

DISCIPLINARY REGULATIONS FOR STUDENTS AT THE SCHOOL OF COMMUNICATION AND INTERNATIONAL RELATIONS OF THE BLANQUERNA FOUNDATION

(RAMON LLULL UNIVERSITY)

Approved by the University Executive Committee of the Blanquerna School of Communication and International Relations in Barcelona on November 13th, 2009 and modified on July 5th, 2016 and January 31st 2020, and June 20, 2022

In accordance with the provisions of these regulations approved by university by its right established within the framework of the current legal system, the Blanquerna School of Communication and International Relations of the Blanquerna Foundation (Ramon Llull University) may hold a student liable to disciplinary action for behavior classified as misconduct carried out either on the university premises or elsewhere where academic activity is taking place which improperly disrupts or interferes with legitimate functions, duties or activities of other members of the university community, and the functioning of the School of Communication and International Relations Blanquerna (Ramon Llull University), and which are contrary to the rules set out by the university. This is to ensure the liberties and dignity of all persons who form part of the university community and to allow for the proper development of the teaching and research functions of the university.

Chapter I – Misconduct

Article 1: Scale of misconduct, responsibility and disciplinary actions

1.- The imposition of the penalties provided for in these regulations shall be proportionate to the gravity of the offenses committed.

In order to assess the offenses and the corresponding disciplinary measures, the following circumstances shall be taken into account:

- The degree of complicity in the offense
- Intention
- Damage caused
- Degree of disruption caused to the academic activity
- Reparations made for damage caused or mitigation of negative effects
- Spontaneous expression of remorse for the misconduct previous to the expedition of the disciplinary procedure, and the demonstration of regret and provision of explanation
- Whether the person involved is a repeat offender
- Personal, family, and social circumstances which may justify or mitigate the student's degree of responsibility

2.- Students who did not carry out the offense, but who are complicit through conduct previous to or simultaneous to the offense, shall be disciplined as follows:

- With sanctions corresponding to serious misconduct when there is complicity with an act of serious misconduct
- With sanctions corresponding to minor misconduct when there is complicity with an act of minor misconduct

3.- Misconduct may be minor, serious, or gross.

Article 2: Gross misconduct

Acts of gross misconduct:

- Acts of indiscipline, insults and serious offenses against academic authorities and/or teachers.
- Serious offense to the dignity, prestige and moral authority of the university, its ideology and its founding purposes.
- A serious offense and aggression, particularly involving any gender, sexual, racial or xenophobic implications, either by word or deed, toward any member of the university community (peers, teaching and non-teaching staff), the staff of any entity providing services at the university, or guests at the university.
- Identity misappropriation during any academic activity, and the falsification, removal or destruction of academic documents, or the use of false documents at the university.
- Acts constituting criminal offenses or misdemeanors related to the academic field for being carried out on the university premises, or affecting university property or members of the university community.
- Repeated acts of serious misconduct (minimum three) during the student's time at the university.

Article 3: Serious misconduct

Acts of serious misconduct:

- Acts of indiscipline, insults and non-serious offenses against academic authorities and/or teachers.
- Non-serious offense to the dignity, prestige and moral authority of the university, its ideology and its founding purposes.
- Acts which seriously alter the normal execution of university activities either inside or outside of the classroom.
- Causing serious damage, by fault or negligence, to the premises, materials or documents of the university or to the objects or belongings of other members of the university community.
- Fraudulent or other actions which lead to a misrepresentative outcome of academic systems of evaluation. This includes both plagiarizing texts (or fragments of texts) or any audiovisual material to be presented as one's own work for evaluation, as well as any irregularity in the student's obligation to identify themselves before the start of each official exam or during the performance of the exam.

- Drunkenness, consumption of drugs on the premises of the university or being under the influence of narcotics and, in general, the incitement or performance of behavior which may negatively affect the health of members of the university community.
- Repeated acts of minor misconduct (minimum three) during the student's time at the university.

