

Disciplinary Regulations



UNIVERSIDAD
NEBRIJA

Preamble

Article 27 of the Spanish Constitution consecrates the autonomy of Spanish universities and recognizes, among other aspects, their power to design their own internal organizational regulations, within the legally established framework and with full respect for constitutional values. The Organic Law of the University System develops said constitutional precept, recognizing the autonomy of the Universities to, among other things, establish the development of the rules of coexistence and mediation mechanisms for the alternative solution of conflicts in the university environment.

Likewise, Law 2/2022, of February 24, on university coexistence, establishes that private universities and private affiliated centers will approve their Rules for Coexistence, based on the principles and guidelines for coexistence established by this law for the university environment. In view of the foregoing, the Antonio de Nebrija University (hereinafter, Nebrija University) prepares these Regulations to partially develop said Rules, establishing the university coexistence regime, including the disciplinary regime applicable to its students. These Regulations are complemented and developed by all other internal regulations of the University.

Section I. General Provisions

Article 1. Purpose and General Principles

In accordance with the provisions of [Law 2/2022](#), the purpose of these regulations is to promote among the Academic Community:

- a) Respect for diversity and tolerance, equality, inclusion, and the adoption of positive action measures in favor of vulnerable groups;
- b) freedom of expression, right of assembly and association, freedom of education and academic freedom;
- c) the elimination of all forms of violence, discrimination, or sexual harassment, based on gender, sexual orientation, gender identity or expression, sexual characteristics, national origin, belonging to an ethnic group, disability, age, health, social class, religion or convictions, language, or any other personal or social condition or circumstance;
- d) transparency in the development of academic activity;
- e) the use and conservation of university assets and resources in accordance with its function as a public service;
- f) respect for common spaces, including digital spaces;
- g) the use of the university name and symbols in accordance with the established protocols.

Likewise, the rules of coexistence of Nebrija University and its disciplinary procedure are governed by the principles of legality, justice, equity, and proportionality. And, in the exercise of disciplinary power by the University, it will ensure an educational nature, guaranteeing the rights and obligations and the harmonious coexistence of all members of the Academic Community, as well as the effective application of the Code of Ethics.

In addition, the imposition of any disciplinary measure related to the cases contemplated in Section c) above, must comply with the principles contemplated in article 4.4. Of [Law 2/2022](#).

Article 2. Scope of Application

These regulations will apply to the relations between Students and/or Scholars and Nebrija University. Section II. Student Status

Section II. Student Status

Article 3. Concept of “Student”

For the purposes of these regulations, the following will be considered a Nebrija University Student:

- a) Those who are thus defined in Art. 3 of the General Student Regulations¹.
- b) People who are carrying out training internships and/or carry out any other similar activity in collaboration with this University or with any other entities and institutions, public and private, that have signed the pertinent agreement with it.
- c) People who, fulfilling the requirements determined in each case, are enrolled in any of the academic, cultural or sports activities organized by Nebrija University, regardless of whether or not they do so regularly.

Article 4. Loss of the Student Status

Students will lose their status under the conditions established in the General Student Regulations.

¹ [General Student Regulations](#)

Article 5. Liable Individuals

Any person holding the status of Student as regulated in Article 3 and Article 4 above and participates directly in the actions that give rise to any of the offenses contained in this Regulation is subject to the Sanctioning Regime established in this Article.

Section III. Infractions or Disciplinary Offenses

Article 6. Infractions or Disciplinary Offenses

Infractions, or disciplinary offenses, are actions or omissions committed by Nebrija University Students, which involve the violation of the General Student Regulations and/or other internal regulations of Nebrija University that complement it.

Infractions committed against the disciplinary regime, in accordance with the provisions of the General Student Regulations and other internal regulations that complement it, can be minor, serious, or very serious.

