

## UNIVERSIDAD EUROPEA DE CANARIAS COMMUNITY WELLBEING RULES

### **Preamble**

Under University Community Wellbeing Act 3/2022, of 24 February, the wellbeing of the university community is comprehensively protected in line with democratic values and principles. Such values and principles are woven into the very fabric of community wellbeing at the University, where students are expected not only to maintain academic standards, but also to embrace the ethos of the institution by adopting a critical spirit and buying into the culture of their surroundings.

In accordance with the principles and guidelines established by Act 3/2022 for university environments, private universities and private affiliated centres shall approve their own Community Wellbeing Rules.

These Community Wellbeing Rules are divided into four parts: Part I relates to the **Wellbeing of the University Community** - which comprises the student body, teaching staff, researchers and other non-teaching staff - and establishes a framework for community wellbeing.

Part II governs the **Community Wellbeing Committee of Universidad Europea de Canarias**, and identifies the preventive and corrective measures to take in response to a breach of these rules.

Part III focuses predominantly on **Harassment Rules** and considers how they relate specifically to these rules.

Finally, Part IV of these Community Wellbeing Rules presents the **Disciplinary Rules** of Universidad Europea de Canarias; under final provision three of Act 3/2022, private universities and private affiliated centres have the autonomy to establish their own disciplinary measures and to establish a committee charged with the task of implementing disciplinary procedures and enforcing the corresponding rules. As such, these Rules outline the particulars of disciplinary procedures, determine applicable penalties and make provision for educational and rehabilitative measures.

In view of the foregoing, in compliance with Royal Decree 1791/2010, of 30 December, approving the University Student Rules, and University Community Wellbeing Act 3/2022, of 24 February, and by virtue of the autonomy granted under Article 3 of University System Act

2/2023, of 22 March, Universidad Europea de Canarias hereby approves these Community Wellbeing Rules.

## **PART I: COMMUNITY WELLBEING**

### **Clause 1 Purpose**

The purpose of these rules is to establish a community wellbeing framework for Universidad Europea de Canarias. Where applicable, mediation may be used as a way of resolving any disputes that may be detrimental to wellbeing or prevent the university from undertaking any of its essential functions such as teaching, research and transfer of knowledge.

### **Clause 2 Subjective scope**

- 1- Every member of the university community - namely students, teaching staff, researchers and administrative and service staff - shall be subject to the provisions of this section (Part I).
- 2- If wellbeing is adversely affected by a dispute between students, the Community Wellbeing Committee shall take charge of the situation by introducing the measures referred to in these rules.
- 3- In the event that wellbeing is adversely affected by a dispute between teaching and non-teaching staff, the HR department shall take the corresponding action and measures.
- 4- And if wellbeing is adversely affected by a dispute between teaching and non-teaching staff on the one hand, and students on the other, a special wellbeing committee, to which a student representative is assigned, shall be formed to resolve the issue.
- 5- The provisions of Parts II, III and IV shall only apply to the student body of Universidad Europea de Canarias.

### **Clause 3 Community Wellbeing Rules**

In the course of their daily routine at Universidad Europea de Canarias, every member of the university community to whom these rules apply shall seek to promote:

- a) Respect for diversity, tolerance, equality and inclusion; and the development of positive action for vulnerable groups;

- b) freedom of expression; the right to freedom of assembly and association; freedom of teaching and academic freedom;
- c) the elimination of all forms of violence, discrimination or harassment of a sexual or sex-based nature; or any similar treatment on the basis of sexual orientation, identity or gender expression, sexual characteristics, nationality, ethnicity, disability, age, health status, social class, religion or religious beliefs, language, or any other personal or social condition or circumstance;
- d) transparency in academic pursuits;
- e) the use and preservation of the property and resources of the university, and of any other affiliated entities where academic or training initiatives take place.
- f) respect for communal spaces, including those of a digital nature;
- g) the use of the name and symbols of the university, according to established policies.

#### **Clause 4 Preventive and responsive measures**

Universidad Europea de Canarias shall establish particular procedures not only to respond to any contravention of these Community Wellbeing Rules committed in the University, at its facilities and across its campuses, but also to duly process any complaints or reports of rule violations.