Article 4: Minor Misconduct

Acts of minor misconduct:

- Any unjustified act which causes a non-serious disruption of the normal execution of university activities either inside or outside of the classroom, and in general, any other act not included in the sections above which could disturb the order and discipline required of academic activities.
- Causing non-serious damage by fault or negligence to the premises, materials or documents of the university or to the objects or belongings of other members of the university community.
- Systematically and repeatedly (more than three times) entering the classroom after class has begun, unwarranted talking in class, or disturbing students' work or the teacher's discourse in any way.
- Entering classes, seminars, and the library, or any other work space with any kind of food or drink.
- Smoking on the university premises outside of any space which has been made available for that purpose.
- Systematic lack of punctuality or unjustified absences.
- The use of any electronic apparatus in the classroom for any purpose that is not strictly related to the academic activity.

Chapter II Sanctions

Article 5: Sanctions for gross misconduct

- Temporary or permanent expulsion from the university with the consequent loss, according to the case, of the right to take exams and the right to register during the period of the expulsion.

Article 6: Sanctions for serious misconduct

- Prohibition from sitting any of the exams for the subject with the consequent loss of rights of registration.
- Suspension of the right to attend specific classes for a period which will not be less than six days and not greater than fifteen working days. The right to evaluation is maintained with the obligation, if applicable, to complete supplemental assignments or projects.

Article 7 : Sanctions for minor misconduct

- Public reprimand

- Suspension of the right to attend specific classes for a period which will not be greater than five working days. The right to evaluation is maintained with the obligation, if applicable, to complete supplemental assignments or projects.

Article 8: Recording of sanctions

- Imposed sanctions shall be recorded in the student's academic record and shall be cancelled ex officio by the university upon completion of the studies in which the student is enrolled or, failing that, within ten years of the recording of the sanction in the record.

Article 9: Publication of sanctions

The sanction, in addition to being communicated personally to the offending student, will be recorded in the secretary's office in a document created for this purpose. It is necessary for the coordinator in charge of the course to inform the Registrar's office of the name of the offender, the date and the offense committed.

Chapter III.- Disciplinary procedure

Article 10: Scope of application

- 1- The disciplinary procedure will be carried out as described below for the imposition of sanctions provided for in these regulations corresponding to instances of gross and serious misconduct. Flagrant falsification or cheating of the evaluation system in any way will be considered serious misconduct and the corresponding sanction will be applied without the need to process a file. For minor misconduct, the simplified procedure referred to in Article 14 of these regulations will be followed.
- 2- Irregular conduct of students that is not considered serious or gross, such as entering the classroom after class has begun, unwarranted talking in class, or disturbing the teacher's discourse, can and must be corrected immediately by the teacher who detects them with the expulsion of the student from the classroom, notwithstanding that its systematic and repeated occurrence may lead to the initiation of disciplinary proceedings for a serious offense.
- 3- Likewise, when a student speaks, copies or makes use of any means not authorized by the professor during the performance of an exam, the professor will immediately expel the student from the classroom and suspend the corresponding exam, notwithstanding that doing so may give rise, if appropriate, to the initiation of disciplinary proceedings for serious misconduct.

Article 11: Opening a disciplinary case file

- 1- The Dean of the Blanquerna School of Communication Sciences is responsible for initiating disciplinary proceedings, on his/her own initiative or following a complaint from any member of the university community.
- 2- The complaint filed shall minimally contain the identification data of the person or persons filing the complaint, a list of the deeds which constitute the infringement and, whenever possible, the identification data of the alleged perpetrators.
- 3- A document accompanying the disciplinary case file must minimally contain the following information:

- The person assigned to investigate the case.
 - Identification of the person allegedly responsible for the deed.
 - The allegations, place and date of the deed.
 - Infringements that the deed may constitute.
 - Sanctions that may correspond.
 - The competent authority for the resolution of the case and regulation which determines the assigning of competence.
 - The right of the affected parties to present declarations, and their right to a disciplinary hearing must be indicated. Additionally, a time frame must be established within which these rights must be claimed and, for minor offenses, the simplified procedure to be followed must be specified.
 - Provisional measures that have been agreed upon.
- 4- The affected parties and the person responsible for the investigation shall be notified of this agreement, with a transfer (with the right of copy) of all the existing proceedings. This notification shall also include the following information:
- a) In the event that no arguments are made against the content of the initial agreement within the established term, that this same agreement may be considered as a resolution proposal.
 - b) In case of explicit admission of the deeds and acceptance of responsibility by the student, that the case may be resolved without further procedure and the corresponding sanction shall be imposed.
- 5- The student will have a period of five days to present declarations, provide all documents, and propose the evidence they deem appropriate starting from the notification of the opening of the investigation.

Article 12: Responsibility for the investigation

- 1.- The Vice-Dean of the School of Communication and International Relations Blanquerna will be the person responsible for the disciplinary case file. Ex officio, he/she will carry out any investigation necessary in order to clarify the facts and to determine who will be held responsible and held liable to sanctions where appropriate. This will include recording the student's declarations.
- 2.- If the initial assessment and evaluation of the deeds and the sanctions to be imposed are modified as a result of the investigation of the case, the student will be informed in the proposed resolution.
- 3.- Once the student's declarations have been presented or once the five-day period to present them has elapsed, the person responsible for the investigation may decide to open a probation period for a maximum period of seven days.
- 4.- At the end of the probation period, the person responsible for the investigation will develop a resolution proposal which will establish:
 - The deeds, specifying those considered proven, and their legal assessment, establishing the infraction they constitute and the person/s considered responsible.
 - The proposed sanction

- Any provisional measures that may have been adopted
- If applicable, a declaration of non-existence of infringement or liability shall be proposed.

The affected parties will be notified of the proposed resolution and the case file will be made available to them (with the right to copy all documents) so that they may present declarations and submit documents or any information they deem appropriate to the person responsible for the investigation within a period of five days.

The resolution proposal, together with all documentation, declarations and information presented by the student will be transferred to the competent authority to resolve the case.

Article 13: Resolution of the case

1.- The competent authority to issue the resolution will be the Dean of the Blanquerna School of Communication and International Relations with the prior agreement of the school's disciplinary committee. The Vice-Dean of the school, as the authority assigned to prepare the case, may not form a part of the aforementioned committee.

2.- During the resolution phase, facts presented which are different from those presented during the investigation may not be accepted, regardless of their legal assessment.

If the disciplinary committee considers that the infraction is more severe than that determined in the proposed resolution and/or that the sanction imposed is to be more severe, the student will be notified so that he/she may present his/her appeal within a maximum period of five days.

3.- The case must be considered and resolved within a maximum period of fifteen days from the receipt of the proposed resolution, or from the presentation of the appeal referred to in the preceding paragraph, or after the corresponding five days have passed without an appeal having been presented.

Article 14: Procedure for minor misconduct

1.- In the event that the authority assigned to initiate the disciplinary procedure considers that there is sufficient evidence to classify the infringement as minor, the infringement shall be dealt with in accordance with the following simplified procedure.

2.- The initiation phase of the procedure shall take place in accordance with the general provisions and the document accompanying the disciplinary case file shall specify the simplified nature of the procedure to be followed. The person responsible for the investigation as well as the affected student shall be notified

3.- Within seven days of the aforementioned notification, the person responsible for the investigation and the affected students shall provide declarations, documentation and/or information they deem pertinent, as well as evidence to be considered.

4.- Once the aforementioned period has elapsed, the person responsible for the investigation shall formulate the proposed resolution or, if they consider that the deeds may constitute serious or gross misconduct, shall decide to continue in accordance with the general procedure, notifying the affected parties of this decision so that they may present evidence, if considered necessary, within a period of five days.

5.- The competent authority shall issue a decision within a maximum period of five days. The procedure must be resolved within a maximum period of twenty days from its initiation.