Article 7. Minor Infractions

The following will be considered minor infractions or offenses to university coexistence:

1. Unjustifiably breaching punctuality, attendance, or participation obligations, as well as those of respect, use or care of the facilities and of the bibliographic or documentary heritage, and of the relationships between people and between professionals.
2. Using university services without paying the prices that are established.
3. Conducting activities that slightly disturb the normal functioning of the University.
4. Mildly disobeying the instructions given by the academic authorities, professors, or administration and service personnel in the exercise of their functions, as well as committing minor infractions of the rules or protocols, of any kind and in any medium, with special attention to those aimed at protecting the health of people dictated by health authorities or by the University itself.
5. Any improper academic conduct that harms or may slightly harm the University or any member of the Academic Community.
6. Any other actions not classified as serious or very serious offenses that may cause disturbance in academic order or discipline or slightly violate the obligations of the students and require the adoption of sanctioning measures according to the purpose of this standard will constitute minor offenses.

Article 8. Serious Infractions

The following will be considered serious infractions or offenses:

1. Carrying out acts of indiscipline or serious offense, verbal or written, against any member of the educational community.
2. Improper or unseemly words or actions, such as words or actions that disrespect any member of the educational community and that seriously disturb university order.
3. Causing slight or serious damage to the goods or materials in the Centers, either deliberately or due to improper use. Damaging and/or altering for the purpose of theft, or any other purpose, and stealing the bibliographic materials kept in any of the branches of the University Library Network.
4. Copying, receiving, transmitting, falsifying, or carrying during exams or qualifying tests, and regardless of their nature, previously unauthorized information regarding the content of such tests, as well as plagiarizing work or any other form of academic fraud.
5. Failure to comply with regulations on safety or health protection that seriously threaten the student himself or any other member of the Academic Community, even when the risk that the infringing conduct could have caused has not materialized.
6. Any serious infraction of the obligations of the student body.
7. Any improper academic conduct that harms or may seriously harm the University or any member of the Academic Community.
8. Committing three minor offenses during the same academic year.

Article 9. Very Serious Infractions

The following will be considered very serious infractions or offenses:

1. Serious aggression, by word or deed, against any member of the university community and, in particular, harassing behaviors referred to in Article 1.c) of these Regulations.
2. Improper or unseemly words or actions, such as a very serious lack of respect for any member of the Academic Community, that seriously disturb university order.
3. Seriously disobeying the instructions given by the academic authorities, professors or administration and services personnel in the exercise of their functions within the University facilities or outside them, during the course of University activity.
4. Very seriously or repeatedly disobeying mandatory regulations or protocols, as well as any conduct that, with manifest disregard for the health and physical integrity of others, potentially endangers the health of members of the Academic Community.
5. Causing very serious damage to the goods or materials in the Centers, either deliberately or due to improper use.
6. Impersonating another person in any act of teaching and falsifying or stealing academic documents.

7. Committing a serious offense if the circumstances of collective participation or voluntary publicity concur.
8. Any improper academic conduct that harms or may very seriously harm the University or any member of the Academic Community.
9. Recidivism in a serious offense during the same academic year.

Article 10. Prescription of the Infractions

1. The infractions for committing any disciplinary offenses will prescribe in the following terms:
 - a. Minor infractions will prescribe within six months.
 - b. Serious infractions will prescribe within two years.
 - c. Very serious infractions will prescribe within three years.
2. The statute of limitation will begin to run from the moment in which the infraction is committed or from its end if it is a continuous conduct.
3. The statute of limitation will be interrupted by the initiation, with the knowledge of the interested party, of any action by the Disciplinary Commission or the academic bodies of Nebrija University, restarting the prescription period if the disciplinary proceedings were interrupted for more than six months for reasons not attributable to the alleged offender.

Section IV. Sanctioning Regime

Article 11. Concept of “Sanctions”

The commission by the Student of some of the infractions or disciplinary offenses provided for in articles 8, 9 and 10 will be subject to sanctioning. Sanctions will be proportionate to the seriousness of the offense and will be determined according to the circumstances of each case.

The measures that, in a proportionate way, the professor can adopt immediately in the face of any disturbance in the development of the classes and with the sole purpose of achieving their immediate dismissal in a way that does not harm the rights of the rest of the students, without prejudice to the demand of liabilities that may arise, are not considered a sanction.

Article 12. Sanctions for Minor offenses

The sanctions corresponding to minor offenses may consist of:

1. Verbal or written, public or private reprimand.
2. Having the Student Status suspended for a period of less than one week.

In both cases, the sanction may be reflected in the academic record, and, where appropriate, economic restitution for the damage caused may be required.