Notwithstanding the foregoing, a number of measures and policies are already in effect at Universidad Europea de Canarias, as outlined in the Sexual or Sex-based Harassment and Discrimination Policy of Universidad Europea de Canarias, and in the Diversity Policy of Universidad Europea de Canarias, as well as compliance rules, a code of ethics, and similar rules, all of which are available on the university's website.

### **PART II. COMMUNITY WELLBEING COMMITTEE**

#### **Clause 5 Student Wellbeing Committee**

Universidad Europea de Canarias shall form the Student Wellbeing Committee to enforce these rules in response to a dispute between at least two of its students.

A representative of the student body, a representative of the teaching staff and a representative of the non-teaching staff shall be appointed by the Management Board to sit on the Student Wellbeing Committee.

The University Ombudsman of Universidad Europea de Canarias may request to attend wellbeing committee meetings, although he shall not have any decision-making authority and his role shall be merely to gather and report any relevant information.

### **PART III: ANTI-HARASSMENT RULES**

#### **Clause 6 Sexual or sex-based harassment and discrimination policy**

In line with its zero-tolerance approach to any form of sexual or sex-based harassment and discrimination, Universidad Europea de Canarias shall devise a special policy applicable to all students enrolled at the University.

The University undertakes to address and process any claims, complaints and reports submitted by students in relation to acts of sexual or sex-based harassment and discrimination, subject to the guarantees that the university is required to provide as a higher education institution and subject at all times to the added guarantee established under the Spanish legal system.

Pursuant to Clause 11 (e) of these rules, concerning disciplinary action, any verbal or physical act or conduct whose purpose or effect is to violate the dignity of a person, and is defined as an act of sexual harassment, sex-based harassment or sex discrimination within the meaning of Organic Act 3/2007, of 22 March, on Effective Equality between Men and Women, shall be penalised as a very serious offence.

### **PART IV: DISCIPLINARY ACTION**

#### **CHAPTER I: DISCIPLINARY AUTHORITY**

##### **Clause 7 Scope and exercise of disciplinary authority**

1. The rules of this section (Part IV) shall apply exclusively to the students of the university, pursuant to the Student Rules of Universidad Europea de Canarias.
2. The disciplinary authority connected with such rules shall be exercised as follows:

- The corresponding procedure shall be set in motion by the Disciplinary Committee established pursuant to the provisions of the following clause.
- The investigation shall be carried out by those commissioned specifically to undertake the task.

#### **Clause 8 The Disciplinary Committee**

1. For the purposes indicated in the previous clause, a permanent Disciplinary Committee shall be established at Universidad Europea de Canarias; the scope of its remit shall be governed by the principles of legality, justice, proportionality and fairness. The committee shall comprise the following members:

- Chair: the incumbent Secretary-General of Universidad Europea de Canarias
- Secretary: the person appointed to this position
- Members: two people appointed by the Management Board every year; they shall retain their position until such time as two new replacement members are appointed.

2. A case investigator and secretary shall be appointed. They shall conduct the disciplinary procedure and undertake the following tasks:

- Gather any information about the incident in question.
- Examine, as they see fit, any evidence to shed light on the incident that has led to the disciplinary procedure.
- Advise the Disciplinary Committee to implement any suitable precautionary measures to maintain the integrity of the procedure.
- After examining the evidence obtained as part of the procedure, instruct the Disciplinary Committee to impose the corresponding penalty or to dismiss the case on the grounds that no wrongdoing has been committed or there is no case to answer.
- Issue the penalties determined by the Disciplinary Committee to the offenders, who shall be notified by a body commissioned specifically to undertake the task.

#### **Clause 9 Compatibility of the academic institution's disciplinary authority**

Even if an offence is penalised by way of administrative or criminal sanctions, the University may, if applicable, continue to penalise the offender in question in exercise of the disciplinary authority outlined in these rules.

## **CHAPTER II: BREACHES OF DISCIPLINE**

### **Clause 10 Breaches of discipline or offences**

Any student of Universidad Europea de Canarias who contravenes the rules specified in this document is deemed to have committed a breach of discipline or an offence.

