

Code of Ethics of the *Libera Università di Lingue e Comunicazione IULM*

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INTRODUCTION

Since its foundation in 1968, the *Libera Università di Lingue e Comunicazione IULM* (“**IULM University**”) has made teaching and researching languages and communication its mission. And that mission encompasses any activity or tool that in any way relates to these disciplines – especially if it leads to cultural, social and economic development.

To this end, IULM University has, over the years, established an educational programme centred on well-structured courses that fulfil the needs of the worlds of business and industry. It is a centre of excellence in university and postgraduate education in the fields of communication, consumer culture, media, marketing, public relations, international relations, tourism, art and artistic heritage, and foreign languages and literature. And it has always strived to combine culture and innovation, knowledge and know-how.

IULM University has legal personality with statutory, educational, organizational, administrative and accounting autonomy under Art. 33 of the Italian Constitution and Law No. 168 of 9 May 1989.

IULM University is a university community which includes teaching staff, technical and administrative staff, students, and all those who, whatever their role, spend time there for research, teaching or study. Community members participate in university life with equal human and professional dignity; they respect not only their own duties to the University, as set out in the regulations, but also the rights and duties of others. Through their own professional development, community members seek to achieve common goals and to embody common values. Furthermore, the University community is constantly aware of its role in the area in which it is located and strives to meet the needs and opportunities that arise at both a local and international level.

As a community, IULM University is called upon to: spread the values of solidarity and cooperation both on and off university grounds; promote close relations between institutions of higher education and research; educate new generations on individual and social responsibility; enhance and maximize technical, professional and scientific skills; and promote educational models that respect the principles of freedom, dignity and equality.

SECTION 1: CODE OF ETHICS AND GUIDELINES

Whereas IULM University is an organization set up under the laws in force and in accordance with the constitutional principles that provide for academic freedom, and is composed of individuals of different age, origin, sex and economic status who hold different positions and different professional roles;

Considering that IULM University is conscious of its function within the social fabric at a local, national and European level, and that it acts with awareness and responsibility, as certified by its current statute;

Acknowledged that IULM University operates in various fields of public and private interest, and that it promotes interaction between different parties, again both public and private, in pursuit of research and knowledge;

Now, therefore, in light of the foregoing, the University's Code of Ethics is hereby formulated as follows:

This Code of Ethics identifies the principles of correct conduct that must be respected in order to best achieve IULM University's educational and scientific mission. It calls on the sense of responsibility that must accompany the performance of one's duties and the exercise of one's rights within the University community.

This Code of Ethics applies to all members of the University community, including those working for or collaborating with the University on a temporary basis. Where applicable, it may also be extended to guests of the University.

This Code of Ethics does not take the place of law; it is an addition to the regulations that govern University community members and provides for their rights and duties.

The IULM University Code of Ethics is founded on three basic principles:

1. equity and justice;
2. respect for the individual and his/her dignity; and
3. personal and professional responsibility.

1) All people working in various roles at IULM University must be treated with human dignity; they may not be discriminated against or be subjected to abuse or undesired attention.

Any discrimination or abuse is subject to disciplinary action in accordance with the law, with the aim of preventing rather than punishing.

2) University members must be treated as bearers of values, and as such must be respected and safeguarded. All University community members have equal access to the many opportunities for socialization, in order to ensure that they fully participate in the community.

IULM University and its members have a fundamental duty to respect others so that each individual feels part of the community and accepts his/her responsibilities to the University. Participating in a community means that each individual must be accountable for his/her own rights and the duties and responsibilities – especially to others – that those rights entail. To this end, each individual must be transparent and honest in his/her actions.

3) Each University member must avoid, in all ways and at all times, offending any other individual and must adopt fair and respectful behaviour in the interest of the community as a whole. Each University member must understand that he/she has a mutual commitment to pursuing shared goals and, consequently, must defend the rights of others and respect their personal diversity.

SECTION 2: GENERAL PRINCIPLES

1. Academic freedom

IULM University is committed to promoting intellectual freedom and sees the free exchange of intellectual ideas as essential to fulfilling its institutional and academic mission. It also undertakes to protect its members from any attempt to restrict or violate this freedom.

IULM University recognizes the freedom to teach and conduct research as being essential to the proper conduct of the University's activities. Teaching staff must adopt intellectual behaviour that is ethically and legally in line with the freedom of judgement and interpretation; they must be honest, and they have a responsibility to safeguard the value of research in the pursuit of knowledge.

2. Name and reputation

The entire University community is obliged to respect and ensure IULM University's good name. Each member of IULM University must behave in a manner consistent with the University's good name. No member is allowed:

- to make unlawful or improper use of IULM University's name, logo or any symbols belonging to the University;
- to exploit or use the reputation of IULM University outside the University, especially if associated with external professional activities, including unpaid work; or
- to express personal or subjective opinions that could injure or harm IULM University's good name.

