



*ATTENTION: the English translation of the "Regulations on Student Disciplinary Proceedings" is only an information aid addressed to international students. From a normative point of view, the Italian version is the one to be considered*

## **REGULATIONS ON STUDENT DISCIPLINARY PROCEEDINGS**

### **Art. 1 – Scope**

1. These Regulations govern the rules concerning the application of disciplinary sanctions to students, pursuant to Article 16 of Royal Decree-Law no. 1071 of 20 June 1935, converted into Law no. 73 of 2 January 1936.
2. For the purposes of these Regulations, "students" shall mean all persons enrolled - including graduating students - in Bachelor's degree programmes, Master's degree programmes, doctoral programmes, first- and second-level university Master's programmes, executive Master's programmes, individual educational activities, regardless of the academic year of enrolment, as well as students admitted to the Libera Università di Lingue e Comunicazione IULM (hereinafter "IULM University" or "the University") on the basis of specific agreements or within the framework of exchange programmes, for the purpose of attending courses or making use of other educational activities, including examinations.

### **Art. 2 – Definition of a disciplinary offence**

1. A disciplinary offence consists of any intentional or negligent act committed in violation of the Statute of Autonomy, the University Academic Regulations, the Code of Ethics, the University Regulations, as well as any other rule of conduct established by IULM University.
2. In particular, by way of example and without limitation, a disciplinary offence shall be deemed to occur where the act committed by the student:
  - a) causes serious damage to the reputation of the University or to the dignity of students, faculty members, technical-administrative staff, or any other person authorised to access the premises of IULM University, including where such conduct takes place outside the physical or digital facilities of the University or through the use of channels, profiles, social media pages, or any personal or other digital account or tool not attributable to IULM University;
  - b) is aimed at, or results in, altering, modifying or falsifying documents relating to the student's own or another person's academic record, the electronic examination records, official examination records, or the acquisition of university educational credits;
  - c) is intended to alter the results of examinations, whether of the student concerned or of other students, and violates the prohibition on the use, during written examinations, of any material (paper-based or electronic) not expressly authorised by the instructor. By way of example, the unauthorised use of manuals, notes, books or publications, smartphones, smart glasses, laptop computers or other electronic or multimedia devices is prohibited, as is the use of any electronic equipment enabling access to files or web pages, the sending or receiving of messages, or the transmission or consultation of images. The same prohibition also applies to other types of tools capable of facilitating unauthorised connections and communications, such as Bluetooth, Wi-Fi or infrared devices;
  - d) violates the prohibition on disseminating, communicating or distributing, whether or not

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for profit (offline or online, including via social media or other means), content, recordings, video recordings of lectures, or other information or data available on IULM University platforms, without the prior written consent of the rights holders;

- e) causes damage to facilities, equipment and/or, in general, to property owned by the University or by third parties and present on the IULM University campus in any capacity;
- f) constitutes plagiarism in the preparation of the final paper / degree thesis or doctoral thesis, or in examinations;
- g) involves the unauthorised use of artificial intelligence for the purpose of improving or otherwise altering the assessment of examinations and/or thesis papers and final examinations;
- h) constitutes the misappropriation of property owned by IULM University or by third parties;
- i) constitutes a serious violation of the ethical standards set out in the Code of Ethics;
- j) prevents or makes more difficult the investigation or establishment of disciplinary offences committed by the student or by others.

3. The imposition of a disciplinary sanction shall not preclude the University from taking civil or criminal action to protect IULM University. The existence or initiation of civil and/or criminal proceedings in relation to the facts underlying the disciplinary proceedings shall not result in the automatic suspension of the latter.

### **Art. 3 – Types of disciplinary measures**

1. In proportion to the seriousness of the offence committed, the following disciplinary sanctions may be imposed:
  - a) **a reprimand**;
  - b) **temporary prohibition** from attending one or more courses, including internships, for a period not exceeding three months;
  - c) **temporary suspension**, not exceeding one year, from sitting one or more examinations - for one or more examination sittings/sessions - or exclusion from the final examination for one or more degree or end-of-programme examination sessions;
  - d) **temporary exclusion** from IULM University, with the consequent loss of examination sessions, for a period not exceeding three years. During this period, the student shall be exempt from payment of tuition fees. Such period shall be counted for the purposes of determining the expiration of the maximum period allowed for completion of the student's studies.
2. Disciplinary action shall be exercised in accordance with the principles of due process, and disciplinary sanctions shall be proportionate to the seriousness of the facts. For the purposes of assessing seriousness, relevance shall also be given to the repetition of the conduct and to the subjective element of intent or gross negligence. Disciplinary measures shall be final.

### **Art. 4 - Disciplinary authority**

1. Disciplinary authority over students shall lie with the Rector and the Academic Senate, within Electronic document signed with a digital signature pursuant to Legislative Decree No. 82/2005, as subsequently amended.



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their respective spheres of competence:

- a) the Rector, for the disciplinary sanction referred to in Article 3, paragraph 1, letter a);
- b) the Academic Senate, for the disciplinary sanctions referred to in Article 3, paragraph 1, letters b), c) and d).

2. The Rector and the Academic Senate shall be assisted during the investigative phase by an Investigative Committee appointed by the Rector upon proposal of the Academic Senate.