Moreover, breaches of discipline may include violations of the academic responsibilities, duties or obligations under the Student Rules of Universidad Europea de Canarias, other internal rules of the university and the rules of state and regional authorities.

### **Clause 11 Very serious offences**

A very serious offence denotes any act or conduct that disrupts public order within the university to a highly significant extent. Such acts include, but are not limited to, the following:

- a. Any act that undermines democratic values or promotes intolerance in any form (for instance, xenophobia, racism, homophobia, etc.).
- b. Verbal or physical abuse, and a fundamental lack of respect towards any member of the University Community (teaching or non-teaching staff), the personnel of subcontractors or of any other body or public or private institution at which training initiatives take place.
- c. Pranks that seriously undermine the honour, dignity or personality of the victim.
- d. Any form of discrimination committed by any means, including electronically.
- e. Any verbal or physical act or conduct whose purpose or effect is to violate the dignity of a person, and is defined as an act of sexual harassment, sex-based harassment or sex discrimination within the meaning of Organic Act 3/2007, of 22 March, on Effective Equality between Men and Women.
- f. The possession, control, consumption, distribution or trafficking of drugs, narcotics and psychotropic substances in the university environment, on or in the immediate vicinity of the university grounds.
- g. Signs of being under the influence of alcohol or drugs, narcotics and psychotropic substances on or in the immediate vicinity of the university grounds.

- h. Plagiarism of all or part of any kind of intellectual work.
- i. Capturing images of or recording classes without express authorisation and, in the case of recordings, posting the content on social media.
- j. Impersonating someone else in violation of the principles of academic integrity, or allowing another person to impersonate you for the same purposes.
- k. Bringing a mobile telephone or any other electronic device into an exam hall or assessment venue.
- l. Accessing, by any fraudulent means or a breach of trust, the content of a test, examination or assessment, either for one's own or another's benefit, prior to the scheduled test date; or attempt, subsequent to the assessment, to steal, modify or destroy any forms, questionnaires, notes or marks, for one's own or another's benefit.
- m. Intercepting and/or disseminating private communications in the university environment.
- n. Intercepting or distributing e-mails in so far as such actions have been prohibited by the sender.
- o. Being charged with or investigated for a criminal offence, in so far as it may be prejudicial to the university.
- p. Receiving a final criminal conviction.
- q. Staging violent protests at academic ceremonies or against the enforcement of university rules.
- r. Accessing the University's computer systems without authorisation; impairing their operation; modifying or using electronic files fraudulently.
- s. Forging, stealing or destroying academic documentation or submitting falsified documentation to the University.
- t. Any other act, conduct or behaviour described above and perpetrated in public or private institutions where the student's academic training takes place.

u. Any other act, conduct or behaviour perpetrated on or away from the University grounds, which serves, on account of its seriousness, to directly or indirectly damage or tarnish the image and prestige of the University or any of its members.

v. Committing two serious offences during a single academic year, or three during two academic years.

w. Repeatedly failing to observe the no-smoking policy, having previously been penalised as a serious offence.

x. Contravening the highway code on university campuses. Offences include, but are not limited to, the following:

a. Driving in the wrong direction, causing damage to other vehicles, damage to property or injuries to others.

b. Exceeding the permitted speed limit by more than 50%

y. Contravening established health and/or safety rules and policies on the premises of the University or affiliated centres or entities, not least those relating to COVID-19 health measures.

z. Contravening the safety rules and protocols of health authorities away from the University grounds, in so far as the breach in question seriously endangers health across the University or adversely affects the reputation and values of the University and its students.

### **Clause 12 Serious offences**

A serious offence denotes any act or conduct that disrupts public order within the university to a significant extent. Such acts include, but are not limited to, the following:

a. Contravening safety rules or rules on toxic or hazardous waste during practical training activities, especially courses in which hazardous substances are handled.

b. Vandalising, manipulating, damaging or stealing the work and property of the University, and vandalising, manipulating, damaging or stealing any work, belongings and property of any member of the University Community.



