

UNIVERSITY REGULATIONS

REGULATIONS FOR THE APPLICATION OF DISCIPLINARY SANCTIONS TO STUDENTS

ISSUED BY RECTOR'S DECREE NO. [8393] OF 09/10/2023



Contents

1	PURPOSE AND SCOPE	3
	ART.1 <i>Field of application</i>	3
2	PROVISIONS OF THE REGULATIONS	3
	ART.2 <i>Disciplinary offences</i>	3
	ART.3 <i>Sanctions</i>	3
	ART.4 <i>Responsibilities for the imposition of sanctions</i>	4
	ART.5 <i>Disciplinary Committee</i>	4
	ART.6 <i>General principles of the proceedings</i>	4
	ART.7 <i>Disciplinary proceedings for the imposition of a reprimand</i>	4
	ART.8 <i>Disciplinary proceedings for the imposition of other sanctions</i>	5
	ART.9 <i>Imposition of sanctions</i>	5
	ART.10 <i>Appeals</i>	6
	ART.11 <i>Suspension of proceeding time limits</i>	6
3	VALIDITY AND TRANSITIONAL RULES	6

1 Purpose and Scope

ART.1 Field of application

1. The provisions of these Regulations shall apply to students enrolled in courses, research PhD Programmes, individual courses and other educational programmes and training courses set up at Vita-Salute San Raffaele University, as well as to students of other universities, including foreign universities, who attend the University on the basis of specific agreements.

2 Provisions of the Regulations

ART.2 Disciplinary offences

1. A disciplinary offence is any action, not caused by chance, committed by a student, within the meaning of article 1 above, within the university premises of Vita-Salute San Raffaele University or of other sites or organisations affiliated with it, which:

- a) causes damage to the buildings or movable property owned by the University or held or possessed by it in any capacity;
- b) is damaging to academic discipline, the orderly, civil shared use of the University's premises and facilities and the orderly conduct of university life;
- c) breaches any provision of civil and criminal law, the University Code of Ethics, or university regulations, or infringes the freedoms and rights of all persons carrying out their work or study within the University facilities.

2. The following also constitute a disciplinary offence and as such can be punished:

- a) non-compliance with the safety training obligation;
- b) non-compliance with health surveillance measures as identified by the Preventive Medicine Service;
- c) the unauthorised consultation of books or paper documents, the use of tools (e.g. computer equipment, mobile phones) during examinations or other assessments, as well as any other fraudulent (unfair, improper) conduct aimed at obtaining an unfair advantage;
- d) conduct aimed at evading or falsifying the recording of one's own or other students' attendance at teaching activities.

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 damaging to the University's image due to the means by which they were committed and the aims pursued.

4. Any other provision of criminal, civil or administrative law that the disciplinary offence has also violated shall still stand. In any case, when actions are found to constitute a criminal offence, the Rector shall immediately notify the competent judicial authority.

ART.3 Sanctions

1. The sanctions 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 the opportunity to take examinations for a maximum of three years.

ART.4 Responsibilities for the imposition of sanctions

1. Reprimands are the responsibility of the Rector, or his delegate.
2. The sanctions referred to in points b) and c) of Article 3 above are the responsibility of the Faculty Council.
3. Temporary exclusion from the University, as referred to in point d) of article 3 above, resulting in the forfeiture of the opportunity to take examinations, is the responsibility of the Academic Senate.

ART.5 Disciplinary Committee

- 1 The Faculty Council and the Academic Senate, in exercising their disciplinary jurisdiction, avail themselves of a Disciplinary Committee.
2. This Committee is appointed by Rector's Decree and is composed of:
 - two full professors, belonging to the Faculty of Medicine Council;
 - a full professor, belonging to the Faculty of Philosophy Council;
 - a full professor, belonging to the Faculty of Psychology Council.
3. Appointed members hold office for three years and are eligible for reappointment.
4. The Committee is presided over by the professor with greatest seniority in the role and, in the event of a tie, by the oldest professor. The functions of secretary are performed by the professor with least seniority in the role.
5. The Committee is validly constituted with the presence of all members and resolutions are passed by an absolute majority.
6. Each member of the Committee is obliged to abstain in the cases provided for in Article 51 of the Code of Civil Procedure.
7. A student subject to disciplinary proceedings may lodge an objection within 7 days of notification of the pending proceedings.
8. The President of the Committee deliberates on requests for abstention or objection within 7 days. For requests concerning the members of the Committee, and for those concerning the President, the Rector shall deliberate within the same time-frame.
9. Members who abstain or object shall be replaced by the Deputising Professor of the University.

ART.6 General principles of the proceedings

1. Proceedings may be initiated by lecturers, students and non-teaching staff who become aware of unlawful behaviour committed by a student, by preparing a notice addressed to the Rector.
2. The student concerned must be notified of the opening of the proceedings, within 30 days of receipt of the notice by the Rector.
3. Any notification regarding the proceeding described below shall be made by e-mail using the institutional University address provided to students at enrolment.
4. Any order concerning the imposition of disciplinary sanctions must be duly motivated.
5. The proceedings must be concluded within 120 days of the student's receipt of the statement of charges, as referred to in paragraph 2 above. Any delays that cannot be attributed to the University, such as those resulting from failure to contact the student, are not considered in the calculation of the time limit.