These minor sanctions may be substituted, at the discretion of the University and subject to the express acceptance of the offending student, by carrying out services or activities for the benefit of the Academic Community during non-school hours. In the cases in which the possibility of commuting the imposed minor sanction is accepted, the effective fulfillment of the proposed activity will suppose the extinction of the disciplinary liability in which the student would have incurred.

Article 13. Sanctions for Serious Offenses

Serious offenses may be penalized, after weighing the seriousness of the event and the damage caused, with:

1. A written reprimand with the possibility of being reflected in the academic record.
2. Having the Student Status suspended for a period between one week and six months.

Article 14. Sanctions for Very Serious Offenses

Very serious offenses may be penalized, after weighing the seriousness of the event and the damage caused, with:

1. Having the Student Status suspended for a period between six months and one year, with the consequent loss of the corresponding academic fees.
2. The definitive expulsion of the Student, the cancellation of the enrollment in the academic year of the resolution, and the loss of any academic and economic rights, as well as, where applicable, the restitution, repair or compensation for the damage caused.

Article 15. Additional Measures to the Sanction

Any Student caught illegally copying, acquiring, transmitting or carrying information during an exam, or using fraudulent means to pass the evaluation tests, all in the terms provided by this Regulation or in its development regulations, in addition to the imposition of the expected sanction and the consequences established in the regulations governing the holding of exams, the loss of the right to sit an exam for the corresponding subject in the session corresponding to the period in which it was committed and the following one, with the consequent loss of the corresponding academic fees may be imposed as a specific sanction.

In addition, the sanctioning resolution may assess the possibility of establishing other types of academic measures of a non-sanctioning nature that are considered appropriate and proportionate, given the concurrent circumstances, so as to avoiding recidivism and to guarantee university coexistence.

Likewise, the Student must repair any material, economic or moral damage suffered by the University or by any third party.

Article 16. Weighing of the Sanctions

The weighing and concretion of the sanction within its seriousness will be carried out by the competent bodies, pondering, in a motivated manner, the following elements:

- a. Intentionality.
- b. Degree of disturbance of the university coexistence.
- c. Spontaneous repentance, by communicating the infringing act to the university authorities prior to the initiation of the disciplinary procedure.
- d. Recidivism.
- e. Any personal, family, or social circumstances of the student, regarding which the necessary reports may be requested.

The concurrence of mitigating circumstances of the sanction may determine the application of the corresponding sanction to the lesser infractions².

Article 17. Prescription of the Sanctions

1. The sanctions imposed in application of the General Student Regulations prescribe in the following terms:

- a. Minor sanctions will prescribe within one year.
- b. Serious and very serious sanctions will prescribe within two years.

2. The statute of limitations for sanctions will begin to run from the day following that on which the resolution imposing the sanction is enforceable.

Section V. Disciplinary Procedure

Article 18. Disciplinary Committee

A permanent Disciplinary Committee will be established within the scope of Nebrija University, which will be governed by the provisions of these Regulations, its complementary regulations and other applicable regulations, and whose action will be governed by the principles of legality, justice, and equity.

The Disciplinary Committee will be chaired by a Vice Chancellor of the University, a person designated by the Chancellor acting as Secretary, and two permanent professors who are members of the Faculty of this University as Members, also appointed by the Chancellor.

Article 19. Opening of the Record and Investigation

Disciplinary procedures are initiated by agreement of the Rector at the request of any person who has knowledge of any fact that may constitute an offense, and who informs the Disciplinary Committee or the Rector, who may also act ex officio when the interest of the university order thus recommends it.

Prior to the start of the procedure, any academic authority may request the opening of a preliminary investigation record of the facts that could give rise to disciplinary liability, in accordance with this Regulation, in order to determine if there are sufficient indications of them being committed and of the identity of the alleged perpetrators, which must also be agreed upon by the Chancellor.

In the record opening agreement, the Rector will appoint an investigator, acting independently to the Disciplinary Committee itself, who will be a professor at the University Faculty. The record opening agreement will be notified to the investigator, the secretary of the Disciplinary Committee and the University Ombudsman, who may be heard at any time during the procedure.