- c. Engaging in practices that are degrading to the university or to its members, in so far as that they do not qualify as very serious offences.
- d. Attempting or managing to falsify or defraud academic performance testing systems, whether the student is a beneficiary or actively involved in the practice.
- e. Distributing material or content that is detrimental to the image of any university community member or the University itself, via the electronic networks of the University or any medium.
- f. Using any of the University's technological equipment or tools to falsify personal records or those of any other student.
- g. Aiding and abetting, covering up or enabling any act or conduct that qualifies as a serious offence.
- h. Repeatedly failing to observe the no-smoking policy, having previously been penalised as a minor offence.
- i. Contravening the highway code on university campuses. Offences include, but are not limited to, the following:
  - a. Driving in the wrong direction
  - b. Exceeding the permitted speed limit by more than 30%
- j. Any other act, conduct or behaviour perpetrated by the student on or away from the University grounds, which serves, even indirectly or partially, to damage or tarnish the image and prestige of the University or any of its members.
- k. Contravening established safety rules and policies on the premises of the University or affiliated centres or entities, not least those relating to COVID-19 health measures, in so far as the act does not qualify as a very serious offence.
- l. Contravening the safety rules and protocols of health authorities away from the University grounds, in so far as the breach in question seriously endangers health across the University or adversely affects the reputation and values of the University and its students, and to the extent that the act does not qualify as a very serious offence.

m. Committing two minor offences during a single academic year, or three during two academic years.

### **Clause 13 Minor offences**

A minor offence denotes any act that does not qualify as a serious or very serious offence according to the provisions of the previous clauses, in so far as it disrupts the wellbeing of the university community to a minor extent. Such acts include, but are not limited to, the following:

a. Any act that prevents, to a minor extent, the University from undertaking its normal functions or providing any of its services.

b. Any act or conduct that causes minor damage to the property of the University or any members of the University Community.

c. Smoking on university premises (either indoor or outdoor) or in any facilities or public or private institutions at which the student's training takes place (either indoor or outdoor).

d. Refusal to record attendance by way of the university's technological equipment and tools.

e. Refusal to provide identification details when instructed to do so by the corresponding authority.

f. Contravening the highway code on university campus grounds, in so far as the breach qualifies as a minor offence, such as:

a. Parking in unauthorised zones.

b. Exceeding the speed limit by less than 30%.

c. Driving in the wrong direction

d. Any other offences of a similar nature

g. Minor damage to any work and property of the University or property of the University Community.

h. Any other minor act, conduct or behaviour described above and perpetrated in public or private institutions where the student's academic training takes place.

i. Any other minor act, conduct or behaviour perpetrated by the student on or away from the University grounds, which serves, directly or indirectly, to damage or tarnish the image and prestige of the University or any of its members.

### **CHAPTER III: DISCIPLINARY ACTION**

#### **Clause 14 Penalties for very serious offences**

1. Depending on the severity of the incident and the damage caused, the following penalties may be imposed in the case of very serious offences:

- Filing of offence and corresponding penalty on the student's academic record.
- Student suspension for a period of two weeks.
- Student suspension for a period of one-three months.
- Student suspension for a period of three-twelve months.
- Student disqualification from exams during the corresponding academic year.
- Expulsion from the university.

2. In the event that the property of the university, or any affiliated entities at which academic or training initiatives take place, is damaged as a result of the offence, the student shall be charged for the cost of the damage or repair work.

3. If a student commits the very serious offence of plagiarism and cheating to pass an assessment test, he shall be disqualified from the corresponding exam(s), and his absence and the reason for this absence shall be filed in his academic record. The procedure set out in Chapter VII shall be applicable in this instance.

4. The procedure set out in Chapter VI shall apply to the very serious offences referred to in Clauses 11(f) and 11(g).

5. Depending on the circumstances of the particular incident, educational or rehabilitative measures may be introduced instead of the penalties for very serious offences, in accordance with Clause 18.

6. In so far as a special procedure is established for particular very serious offences, they shall be governed in accordance with that procedure.

#### **Clause 15 Penalties for serious offences**

1. Depending on the severity of the incident and the damage caused, the following penalties may be imposed in the case of serious offences:

- Filing of offence and corresponding penalty on the student's academic record.
- Student suspension for a period between one week and one month.
- Student disqualification from exam(s) during the academic year.