3. Forms of discrimination

In a legal system that promotes equal opportunity and equality, discrimination exists when an individual or a category of people is treated less favourably than other individuals or categories of people in the same or similar circumstances on the grounds of one or more factors, such as: age, skin colour, nationality, ethnic origin, gender, disability, political beliefs or religion.

IULM University believes that indirect discrimination exists even when an apparently neutral requirement, such as a provision or rule, leads to negative effects because of the discriminatory factors mentioned above.

Furthermore, IULM University – in compliance with the above and in order to safeguard the health and safety of its employees and students – does not tolerate any form of violence or aggression (be it physical or verbal) nor any form of abuse or bullying, as this conduct is prejudicial to human rights and dignity.

IULM University and its members are exponents and guarantors of equal opportunity in employment and education.

4. Sexual harassment

IULM University does not tolerate any form of sexual harassment, violence or abuse, nor any similar behaviour.

Sexual harassment and molestation cover a wide range of offensive conduct, be it verbal, visual or physical in nature. In all cases, the conduct offends the victim on a sexual level.

Sexual harassment is characterized by the making of sexual references – even implicitly – against an individual's will.

Sexual harassment includes:

- unwelcome verbal comments of a sexual nature;
- unwanted and deliberate physical contact;
- gratuitous, public exhibition of sexually explicit written or audiovisual material;
- transmission or projection of offensive emails, screen savers or pornographic images;
- offensive gestures or actions of a sexual nature;
- persistent and unwanted attention to third parties, together with a persecutory attitude; and
- explicit or implicit requests to receive or offer sexual favours.

Some forms of sexual conduct may be considered offensive by some and harmless by others. To be precise, IULM University considers the following to be forms of harassment:

- the implicit or explicit imposition of conditions on students regarding admission to, evaluation of and passing of exams, or any action that might in some way limit a student's academic career;
- the implicit or explicit imposition of conditions on teaching and/or administrative staff regarding their recruitment and selection, or any action that might in some way limit a person's professional career;
- interference with an individual's academic achievement or performance at work; and
- the creation of an intimidating and offensive work and/or learning environment.

Given the University's educational role, sexual harassment or abuse on the part of teachers against students are treated as particularly serious offences.

5. Intellectual property and plagiarism

IULM University complies with intellectual property and plagiarism laws, and all faculty members, administrative staff and students are required to respect current regulations on the matter.

The law protects copyright over intellectual property. IULM University holds the rights to use – for economic purposes or otherwise – creative works and inventions produced by teaching staff and/or students, provided these products derive from institutional activities and were explicitly commissioned by the University.

Individual intellectual property is recognized by the University and, as such, must be protected.

Plagiarism is defined as taking someone else's work or ideas and passing them off as one's own or as the work/ideas of others. Plagiarism can occur regardless of the language in which the original work/idea was expressed and, in any case, when no explicit reference is made to the source of the work/idea. Total or partial plagiarism is a criminal offence. Every single academic activity of scientific importance to the University must refer specifically, whenever possible, to the community member to whom that activity is attributable. IULM University strives to put conditions in place such that its members may always operate with integrity and honesty. The University strives to enhance individual merits and foster personal responsibility, but it also supports and encourages a methodological, structured multidisciplinary approach to research and dialogue between University community members.

6. Conflict of interests

A conflict of interests includes any circumstance that arises whenever actions performed in the interest of the University are incompatible with the personal interests of an individual. Moreover, a conflict of interests occurs whenever an individual illegitimately expects to receive a direct or indirect benefit for a job or activity carried out on the University's behalf.

A conflict of interests emerges whenever a University community member's private interest potentially or concretely contrasts with IULM University's interests, be it an economic interest or otherwise.

IULM University, its academic and administrative staff and its students must take the most appropriate measures to avoid any situation or relationship that could lead to a conflict of interests or that could directly or indirectly compromise the performance of their duties.

Whenever University members become aware of such a situation, they must take the appropriate measures to dissolve any real or potential conflict.

Moreover, IULM University disapproves of any form of nepotism or favouritism that unfairly elevates one individual over others regardless of that person's individual merits, professionalism or background, as this conflicts with the principles of fairness, justice and impartiality.

7. Research ethics

Research must be carried out in full compliance with relevant ethical standards, in terms of both methodology and the use of results. Researchers have a duty to ensure that their work is consistent with the values and principles underlying IULM University's statute and their respective professions. Furthermore, researchers must only participate in research projects that conform to the ethical standards of the field of reference.

IULM University and its researchers have a duty to respect and protect everyone involved in ethically sustainable research.