ART.7 Disciplinary proceedings for the imposition of a reprimand

1. In the case of offences that can be sanctioned with a reprimand, the Rector or his/her delegate shall summon the student for an interview.

2. If the summoned student fails to attend the scheduled meeting, a second summons will be sent by registered letter. The summoned student is obliged to appear on the set date, failing which the right to be heard is forfeited.
3. If, having heard the student's defence, the Rector or his/her delegate does not consider it necessary to dismiss the case, he/she shall impose the reprimand orally.
4. A specific record of the reprimand is drawn up and must be delivered to the student within 30 days of the interview and within the time limit set out in article 6(5) above.

ART.8 Disciplinary proceedings for the imposition of other sanctions

1. If, having received the report, the Rector does not deem it necessary to proceed with a reprimand, he/she shall forward the notice to the Faculty Council or the Academic Senate.
2. The Faculty Council, or the Academic Senate, shall notify the student of the pending proceedings against him/her, as referred to in article 6(2) above, and of his/her right to be heard by the Disciplinary Committee and to submit written comments. At the same time, it transmits the documentation to the Disciplinary Committee.
3. The student, no later than 7 days after the notification referred to in subsection 2 above, shall submit his/her defence, in writing, to the Disciplinary Committee and, if s/he so wishes, may ask to be heard by the Committee.
4. The Disciplinary Committee, upon receipt of the request, schedules the hearing and duly notifies the student; if no such request is received, it schedules a meeting to discuss the case.
5. The student summoned to the hearing is obliged to appear, failing which the right to be heard is forfeited.
6. Within 15 days of the hearing, the Disciplinary Committee deliberates on its proposal to impose the sanction or dismiss it and forwards it to the Faculty Council or Academic Senate.
7. The Faculty Council or the Academic Senate deliberate by adopting the proposal of the Disciplinary Committee. If they decide to deviate from this proposal, they shall give a full justification for their decision.
8. The deliberation of the Faculty Council or the Academic Senate, which must be issued on pain of termination of the proceedings within 120 days of receipt by the student of the statement of charges, shall be delivered to the student concerned.

ART.9 Imposition of sanctions

1. Disciplinary sanctions imposed shall be proportionate to the severity and repetition of the events and shall meet criteria of reasonableness and fairness, having regard to the nature of the breach, the course of events, the assessment of the evidence and the conduct, including remedial conduct, of the student after the event.
2. The student's academic performance cannot be taken into account for disciplinary purposes.
3. In the case of disciplinary offences that can be punished by reprimand, in the event of a repeat offence, suspension from one or more assessment exams is envisaged, to be applied in accordance with the procedure laid down in article 8 above.
4. Apart from the cases referred to in the preceding paragraph, disciplinary sanctions are cumulative.
5. Measures relating to disciplinary sanctions are immediately enforceable and must be communicated not only to the student, but also to the offices concerned so that subsequent action can be taken.
6. Notice of the application of the sanction of temporary exclusion from the university, in addition to the above notification methods, shall also be given to all university institutions.

7. Vita-Salute San Raffaele University shall also be informed of any sanctions imposed on students from other universities who are temporarily attending Vita-Salute San Raffaele University as part of a mobility programme.
8. All disciplinary sanctions are recorded in the student's career record and are accordingly transcribed in the leave sheets.
9. After one year has elapsed since the reprimand, if no other sanctions are imposed under these regulations, it will be removed from the student's career.
10. Disciplinary sanctions of more than a reprimand may also result in the forfeiture of financial aid benefits such as, but not limited to, scholarships and accommodation.
11. Disciplinary sanctions imposed at another university shall be fully enforced by Vita-Salute San Raffaele University if the student moves there or applies to be enrolled.

ART.10 Appeals

1. A student may appeal to the Academic Senate against orders imposed by the Rector or the Faculty Council, as referred to in article 4 above. Appeals must be lodged by the student concerned in writing, within 10 days of delivery of the sanction imposition report, as referred to in article 7(4) above. The Academic Senate issues its decision within 60 days of receipt of the appeal.
2. Internal appeals may not be lodged against orders issued by the Academic Senate as referred to in article 4 above.

ART.11 Suspension of proceeding time limits

1. The time limits for the proceedings under these Regulations are suspended between 1 August and 31 August.

3 Validity and transitional rules

These Regulations shall enter into force on the day following the day of issue of the Rector's Decree.

These Regulations are published on the University website.

On the date these Regulations enter into force, the provisions laid down in the Regulations for the application of disciplinary sanctions to students issued by Rector's Decree no. 8309 of 25 July 2023 shall be repealed, except for proceedings pending on the date these Regulations enter into force.

For all matters not provided for in these Regulations, the applicable legal provisions shall apply.

The Italian version of this Regulations is the only legal means of communication of the relative contents and in case of dispute, the Italian version shall prevail.