2. In the event that the property of the university, or any affiliated entities at which academic or training initiatives take place, is damaged as a result of the offence, the student shall be charged for the cost of the damage or repair work.

3. Educational or rehabilitative measures may be introduced instead of penalties for serious offences, pursuant to Clause 18, to the exclusion of the provisions indicated in the previous paragraph.

4. The procedure set out in Chapter VII shall apply to the serious offences referred to in Clause 12 (d), (e) and (i).

5. In so far as a special procedure is established for particular very serious offences, they shall be governed in accordance with that procedure.

#### **Clause 16 Penalties for minor offences**

1. Depending on the nature of the incident, the following penalties may be imposed in the case of minor offences:

- With a warning issued publicly or privately.
- Student suspension for a period of less than one week.
- If applicable, the filing of the penalty in the student's academic record

2. Failure to observe the non-smoking policy shall be penalised in accordance with Clause 22.

3. In the event that the property of the university is damaged as a result of the offence, the student also shall be charged for the cost of the damage or repair work.

4. Educational or rehabilitative measures may be introduced instead of penalties for minor offences, pursuant to Clause 18, to the exclusion of the provisions indicated in the previous paragraph.

#### **Clause 17 Determining the corresponding penalties**

The competent authority shall determine the penalty, depending on the severity of the incident, and in view of the following items, which must be substantiated:

- Intentionality
- The extent to which the wellbeing of the university community has been disturbed
- Spontaneous remorse, meaning that the incident is reported to the university authorities before the disciplinary procedure begins.
- Repetition of offence
- Personal, family or social circumstances of the student, in which case the necessary reports may be requested.

#### **Clause 18 Educational and rehabilitative measures**

1. The Disciplinary Committee may, on a discretionary basis, introduce educational or rehabilitative measures instead of penalties for very serious, serious or minor offences, provided that its decision is duly reasoned. If any such measures are introduced, no further action may be taken against the student in question.

2. Examples of educational and rehabilitative measures include voluntary schemes, sporting or cultural activities, schemes designed to assist disabled students, sustainable development initiatives, or any other similar activities undertaken for the benefit of the student body and Faculties/Schools or the wider university community in general.

#### **Clause 19 Limitation periods for penalties**

1. If a penalty has not been imposed within two years of the date of a very serious offence, within one year of the date of a serious offence, or within six months of the date of a minor offence, no action may be taken against the offender.

2. If a penalty has not been carried out within two years of the date of a very serious offence, within one year of the date of a serious offence, or within six months of the date of a minor offence, it may no longer be enforced.

3. Any references to penalties in a student's academic record may be expunged at the student's request, provided that he is able to show:

- i. That one year has passed since the penalty was imposed for a minor or serious offence, or two years have passed since the penalty was imposed for a very serious offence.
- ii. The record may only be expunged if the student in question has not received any other penalty during either of the aforementioned periods.

The record of any expulsion shall not be expunged from the record.

These periods shall begin to elapse as of the point at which the penalty has been carried out in full.

#### **CHAPTER IV: ORDINARY DISCIPLINARY PROCEDURE**

##### **Clause 20 Setting the procedure in motion**

1. Disciplinary procedures shall be set in motion with the authorisation of the University's Disciplinary Committee, in response to a complaint or request and reasoned report submitted by any member of the university community to the Committee Chair. However, the Committee may determine on its own initiative that action is required to maintain public order in the university.

2. In response to the aforementioned request, the Disciplinary Committee may take any prior steps it deems appropriate in order to determine, on a preliminary basis, whether there are grounds to set the disciplinary procedure in motion.

3. Notwithstanding the provisions of paragraph one, the Dean may authorise any other body or specially designated agent to set the procedure in motion.

4. The University Ombudsman shall disregard any matters raised by students involved in disciplinary procedures. As such, the Disciplinary Committee shall immediately notify the ombudsman of any procedure that has been set in motion.