6.- In the event of an expulsion from the classroom, the teacher must notify the coordinator, who will record the incident on a document that will be shared with all other coordinators and directors of the degree programs and of the department of humanities, the Registrar, and the Vice-Dean. Regardless of what is established in Article 7, the coordinator will also contact the student's tutor to inform him/her of this circumstance and the tutor, in turn, must warn the student of the gravity of the situation. In the event that the student accumulates three expulsions (either in the same subject or in different subjects), the Vice-Dean will inform the student that the procedures corresponding to serious misconduct will be applied.

Article 15: Appeal before the Rector of the Ramon Llull University.

An appeal may be lodged before the Rector of the Ramon Llull University against the resolutions dictated by the Dean of the Blanquerna School of Communication and International Relations within a maximum period of fifteen days and in accordance with the University Statutes.

Article 16: Expiration of the disciplinary case file

The disciplinary case file will expire after a period of six months as of the initiation date of the disciplinary proceedings.

Article 17: Statute of limitations for infringements and sanctions

1.- The deeds which constitute misconduct are subject to a statute of limitations of a period of three years for gross misconduct, two years for serious misconduct, and six months for minor misconduct. This statute of limitations period shall be suspended upon the initiation of disciplinary proceedings and reinstated if the proceedings are suspended for a period of more than one month for reasons not attributable to the alleged perpetrator.

2.- Sanctions shall expire within three years for gross misconduct, two years for serious misconduct and one year for minor misconduct, as of the date on which the decision becomes final.

This limitation period shall be suspended upon the start of the execution of the sanction and shall be reinstated in the event of a suspension of the sanction for more than one month for reasons not attributable to the sanctioned party.

Article 18: Notifications

Notifications of the acts derived from the disciplinary proceedings will be provided personally to the affected party in the offices at the university, or by certified letter by which delivery is verified, or by burofax sent to the student's address listed in the student's registration records.

Article 19: Determination of timeframes

For the purposes of determining the timeframes set forth in these regulations, days shall be considered non-working days as follows:

- Saturdays and Sundays
- Holidays, in accordance with the working calendar in force in the city of Barcelona.

- The month of August
- Days of vacation during Christmas and Easter Holidays in accordance with the academic calendar in force

Article 20: Recusal and abstention of the competent authorities.

The provisions of Articles 28 and 29 of the Public Administration and General Administrative Procedures Law 30/92 shall be used by analogy as regards the process of abstention and recusal applicable to the competent authorities in the processing of the disciplinary procedure and in accordance with these regulations.

Article 21: Provisional measures

1.- When deemed necessary in order to ensure that university activities can be executed without disruption or to ensure the effectiveness of the resolution that may be issued, as a provisional measure in the case of serious or gross misconduct, the Dean of the School, either on his/her own initiative or at the proposal of the investigating body at the beginning of a disciplinary proceeding or at any time during its investigation, may decide, upon deliberation, on either a provisional change of group for the student, or the provisional suspension from certain classes, or the suspension of the student's right to attend the university (establishing necessary means of control so that the student does not lose the right to continuous evaluation during the period that this provisional measure would be upheld).

2.- When the resolution of the case involves temporary suspension of the right to attend the university, the number of days of non-attendance served in application of the provisional measure shall count toward the sanction to be served.

Article 22: Concomitance with criminal jurisdiction

1.- At any time during the disciplinary proceedings, when the competent authorities become aware that the deeds may constitute a criminal offence, the Public Prosecutor's Office shall be notified. In this case, as well as when the competent authorities which process the disciplinary case file become aware of the existence of a criminal proceeding with similarities of deeds, subjects and grounds between the alleged disciplinary infraction and the alleged criminal infraction, the disciplinary proceeding shall be suspended until the final judicial resolution of the criminal proceeding is presented. Then, depending on the content of the aforementioned judicial decision, the disciplinary proceedings or the closing of the proceedings may resume. In any case, judgements made in the criminal proceedings will hold true for the competent authorities in the processing and resolution of the disciplinary proceedings at the university, and corresponding sanction to be imposed upon the offending student may be decided upon without further procedure.

2.- During the period of time that the disciplinary case file is suspended for this reason, the statute of limitations and expiration periods that affect this procedure shall also be suspended.