

# REGULATIONS FOR THE APPLICATION OF DISCIPLINARY PENALTIES TO STUDENTS

## 1. Field of application

1. The provisions of these Regulations apply to persons enrolled on courses of study at the Università Vita-Salute San Raffaele.

## 2. Disciplinary offence

1. A disciplinary offence is any action, not caused by chance, committed by a student on the University premises of Università Vita-Salute San Raffaele or other Locations/Organisations with which it operates conventions, which:

a) causes damage to the buildings or movable property owned by the University or which it holds or possesses by any title;

b) is damaging the academic discipline, the orderly, civil shared use of the University's premises and facilities and the orderly conduct of university life.

2. The following are also considered breaches of discipline and thus liable to punishment:

- breach of the training obligation with regard to safety and health monitoring;
- the unauthorised consultation of books or paper documents, the prohibited use of devices (e.g. IT media, cell phones) during examinations, assessments or tests, copying or any other fraudulent conduct (cheating);
- behaviours intended to evade or falsify the monitoring of their presence, or that of other students, at learning activities, if attendance is compulsory under the didactic regulations of the courses in question.

3. The actions covered by this article constitute disciplinary offences even if they are committed outside the University premises and facilities, if they have been prejudicial to the University's image due to the means by which they were committed and the aims pursued.

4. The student's academic performance shall not be taken into consideration when assessing disciplinary matters.

5. Any other article of criminal, civil or administrative law which the disciplinary offence has also violated shall still stand. In all cases, when faced with actions which may constitute criminal offences, the Rector shall notify the competent authority at once.

## 3. Penalties

1. The penalties which may be applied, without prejudice to any other possible legal proceedings, are the following:

a) reprimand;

b) temporary suspension from one or more courses;

c) debarment from one or more examinations;

d) temporary exclusion from the University, with consequent forfeiture of opportunity to take examinations.

## 4. Competence

1. Reprimands are issued by the Rector, who may appoint a delegate.

2. Temporary suspension from one or more courses and from one or more examinations is under the jurisdiction of the Faculty Council.

3. Temporary exclusion from the University, with consequent forfeiture of opportunity to take examinations, is the competence of the Academic Senate.

4. The Academic Senate also has jurisdiction over application of the penalties of temporary suspension from one or more courses and debarment from one or more examinations, if the events have involved students enrolled on courses with different Faculties.

## **5. Procedure**

1. The procedure may be begun by teaching staff, students or non-teaching staff who have learnt of behaviour deserving disciplinary action, by notifying the Rector in writing.
2. If the Rector decides that the appropriate penalty is a reprimand, he summons the student by registered letter and/or email and proceeds verbally, after questioning the student and listening to their excuses. The Rector may appoint a delegate to issue the reprimand.
3. Unless the chosen penalty is a reprimand, after receiving the report, the Rector, if he decides to proceed, may undertake investigations, which must not last more than 60 days.
4. On conclusion of the investigations, if the Rector considers that the accusation was unfounded, he dismisses the case and notifies the student by registered letter and/or email.
5. If the offence is considered proven, on conclusion of the investigations the Rector or his delegate writes a report reconstructing the facts and suggesting the penalty to be applied, and sends it to the competent bodies.
6. The Rector formally notifies the student that they have been found guilty of the offence by registered letter and/or email. Students must be notified of disciplinary proceedings against them at least 10 days before the date of the scheduled session of the Faculty Council or Academic Senate. Students may submit a written defence or request an interview with the Faculty Council or Academic Senate, by submitting the relevant documentation and/or application to the said bodies within 7 days after receipt of the notification from the Rector.
7. The Faculty Council and Academic Senate resolve on the application of the penalty by the majority vote of their members and notify the Rector for the procedures covered by the next article.

## **6. Application of penalties**

1. Disciplinary penalties are proportional to the gravity and any repetition of the relevant offences and must be reasonable and fair with regard to the nature of the offence, the sequence of events and the evaluation of the evidence.
2. In the case of behaviours intended to evade or falsify the monitoring of their presence, or that of their students, at learning activities, a reprimand will be administered, and repeat offenders will be debarred from one or more examinations, using the procedure covered by the previous article.
3. Under no circumstances shall the temporary exclusion from the University exceed three years.
4. Decisions taken at the end of the procedure are rendered executive immediately by the Rector and notified to students by registered letter and/or email, and to the relevant departments for the adoption of the consequent measures.
5. In addition to the communication procedures as described above, all higher education institutions are notified of the application of temporary exclusion from the University.
6. All disciplinary penalties are recorded in students' academic careers and are thus entered in their final reports.
7. Disciplinary penalties heavier than a reprimand may also imply loss of entitlement to financial assistance, such as scholarships, or to accommodation, if specifically stated by regulatory provisions or measures of the competent authority.

8. Disciplinary penalties enforced by another University are applied in full at any University to which students transfer or where they apply for enrolment.

## **7. Appeals**

1. Students may appeal to the Academic Senate against measures adopted under art. 4 by the Rector or the Faculty Council. The student concerned may submit an appeal in writing within 10 days of notification of the penalty. The Academic Senate resolves on the appeal within the next 30 days.

2. Students may appeal to the Rector against measures adopted under art. 4 by the Academic Senate. The student concerned may submit an appeal in writing within 10 days of notification of the penalty. The Rector resolves on the appeal within the next 30 days.

## **8. Concluding clause**

1. All matters not specifically covered herein are governed, as compatible, by the provisions of art. 16 of Royal Decree Law no. 1071 of 20 June 1935, converted into Law n. 73 of 2 January 1936, and art. 45 of Royal Decree no. 1269 of 4 June 1938.

2. Further disciplinary provisions may be contained in the course Didactic regulations and in regulatory and/or legislative measures to which specific reference is made.

3. The provisions of these Regulations, where applicable, are adopted in relation to those enrolled for courses of study, other teaching programmes, individual courses and other educational courses organised by Università Vita-Salute San Raffaele, and in relation to the students of other Italian and foreign universities attending the University under specific agreements. In this case, the respective Universities of origin will be informed of disciplinary penalties enforced against students of other universities temporarily attending Università Vita-Salute San Raffaele.