**Clause 21 Procedure and decision**

1. The case investigator and secretary shall be informed when the Disciplinary Committee decides to set a disciplinary procedure in motion.
2. The investigator shall gather evidence and take statements with a view to shedding light on the incident, advise the Disciplinary Committee on suitable disciplinary action, or even declare that no breach or wrongdoing has been committed. The Committee shall resolve the matter on the basis of these findings.
3. If the Committee decides to impose a penalty, the decision shall indicate: the consequences for which the offender is responsible, any possible offence(s), penalty/penalties and applicable rules.
4. If the Committee decides to impose a penalty, the offender shall be reliably informed of its decision.
5. The offender may appeal the penalty by submitting a written application, setting out the basis of the appeal, to the University Dean, within two calendar days of the notification of the decision. If an appeal is not submitted within that period, the penalty shall be final to all intents and purposes. The Dean's decision shall be final and cannot be appealed.
6. The final decision of the Disciplinary Committee shall take effect one day after it is notified to those involved in the case and, if applicable, to the University Community, notwithstanding any precautionary measures that may have to be introduced.
7. On no account shall the procedure be interrupted if the student refuses or is either reluctant or uncooperative when asked to make a statement by the investigator and/or the Disciplinary Committee in relation to the incident which has given rise to the procedure, or when asked to acknowledge receipt of any information made available as part of the formality. Nor shall the procedure be interrupted by any of the student's actions or omissions that are deemed, within reason, to be undertaken with a view to delaying, discontinuing, distorting or obstructing the completion of the formality.

**CHAPTER V: FAST-TRACK PROCEDURE FOR ANY FAILURE TO OBSERVE THE UNIVERSITY CAMPUS'S NO-SMOKING POLICY**

## **Clause 22 Delegate committee**

The Disciplinary Committee shall entrust the Delegate Committee - comprising the Chair and the Secretary of the Disciplinary Committee - with the task of imposing the penalties referred to in this chapter, in the event that students fail to observe the no-smoking policy.

1. If a student fails to observe the no-smoking policy applicable across university campuses, those designated by the University specifically for this purpose shall hand out a penalty notice that is to be signed by the student in question, the person that has issued the notice and, if applicable, a witness.

2. The penalty notice shall be reported to the University's Delegate Committee for the record.

3. The following penalties shall be imposed if anyone fails to observe the no-smoking policy in one or more academic years:

a. One breach: caution issued in private (minor offence).

b. Two breaches: student suspension for a period of two days (minor offence).

c. Three breaches: student suspension for a period of 7 days (serious offence).

d. Four breaches: student suspension for a period of 15 days and the filing of the offence in his academic record (serious offence).

5. If the student breaches the non-smoking policy on more than four occasions in one or more academic years, the Delegate Committee shall inform the Disciplinary Committee so that appropriate disciplinary action, including expulsion, can be taken in response to the very serious offence.

Depending on the circumstances of the case in question, the educational or rehabilitative measures set out in Clause 18 may be introduced instead of penalties.

6. Under no circumstances may the penalty for breaching the no-smoking policy be appealed.



## **CHAPTER VI: FAST-TRACK PROCEDURE TO ADDRESS THE BREACHES OF CLAUSES 11(f) and 11(g) ZERO-TOLERANCE DRUG POLICY**

In the framework of the Health Campus programme and as part of the Zero-Tolerance Drug Policy of this University, a fast-track procedure is implemented to penalise the breaches referred to in Clause 11(f) and 11(g).

### **Clause 23 Delegate committee**

1. The Disciplinary Committee shall entrust the Delegate Committee - comprising the Chair and the Secretary of the Disciplinary Committee - with the task of imposing the penalties referred to in this clause, in the event that students contravene the provisions of Clauses 11(f) and 11(g). Whenever a student is asked to perform a random test in the situations referred to in Clause 11(f) and 11(g) on or in the vicinity of the University grounds, the person designated by the University to take the test shall gather any appropriate evidence and, after identifying the student, issue a penalty notice.

2. The notice, evidence and corresponding report prepared for this purpose shall be submitted to the University's Delegate Committee so that the information can be filed and used to determine the corresponding disciplinary action. Depending on the particular circumstances of the case in question, this Committee shall be authorised to proceed in accordance with the principles and approach of the ordinary procedure.

