programs.
 - 14.4.9 Other measures adopted by the management board of the corresponding School and/or the Vice-President of Students.
- 14.5 The authority empowered to apply penalties may, with the consent of the individual being sanctioned, substitute an educational or compensatory activity for the penalty imposed: care-giving, voluntary work, cultural activities or any other task that may be of benefit to the university community.
- 14.6 Whatever the case may be, a penalty and/or alternative sanction must always be formative and proportional to the infraction committed.

i. Aggravating and mitigating circumstances

15. Aggravating circumstances include the following:

- 15.1 Repeated instances of the infraction, defined as the recurrence of an infraction for which the student has already been penalized at the University.
- 15.2 The degree of disruption caused to life and operations at the University as a whole or any of its parts.
- 15.3 The public impact of the infraction.
- 15.4 Deliberate publication or sharing of information by the student(s) responsible for the infraction.
- 15.5 Other contributing factors that may show a deliberate intent to cause harm or to abuse those affected by the infraction, especially those who may be more vulnerable.

16. Mitigating circumstances include the following:

- 16.1 Immediate regret and apology expressed in informing university authorities about the infraction committed.
- 16.2 Repair or repayment for any harm caused or a clear statement of the intention to do so.

16.3 Any other signs that, although they can never justify the infraction, may mitigate the degree of responsibility or deliberate intention involved.

III. PENALTY PROCESS

j. Competent authorities

17. In the case of minor infractions, the penalty process is led by the Associate Dean for Students (or the equivalent role) in the School where the student is registered, and the decision taken by the School's management board.
18. In the case of serious infractions, the penalty process is to be led by the person designated by the Vice-President of Students for that purpose, assisted (as applicable) by the Associate Dean for Students in the School where the student is registered, and the decision taken by the Executive Council of the University.
19. In the case of very serious infractions, the penalty process is to be led by the Vice-President of Students, assisted (as applicable) by the Associate Dean for Students in the School where the student is registered, and the decision taken by the Executive Council of the University.
20. The penalty process and its resolution are to be carried out in accordance with the principles of proportionality and the right to a fair hearing and defense, and in light of the formative purpose of the process as such.

k. Start of the penalty process

21. The penalty process is initiated in each case by the competent authority, at its own prerogative, following a request to do so from another university authority or in response to an official complaint.
22. An official complaint must include the full name of the complainant, a description of the infraction and the identity of the student responsible.
23. Whatever actions deemed necessary to clarify the matters at hand may be undertaken before the formal penalty process is initiated.
24. Once the penalty process has started, the student is to be informed of the case and circumstances, the type of infraction involved, the authority responsible for the process, and the time frame in which to present a response.

l. Inquiry and proposed resolution

25. Following notification of the start of the penalty process, the student has three working days in which to submit a response to the competent authority.

26. Having received the student's response, the competent authority may request supplementary reports or consult third parties in order to clarify the matters at hand and assess the student's claims.
27. Within seven days of receiving the student's response, the competent authority is to propose a resolution in writing that proves the facts of the case, the type of infraction, the person responsible and the penalty to be applied.
28. The process may be extended for a further seven working days if such an extension would enhance its resolution.

m. Resolution

29. In light of the student's response and the proposed resolution, the competent authority is to issue a considered decision within seven working days, including whatever penalties are to be imposed.
30. The specific detail and degree of the penalty are to be outlined by the competent authority, taking into consideration the particular circumstances of each case, as well as any aggravating or mitigating factors that may exist.
31. Both the student and the School in which (s)he is registered are to be informed in writing about the penalty imposed.
32. The resolution of the case must be completed within a maximum of three months.

n. Appeals

33. In the case of penalties imposed for minor infractions, decisions may be appealed to the Vice-President of Students.
34. In the case of penalties imposed for serious and very serious infractions, decisions may be appealed to the President of the University.

o. Appeal process

35. Appeals are to be lodged within three working days of the notification concerning the penalty to be imposed.
36. A decision on the appeal is to be issued in writing within seven working days of its being lodged.

p. Provisional measures

37. While the process is ongoing, the Executive Council of the University of Navarra may prohibit the student's access to some or all of the university's buildings or services. If the student is due to do final or compulsory mid-semester examinations during that time, a special sitting may be scheduled for another time and place (unless the penalty to be imposed is an academic one) or access may be temporarily restored for that purpose.

q. Crimes and misdemeanors

38. In accordance with existing legislation, the University of Navarra will advise the relevant public authorities of any action or behavior that may constitute a crime or misdemeanor. The University of Navarra will cooperate fully with the state's law enforcement agencies during the investigation of any such actions, providing whatever information or evidence it may have to shed light on the matters at hand.

39. Independently of the previous provision, university decisions and penalties may be applied in the case of actions or behaviors subject to investigation by public law enforcement agencies.

r. Time limits on infractions and penalties

40. The penalty process cannot be initiated over a year after the alleged infractions it is intended to investigate.

41. The penalties imposed for very serious infractions lapse after three years, the penalties for serious infractions after two years, and the penalties for minor infractions after one year. These time limits begin on the day after the final resolution is issued.

42. No penalties may be applied to a student who has transferred to another university.

s. Derogation

43. The rules and procedures of academic discipline issued in November 1995 are hereby repealed and replaced.