#### **Art. 5 – Reporting of facts giving rise to disciplinary proceedings**

1. Any person who becomes aware of a fact that may constitute a disciplinary offence, pursuant to Article 2 above, shall promptly report it in written, non-anonymous form to the Rector. The University shall adopt all measures necessary to protect the privacy of the reporting person.
2. Upon receipt of notice of the alleged disciplinary offence, the Rector shall, within five days, initiate the proceedings by transmitting the relevant documents to the Investigative Committee referred to in the following Article 6. Days during which IULM University is closed for holidays shall be excluded from the calculation of the time limit.
3. Disciplinary proceedings shall commence upon receipt of the documents by the Investigative Committee and shall conclude with: the Rector's decision in the case of application of the disciplinary sanction referred to in Article 3, paragraph 1, letter a); the resolution of the Academic Senate regarding any proposed sanction under Article 3, paragraph 1, letters b), c) and d); or the dismissal of the proceedings. As a rule, the proceedings shall not exceed a duration of forty days; days during which IULM University is closed for holidays shall be excluded from the calculation of the time limit.

#### **Art. 6 – The Investigative Committee: composition and procedures**

1. The Investigative Committee, appointed by Rectoral Decree, shall be composed as follows:
  - the Vice-Rector;
  - the Prorector for Teaching;
  - the Dean of the Faculty, or the Director of the Doctoral School, or the Chair of the Scientific Board of the IULM Communication School, depending on the programme in which the student subject to disciplinary proceedings is enrolled;
  - the Student Representative on the Board of Directors;
  - the Head of the Teaching Area.

Where necessary, the Committee shall be assisted by the Head of the Institutional Affairs Office, acting as the officer responsible for the proceedings, and by a member of the technical-administrative staff with technical-legal expertise, appointed by the General Director.

The Committee may avail itself of the advice of teaching staff and/or technical-administrative staff of the University.

2. The members of the Committee shall remain in office for the entire duration of their mandate or appointment. The Committee shall appoint from among its members a Chair and a Recording Secretary. The Committee shall be validly constituted with the presence of all its members, and resolutions shall be adopted by a majority of those members.
3. The Committee shall carry out investigative activities, collecting the submissions of the interested

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party and ensuring the right to adversarial proceedings. The Committee may acquire documents, hear persons with knowledge of the facts, obtain opinions from experts appointed by the Committee itself, and carry out any activities it deems necessary in order to ascertain the facts contested against the student.

#### **Art. 7 – Notice of initiation of proceedings**

1. Within ten days of transmitting the documents to the Committee, the Rector shall notify the student, by means of a formal notice of charges, of the facts forming the subject of the disciplinary proceedings and of the initiation thereof. The notice shall contain:
  - a) a clear and precise description of the alleged facts;
  - b) an indication of the right to inspect and obtain copies of the documents forming part of the disciplinary file;
  - c) an indication of the right to be assisted by a person of the student's choosing;
  - d) an indication of the right to submit defence briefs and documents or other exculpatory evidence, and to request that the Committee carry out specific investigative activities;
  - e) the date and time of the hearing before the Committee, which shall not be earlier than the tenth day following service of the notice of initiation of the proceedings.

The Rectoral Decree appointing the Committee shall be attached to the notice.

#### **Art. 8 – Conclusion of disciplinary proceedings**

1. Within ten days of the student's hearing, and thus upon completion of the investigative phase, having assessed the defences, the Committee shall transmit the case file to the Academic Senate together with a written report reconstructing the facts and setting out a reasoned proposal for the disciplinary measure to be imposed or for dismissal of the proceedings. The proposal of the Investigative Committee shall not be binding on the Academic Senate or the Rector.
2. At its first available meeting, the Academic Senate shall examine the Committee's report and deliberate, either adopting the reasoning expressed by the Investigative Committee or providing different reasons, on the application of the sanctions referred to in Article 3, letters b), c) and d), or on the dismissal of the proceedings without imposition of sanctions, subject to paragraph 3 below.
3. Where the Academic Senate considers that the sanction referred to in Article 3, letter a), is applicable, it shall remit the documents to the Rector for the possible imposition of the sanction.
4. The disciplinary measure or the dismissal of the proceedings shall be made enforceable by Rectoral Decree. The Decree shall be sent to the interested party by registered letter with return receipt within one day, and to the Registrar's Office for entry in the student's personal file.
5. Disciplinary sanctions shall be taken into account in the formulation of rankings (e.g. for part-time collaborations or student representative positions). The adoption of the sanction of temporary exclusion from the University shall be communicated to all Italian universities. Sanctions imposed on students simultaneously enrolled at two different universities, whether on a temporary basis or within Erasmus or other joint education programmes, shall be communicated to the other

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universities concerned.

6. The Committee shall conclude its activities within thirty days from receipt of the report from the Rector, without prejudice to the possibility, for more serious cases, of requesting an extension from the Rector for a period not exceeding thirty days.
7. The deadline for completion of the investigative activities referred to in the preceding paragraph may be suspended in the event of:
  - a) a postponement exceeding ten days of the time limit granted for the defence, due to a serious impediment affecting the student; in such case, the deadline for completion shall be extended by a corresponding period;
  - b) a proven need to acquire additional elements in order to ensure effective and efficient investigative activity, for a maximum additional period of thirty days.

#### **Art. 9 – Precautionary suspension**

1. Pending completion of the proceedings, where deemed necessary, the Rector may apply a precautionary measure which shall not exceed the sanction provided for the alleged offence. The period during which the precautionary measure is applied shall be counted towards the final sanction.
2. The precautionary suspension shall be justified by the particular seriousness of the alleged facts and by the need to safeguard the credibility and public image of the University, and shall be approved or ratified by the Academic Senate at its first available meeting.

#### **Art. 10 – Final and transitional provisions**

These Regulations shall enter into force on the date of the Rectoral Decree of enactment. For all matters not provided for in these Regulations, reference shall be made to the legislation in force, the Statute of Autonomy, and the internal regulations.

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