3. The acts referred to in Clause 11(f) and 11(g) shall be penalised as follows:

a. Student suspended for a period of 3-12 months, depending on the severity of the incident, if he is found to be in possession or to have consumed any drugs, narcotics or psychotropic substances, or if there is evidence to suggest he is under the influence of alcohol or drugs, narcotics or psychotropic substances.

Any repeat offender may be excluded, in which case the expulsion shall be filed in his academic record.

b. Student expelled from the university if he is found to have trafficked or distributed any drugs, narcotics or psychotropic substances, in which case the expulsion shall be filed in his academic record.

Depending on the circumstances of the case in question, the educational or rehabilitative measures set out in Clause 18 may be introduced instead of penalties.

Under no circumstances may an appeal be lodged against the penalties referred to in this chapter.

**CHAPTER VII: FACT-TRACK PROCEDURE FOR THE BREACHES REFERRED TO IN CLAUSES 11(h), (i), (j), (k), (l) and (x), in Clause 12 (d), (e) and (i), and in Clause 13 (f).**

Decisions to impose penalties under this chapter shall be based on the severity of the acts in question; consequently, they shall be subject to Clauses 14, 15 and 16 of these rules.

Under no circumstances may an appeal be lodged against the penalties referred to in this chapter. Only in the case of penalties imposed for very serious offences may an appeal be lodged before the Dean.

**Clause 24 Fast-track procedure for plagiarism and copying**

1. Any student that acts in breach of Clause 11(h), (i), (j) (k) and (l), relating, among other things, to plagiarism or cheating for the purpose of passing assessment tests, shall be disqualified from the corresponding exam, and his absence from the exam, along with the reason for his absence, shall be filed in his academic record.

Any student that acts in breach of Clause 12(d) shall be disqualified from the corresponding exam.

Any student that acts in breach of Clause 12(e) shall be expelled from the university.

2. The teacher shall issue and submit a report to the Dean of the Faculty or School.

3. The Dean shall forward the report to the Committee chair who shall subsequently proceed to enforce the penalty. The Committee chair or secretary shall liaise with the corresponding departments with a view to notifying the student of the penalty.

4. The penalty involving the filing of the offence in the academic record shall only be expunged if a report has been issued by the Dean, stating the reasons for the erasure of the offence from the record, and in particular before the course of the degree taken by the student has ended.

**Clause 25 Fast-track procedure with authority delegated for trafficking offences**

The Disciplinary Committee shall entrust the Delegate Committee - comprising the Chair and the Secretary of the Disciplinary Committee - with the task of imposing the penalties referred to in this chapter.

If the student acts in breach of trafficking rules on the university campuses, those designated specifically by the University for this purpose shall submit a report about the offence to the chair of the University's Disciplinary Committee, for analysis.

Penalties:

- Contravention of Clause 11 (x): student suspension for a period of three months
- Contravention of Clause 12 (i): student suspension for a period of one month
- Contravention of Clause 13 (f): student suspension for a period of three days

If the offence is committed in breach of Clauses 11(x), 12(i) or 13(f), the student may be informed of his penalty directly.

#### **CHAPTER VIII: EXTRAORDINARY PROCEDURE FOR BREACHES OF CLAUSE 11 (e) on sexual or sex-based harassment and discrimination.**

##### **Clause 26 On the referral of procedures to the Harassment Committee**

In line with its zero-tolerance approach to any form of sexual or sex-based harassment and discrimination, Universidad Europea de Canarias sets in motion an extraordinary procedure to penalise any breach of Clause 11(e) committed by any student enrolled at the university.

a) The Disciplinary Committee may commission the Student Harassment Committee to investigate, through the intermediary of an investigator, and propose the corresponding penalty referred to in this clause, in the event that a student is found to have committed any breaches referred to in Clause 11(e).

b) If the student or students are reported for committing any acts referred to in Clause 11(e) on or in the immediate vicinity of the university grounds, the Harassment Committee shall gather and submit appropriate evidence to the Disciplinary Committee so that it can be filed and used to determine the corresponding penalty.