In the investigation of the record, the Instructor will collect as much information about the facts as possible. In addition, if they deem it appropriate, or if the alleged perpetrators so request, they may summon the persons whose testimony the Committee itself deems of interest to give a statement, materializing any other evidence deemed appropriate in the shortest possible time.

Once the investigation of the record has been completed, the Investigator will formulate a proposal for a disciplinary resolution before the Disciplinary Commission, or the declaration of non-existence of infraction or liability. In the event of a sanctioning proposal, they will decide what is appropriate, notifying the person or persons on record of said final proposal, which will contain: (i) the alleged facts, (ii) the possible infraction, and (iii) the sanction, so that within a period of seven calendar days they can send their allegations in writing to the Disciplinary Committee in this regard.

Article 20. Resolution of the Procedure

Once the allegations made have been heard, the Disciplinary Committee will definitively resolve the disciplinary record in the following seven calendar days, counting from the day following the delivery of the allegations, through the appropriate resolution, which must be motivated and respond to the principles that inform its performance and that have already been referred to in these Regulations. The resolution will be notified to the University Ombudsman.

The final sanction may be appealed by means of reasoned writing within five calendar days from its notification to the Nebrija University Rector. There will be no recourse against the Rector's resolution at the university level.

The maximum period for the resolution of the record will be six months from the date on which the Rector issued the record opening agreement. After said period, the procedure will have expired, and the prescription will not be interrupted.

Once the appeal period has elapsed or once the Rector's resolution has been issued, the sanction will be firm and fully enforceable.

² For example, the concurrence of mitigating circumstances in a conduct classified as a very serious offense may determine the application of the sanctions corresponding to serious sanctions.

Article 21. Precautionary Measures

At any time during the procedure, when there are reasonable indications of the liability of specific persons in the record, the Investigator may request before the Disciplinary Committee the adoption of precautionary measures that guarantee the effectiveness of the sanction, provided that this is necessary to avoid serious harm to the University. However, no measures may be taken that imply irreparable damage to the Student or that violate their right to the presumption of innocence.

Article 22. Abbreviated Procedure for Minor Infractions

In the case of minor infractions, when the determination of the facts and the presumed perpetrators is sufficiently precise, the record opening agreement may be issued by the corresponding Dean by delegation of the Rector, which will have the same content as that described in Article 19 and indicating that the record will be processed through the abbreviated procedure.

In such cases, the investigator of the procedure will issue a resolution proposal with the same content as that provided for in Article 19 within a period of 15 calendar days, which will be notified to the alleged perpetrator, granting a period of 5 calendar days to make allegations. .

In the event that the Student does not formulate allegations or in their allegations they agree with the facts and the sanction proposal, the resolution proposal will be final and firm, being fully enforceable. In such a case, the Dean will notify the Disciplinary Committee of the firmness of the sanction, who in turn will notify the University Ombudsman.

In the event that the Student makes allegations, the processing of the procedure will continue before the Disciplinary Committee, which will adopt the corresponding resolution.

Section VI. Sanction Registration and Cancellation

Article 23. Sanction Registration and Cancellation

The sanctions imposed for committing minor, serious, and very serious offenses will be recorded and registered in the Student's academic record. The cancellation of the registration of sanctions in the Student's academic record will be carried out ex officio within the following periods:

- a. For minor offenses, two months after the total and effective enforcement of the sanction.
- b. For serious offenses, six months after the total and effective enforcement of the sanction.
- c. For very serious offenses, provided that the sanction has not been expulsion from the University, twelve months from the total and effective enforcement of the sanction.

Other Provisions

Additional Provision

References to the persons with terms identified with the masculine gender are also understood to refer to the feminine gender. In this way, the terms Rector, Professor, Secretary, President, etc. are understood to refer to both male and female holders of the positions.

Repealing Provision

Within said scope, these Regulations repeal any other previous internal regulations that contradict them, and will be applicable at Nebrija University, in order to regulate the disciplinary procedure in the application of the disciplinary regime to the behavior of the University, regardless of the territorial area in which it is located.

Interpretation

The interpretation of these Regulations, in everything that is not manifest from their literal content, will depend on the Disciplinary Committee, and, where applicable, the Nebrija University Rector.