Scientific misconduct is falsification of data, plagiarism or any other practice that deviates from the standard codes of practice in the scientific community as regards the management, development and performance of research. The following conduct is considered particularly reprehensible:

- taking credit for a work, project or any kind of research that belongs to someone else, including through the use of confidential information or by intentionally omitting parts of work carried out by others;
- interfering in the work of others with no specific intention or authorization, especially as regards the wrongful appropriation of material for one's own research purposes; and
- maliciously sharing or circulating others' research by altering or only partially using the work.

8. Gifts and benefits

IULM University members may not solicit, encourage or accept gifts or benefits of any kind if those gifts/benefits could reasonably be linked to actions that directly or indirectly impose constraints on their professional work.

Any form of compromise for business purposes will be seen as an aggravating circumstance.

9. Use of University resources, services and spaces

IULM University members must use University services, resources and spaces in accordance with institutional purposes and, in any case, in a legitimate way. The use of benefits must be expressly authorized by the competent bodies.

SECTION 3: ETHICS COMMITTEE

10. Ethics Committee

The Rector appoints a special Ethics Committee comprising one external member and two internal members, all of whom have been chosen for their prominent positions and unquestionable moral rectitude. The Ethics Committee has the following functions:

- to carry out a preliminary inquiry into anyone who may have violated this Code and provide the related documents, together with a reasoned report, to the Academic Senate; and
- to favour an amicable agreement to any dispute whenever possible, provided that the conduct in question does not constitute a criminal, civil or administrative offence.

The Ethics Committee must duly justify its initiatives and proposals.

Each Ethics Committee has a four-year term.

SECTION 4: ASSESSMENT OF CODE VIOLATIONS – PROCEDURES – SANCTIONS.

11. Principles

Any violation of this Code of Conduct constitutes grounds for enforcement of specific sanctions.

If, while assessing a violation of this Code, it emerges that a disciplinary offence also occurred, the regulations provided for disciplinary offences apply. Disciplinary action and related sanctions prevail over procedures and sanctions arising from violations of this Code.

The provisions of this Code do not affect any civil or criminal liability arising from sanctioned conduct.

12. Procedures

The procedure described in this section respects the adversarial principle of hearing both sides.

When the Rector receives a non-anonymous report or comes to know information regarding a possible Code violation, he/she appoints a special pre-inquiry board responsible for carrying out a preliminary investigation into the existence of a violation.

Reports may include any violation committed by any University community member, which

includes anyone who spends a period at the University carrying out research (e.g. PhD students or research assistants), teaching (e.g. teaching staff under contract) or studying (e.g. foreign students or specialists).

The pre-inquiry board must report to the Rector in the shortest possible time. In its report, the board must formulate its final conclusion on the nature of the reported behaviour, indicating whether it is to be considered a violation of this Code or a disciplinary offence.

The Rector evaluates the pre-inquiry board's report and decides whether to instigate proceedings with the Ethics Committee for a Code violation or – if the conduct can be considered a disciplinary offence – to pass on the relevant documentation to the governing body responsible for dealing with such matters.

Proceedings begin when the Ethics Committee serves written notice on the person concerned; this notice makes reference to the provisions of the Code that have been violated.

The person concerned has at least 15 days to submit a written reply, with the possibility of being heard by the Ethics Committee.

The Ethics Committee examines any response/counterargument from the person concerned and, if the person concerned so requests, hears his/her defence in person. The Ethics Committee then concludes its inquiry by sending the Academic Senate a report that contains details on how the violation was reported, the violation itself, the defence of the person concerned, and any other relevant material.

The Academic Senate – under Art.2, para. 4, of Law No. 240 of 30 December 2010 – resolves on the matter within the next 30 days.

The proceedings must conclude within 60 days from the service of notice of a Code violation on the person against whom the proceedings have been instigated.

If a disciplinary procedure is completed without leading to sanctions, the Rector decides whether to pass on the relevant documentation to the Academic Senate for any further action.

13. Sanctions

Sanctions are to be applied in accordance with the principle of proportionality.

Thus, the seriousness of a violation and its recurrence must be considered. Recurrence is when, in the previous two years, a person's conduct has been found to violate the values and principles of this Code (or other values and principles) on multiple occasions.

The following sanctions are envisaged:

- a) a formal warning in the form of a reprimand signed by the Rector;
- b) a formal warning that is made known to the University community through publication on the University website;
- c) suspension from an academic post, organizational role or Rector-appointed role for up to one year;

- d) forfeiture of an academic post, organizational role or Rector-appointed role; and
- e) suspension of the right to be elected or appointed to, or to hold, any academic position, organizational role or institutional position for three years.

If any of the sanctions in points c), d) or e) are imposed, the corresponding resolution passed by the Academic Senate is published on the University website.

In all cases, the Academic Senate's resolution is sent to the person concerned and to the Evaluation Team.

All documentation related to the sanction is kept in the personal file of the person concerned.

14. Final and transitory provisions

If conduct that results in a violation of this Code also becomes the subject of criminal, civil or administrative proceedings, the procedures and sanctions described in this Code still apply.