On no account shall the procedure be interrupted if the student refuses or is either reluctant or uncooperative when asked to make a statement by the investigator and/or the Disciplinary

Committee in relation to the incident which has given rise to the procedure, or when asked to acknowledge receipt of any information made available as part of the formality. Nor shall the procedure be interrupted by any of the student's actions or omissions that are deemed, within reason, to be undertaken with a view to delaying, discontinuing, distorting or obstructing the completion of the formality.

The penalty applied as part of this extraordinary procedure shall be final and an appeal may only be lodged on the condition that it is submitted to the Dean of the University, in accordance with Clause 21.5 of these rules.

#### **Clause 27 On the disciplinary action for cases of harassment**

Any student who commits the acts referred to in Clause 11(e) shall be expelled from the university. Since the decision to expel the student is final, it may only be appealed on the condition that the appeal is submitted to the Dean of the University, in accordance with Clause 21.5 of these rules.

### **CHAPTER IX: EXCEPTIONAL PROCEDURE**

#### **Clause 28 On the exceptional procedure in particularly serious cases**

By way of exception, if the student commits a very serious offence and the circumstances of the incident are particularly serious, the Disciplinary Committee - comprising the Dean, Rector or Faculty Director and the Secretary-General - may directly impose the penalty provided that the interested party has previously been given the chance to be heard.

On no account shall the procedure be interrupted if the student refuses or is either reluctant or uncooperative when asked to make a statement as part of the exceptional procedure in relation to the incident which has given rise to the procedure, or when asked to acknowledge receipt of any information made available as part of the formality. Nor shall the procedure be interrupted by any of the student's actions or omissions that are deemed, within reason, to be undertaken with a view to delaying, discontinuing, distorting or obstructing the completion of the formality.

The penalty applied as part of this procedure shall be final and an appeal may only be lodged on the condition that it is submitted to the Dean of the University, in accordance with Clause 21.5 of these rules.

## **CHAPTER X: THE DISCIPLINARY COMMITTEE OF AFFILIATED CENTRES**

### **Clause 29 On the formation of the disciplinary committee of affiliated centres**

In the interests of upholding the principle of immediacy in the disciplinary procedure, which shall be governed in accordance with these rules, any supplementary rules and any other applicable rules, the University's affiliated centres shall form a Disciplinary Committee which shall expressly report to the Disciplinary Committee of Universidad Europea de Canarias.

### **Clause 30 On the composition of the disciplinary committee of affiliated centres**

The Disciplinary Committee of the affiliated centre shall be chaired by the director of the centre. A secretary shall be appointed and two members of the teaching staff shall also sit on the committee.

### **Clause 31 On the investigation of incidents occurring in affiliated centres**

The Disciplinary Committee chair shall appoint a case investigator and secretary every year. Their role shall be to investigate offences and they shall undertake the activities referred to in this document.

The case investigator and secretary appointed for every academic year shall remain in their position until such time as their replacements are named.

### **Clause 32 On appeals applicable to offences committed in affiliated centres**

All the penalties proposed by the Disciplinary Committee shall be previously submitted to the chair and secretary of the University's Committee for approval. For the purposes of these rules, any student of the centre who has been penalised shall be able to lodge an appeal against the penalty within a period of three days, commencing on the day following the penalty notice date, by way of a written appeal submitted to the Dean of the University.

The penalty shall be final if no appeal is submitted by the student of the centre within the aforementioned period.

## **CHAPTER XI: DISCIPLINARY COMMITTEE OF THE UNIVERSIDAD EUROPEA DE CANARIAS VOCATIONAL CENTRE**

### **Clause 33 On the implementation of these rules in the vocational centre**

The provisions of these rules shall serve as a regulatory framework for the community wellbeing of the Vocational Centre pursuant to special regulations (Decree 15/2007, of 19 April, establishing the regulatory framework for community wellbeing in teaching centres and Teacher Authority Act 2/2010, of 15 June).

### **ADDITIONAL PROVISION**

Any reference made to a person's gender in the provisions of this document shall apply equally to males and females. As such, any reference to a male dean, a male student or a male teacher shall apply equally to a female dean, a female student or a female teacher, and so on and so forth.

### **FINAL PROVISION**

These rules shall become effective as of **1 July 2023**.